

[Biglaw Firm Throws Partner Under the Bus After Fox News Appearance](#)

Mercedes Colwin, managing partner of Gordon & Rees's New York office and Fox News analyst, apologized for saying on a broadcast that women who claim to be victims of sexual harassment and assault usually do so for money, but she lost her management role anyway.

Newsweek [reports](#) that Colwin apologized on Twitter, saying she hadn't meant to "trivialize or minimize the impact of sexual harassment on any victims. ... I did not mean to imply, nor do I believe, that the victims of sexual assault within society are 'very few and far between.'"

[Above the Law](#) quoted from the firm's statement: "The partner in question has voluntarily stepped down from all management roles within the firm and she is committed to rectifying the hurtful impressions created by her remarks."

The firm's statement also says:

[T]he organization in no way endorses or agrees with any statements which could even remotely be interpreted as minimizing or trivializing the seriousness and gravity of sexual harassment or similarly predatory behaviors, and we renounce them in the strongest possible terms – in fact, contrary to what may have been inferred from what was said during the telecast, the sad reality is that the number of women who likely have not been exposed to such repugnant conduct over the course of their personal or professional lives is, unfortunately, few and far between.

[Read the Newsweek article.](#)

Law Firms Jacking Up Rates, Demand Flat, Citi Survey Finds

Bloomberg Law [reports](#) that law firm performance dropped off in the third quarter, as demand softened and collections started to lengthen, according to a new report by the Citi Private Bank Law Firm Group.

The survey of 183 law firms found that revenue growth fell to 3.6 percent through the first three quarters, down from 3.7 percent at this time last year, writes [Gabe Friedman](#). A Citi senior senior advisor said that the growth was driven by increased billing rates, and not demand or other factors, which may not bode well for law firms.

He also said that law firms increased billing rates by an average of four percent. That increase compares to a 3.2 percent rise at this time last year. It is more typical to see a 3 to 3.5 percent increase in billing rates, he said.

[Read the Bloomberg article.](#)

Stay Ahead of Best Lawyer Lists This Holiday Season



Bruce Vincent of Muse Communications offers [some advice](#) for law firms that want to stand out in the upcoming new compilations of best-lawyer lists.

The advice is particularly relevant for lawyers and firms in Texas.

First on the list is Best Lawyers in America, which Vincent calls the dean of top attorney lists, having been published for more than 30 years.

He also discusses the process for being included in the Texas Super Lawyers list, the Texas Rising Stars list, and *D Magazine's* Best Lawyers in Dallas.

The article also offers some advice for spreading the word after being honored, and how to stay in compliance with State Bar advertising rules.

[Read the article.](#)

Dallas-Based Locke Lord Fined for Ethics Violations, “Acting Without Integrity”

Law firm Locke Lord has received the largest fine ever levied by the profession’s U.K. regulatory body, the Solicitors Disciplinary Tribunal, reports [*The Global Legal Post*](#).

“The firm has to pay £500,000 [\$654,632] after accepting four allegations of misconduct, including acting with a lack of integrity, the first time a law firm has admitted to this,” according to the report.

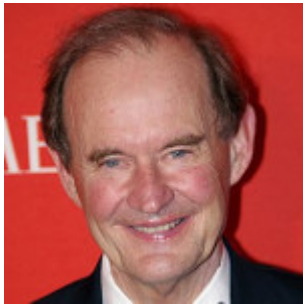
The firm failed to supervise a lawyer involved in transactions showing signs of irregular financial arrangements or investment schemes, the regulatory body alleged.

On its website, the Dallas-based firm says it has offices across the United States, as well as in Hong Kong and London.

[**Read the *Global Legal Post* article.**](#)

Super Lawyer Boies Entangled in Intrigue Over Weinstein;

[Times Fires His Firm](#)



The sexual-assault scandal that brought Harvey Weinstein's career to an abrupt halt and started a national conversation about the treatment of women has led to scrutiny of tactics used by his former attorney, David Boies, one of America's most-famous litigators, according to [Bloomberg Big Law](#)

[Business](#).

Boies hired private detectives who sought to identify accusers and undermine news coverage of their claims. Reporter [Erik Larson](#) writes that a primary target was the *New York Times*, which published an article in which the Hollywood producer was accused of raping an actress. At the same time, Boies' firm, Boies Schiller Flexner LLP, was representing the *Times* in various legal matters, raising concerns about conflict of interest.

The newspaper fired the firm, and Boies admitted that he participated in the hiring of private investigators who targeted the *Times'* reporters.

[Read the Bloomberg article](#).

