

The 4 Firms That Strike Fear in GCs

General counsels have singled out four law firms that they're most afraid to face in court, pointing to the firms' ability to upend business operations, rack up costly bills and potentially ruin the reputations of their clients' litigation opponents.

The BTI Litigation Outlook 2017 report by BTI Consulting Group (Wellesley, Mass.) found that the firms most likely to give GCs nightmares are Jones Day, Kirkland & Ellis LLP and Skadden Arps Slate Meagher & Flom LLP, which have made BTI's "Fearsome Foursome" list four years running, as well as Dentons, which made it on the list for the first time this year, ousting longtime litigation leader Quinn Emanuel Urquhart & Sullivan LLP.

BTI asked over 300 general counsels and in-house litigation heads which law firms they would least like to see as opposing counsel, and the majority named, unaided, these four law firms, according to the report.

Their "fearsome" reputations give them a strategic leg up in a market where bet-the-company work is spreading like wildfire and litigation heavy hitters are increasingly valuable to clients, according to Michael Rynowecer, CEO of BTI Consulting Group.

The number of companies with bet-the-company work has quadrupled over the last two years, the report found.

"With the growth of complex litigation, clients are saying that they take note of law firms that are more fearsome than others because if you have more complex issues, you need more horsepower out of your law firm. More strategic horsepower, more intellectual horsepower and an unrelenting approach," Rynowecer said.

General counsels who responded to the survey pointed to a few things that the four firms named most-feared in the courtroom

Corporate counsels also said that the law firms have a deep understanding of their clients' businesses and their business and legal needs and are able to translate that into sound predictions for what the clients' future needs will be, Rynowecer said.

"They bring this combination of understanding what the client's objectives are, they understand what the client's objectives ought to be, and they are able to

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have in common, the first of which is an unrelenting approach, Rynowecer said.

"They have several strategies in place at once and keep coming at the issue," he said. "Not only do they overturn every rock, but they find new rocks to overturn and keep coming up with new ways to act in their clients' interests."

integrate all that into a strategy and implement the strategy," he said.

Responding to the survey, the four law firms tended to point to their lawyers' shared expertise, experience and knowledge as the primary reasons they're able to please their own clients and be an intimidating opponent in court.

“Dentons has greater depth of knowledge and expertise in more areas. That means we can field the best team for the client in more types of cases,” said Roger Heidenreich, co-chair of Dentons’ litigation practice. “This bench, coupled with our ability to collaborate with the client on their goal and with one another to fulfill it, makes our teams formidable.”

John Majoras, co-leader of Jones Day’s business and tort litigation practice also fingered teamwork and experience as the reasons for his firm’s litigation reputation.

“Complex trials are won by trial teams that collaborate seamlessly, not by individual lawyers alone,” Majoras said.

“Jones Day places special emphasis on developing the very best trial lawyers across all levels. ... Experience counts when it comes to success at trial.”

And, according to Kirkland & Ellis LLP litigation leader Mark Filip, anticipating clients’ needs and goals sets his firm apart.

“Our attorneys listen carefully to understand clients’ objectives and then promote them through practical and commercially sound advice,” Filip said.

Along with the Fearsome Foursome, BTI named the next tier of highly regarded and fierce litigators, the so-called Awesome Opponents. They are Akin Gump

Strauss Hauer & Feld LLP, Cadwalader Wickersham & Taft LLP, Cravath Swaine & Moore LLP, Davis Polk & Wardwell LLP, Fish & Richardson LLP, Gibson Dunn, K&L Gates LLP, Latham & Watkins LLP, Morgan Lewis & Bockius LLP, Pillsbury Winthrop Shaw Pittman and White & Case LLP.

FEARSOME FOURSOME