



LAW360

2017 Rising Star

Kimberly Branscome

Kirkland & Ellis LLP's Kimberly Branscome's work getting juries to recognize the truth of her corporate clients' defenses — including winning key bellwether trials for General Motors after it was accused of selling cars with defective ignition switches — landed the trials practitioner a spot among attorneys under 40 being honored by *Law360* as Rising Stars.

On the challenge she faces at trial:

Last year, Branscome was part of trial teams that won defense verdicts for General Motors in state and federal bellwether trials in a mass action accusing the automaker of selling vehicles with defective ignition switches.

The two trials involved allegations that the purported defect caused car crashes, and Branscome says that getting the evidence across to a jury in a trial like this requires taking complex technical concepts and using expert witnesses, sophisticated animation techniques and more to make them come across so plainly that jurors are willing and able to take them in.

"It's an interesting situation where you're dealing with something that people have views about, like car

accidents and what causes car accidents, but then you're also dealing with very technical things like how is the vehicle operating and how is it designed to operate."

Her proudest moment as a lawyer:

While her victories in the GM trials are definitely proud moments for Branscome, she points to a discrete moment, in 2015, as her greatest highlight thus far — putting on her first witness in the massive litigation against BP following the Deepwater Horizon oil spill.

Given the massive size and length of the case — then in the middle of multiple trial phases — and the top-of-their-game trial lawyers contesting the matter, Branscome says that as a young lawyer she was excited to put on one of the people involved in responding to the oil spill and was

thrilled when her witness finished his testimony.

"It went well, if I can say that, and he got off the stand and he was so happy with how he had done, and I could see that he was very proud of his testimony, and as a trial lawyer, that's the best you can ask for. Because when you're putting on a witness, you want them to shine."

Why she tries product liability cases:

Branscome says she loves being a lawyer and wanted to be one from a young age. She even chose her undergraduate emphases — biomedical and chemical engineering — with an eye for handling legal matters, both product liability and patents, for pharmaceutical companies.

Once she began her practice, however, Branscome says she fell in

love with the product liability sector, where each case would present not just technical challenges, but a unique tale to be unraveled.

“It’s such an interesting mix of the expert work, but then also the human component to it, because you’re dealing with individual plaintiffs who have an individual story.”

Branscome adds that it’s this mix of the personal and the intellectual that keeps her engaged as a trial attorney, where she’s challenged to not only convey complicated technical concepts, but to connect to jurors on a human level.

“It’s really a form of storytelling, and you’re trying to tell the story in a way that’s understandable and it’s compelling, but it’s also the truth.”

Her advice to young lawyers:

The best advice Branscome ever got, from an older attorney who regularly

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argues in front of the U.S. Supreme Court, was to “never underestimate the power of active observation.”

She notes that this attorney didn’t start his career in front of the high court and said his advice helped her realize that long before trial attorneys stand up in front of a judge and jury, they get to learn by watching more

experienced attorneys work — and by trying to apply that sensibility to their own work.

“No matter what stage you’re at in your career, and no matter what assignment you’re given, own it, as if you were the one actually standing up in court.”



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