[Foley Looks to Texas, Mexico](#)

Markets with Gardere Merger Talks

Above the Law [is reporting](#) that Foley & Lardner is in merger talks with Texas firm Gardere Wynne Sewell.

“When you consider that Gardere just last month took on Bufete Hernández Romo, a Mexico City commercial arbitration and litigation boutique, it seems Foley might be very interested in moving into the hopping Texas and Mexico markets, both areas where the 19-office Foley has no presence today,” writes [Joe Patrice](#).

The reporter points out that Foley has seen a couple of big-ticket merger attempts fail during the past few years.

[Read the Above the Law article.](#)

Akerman Once Again Distinguished by Chambers Latin America

[Akerman LLP](#), a top 100 U.S. law firm, has been recognized by Chambers as being among the world’s leading law firms in Latin America, with lawyers handling complex disputes and transactions throughout the region.

The firm's Cuba practice was again recognized among the six best in the Corporate/Commercial category for law firms based abroad, and among the top 13 law firms worldwide. Akerman was the first U.S. law firm to be recognized in this category starting in 2015. Pedro Freyre, chair of Akerman's International Practice, and Augusto Maxwell, chair of Akerman's Cuba Practice, were ranked as leading lawyers in Cuba Corporate/Commercial law.

Akerman's Cuba Practice achieved the same distinction in the Chambers Global 2017 edition, and Maxwell also was recognized in General Business Law – Cuba. In addition, the Financial Times ranked Akerman among the top 20 most innovative law firms in North America for constructing a groundbreaking legal framework that enables its client Musicabana to launch the largest, most historic music event of its kind in Cuba.

Luis A. Perez, co-chair of Akerman's Latin America & the Caribbean Practice, was ranked in International Arbitration: Latin America-wide. He was recently recognized in the Chambers Global 2017 edition in Arbitration (International) – Latin America-wide and in International Arbitration – USA (Foreign Expertise, Latin America-wide). Akerman also is ranked nationally in the current edition of U.S. News – Best Lawyers for International Arbitration – Commercial and for International Trade and Finance Law.

Chambers Latin America ranks the world's leading law firms with practices and lawyers who work across the Latin America and Caribbean region to serve client needs. The listings are based on thousands of in-depth interviews with peers and clients to assess the reputations and experience of business lawyers around the globe.

[Alternative Fee Arrangements With Outside Firms Level Off](#)

The portion of Norton Rose Fulbright's [2017 Litigation Trends Annual Survey](#) that covers alternative fee arrangements presents a puzzling picture that probably reveals the challenges of bringing about changes in the way external counsel are instructed, the firm reports.

Last year, 37 percent of respondents predicted they were going to increase their use of AFAs.

"Those who have used AFAs over the year are almost universally satisfied with the quality of the work they have received," according to the report. "But, despite this, the use of AFAs (56 percent) and their average spend under an AFA (28 percent) are largely unchanged since last year.

"The inherent unpredictability of many types of dispute could be placing a ceiling on the proportion of matters where both parties feel confident operating under an AFA. However, staged approaches to AFAs can help to overcome this. Predictions for 2018 once again show a rise in AFAs – it will be interesting to see if this materializes or whether inertia persists."

The survey also looks in detail at other major areas of concern, including regulatory investigations; class actions and environmental disputes.

[Read the survey report.](#)

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When it Comes to Business Development, Have a Plan, Start Small



Image by [Nick Youngson](#)

For those lawyers who are intimidated by the prospect of marketing themselves, Amy Boardman Hunt of [Muse Communications](#) offers some advice: Have a plan, and start small.

“Formulating a plan will ensure that you’re not just throwing money and time into the wind, and starting small can help prevent overwhelm,” she writes on the Muse website.

In the “Creating a Plan” section, she writes that you should start by answering three questions: 1. Who are your prospective clients? 2. How can you get in front of them? 3. Why should they hire you?

The article also covers the topics of demonstrating knowledge, automation and accountability, combining business development

with civil and social action, and outsourcing.

[Read the article.](#)

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[Fired Associate Takes Plea Deal In Biglaw Extortion Charge](#)

A former Dentons associate who was fired and then allegedly threatened to leak sensitive information taken from the email account of a managing director of the firm has taken a plea deal on a lesser charge to avoid spending more than two decades behind bars.

[Above the Law](#) reports that Michael Potere accepted the deal that included dismissal of an underlying indictments that included a charge of extortion. That charge carried a possible sentence of up to 20 years in prison.

“This summer, Potere was arrested and indicted on charges of extortion and attempted extortion affecting interstate commerce, as well as transmitting threatening communications with intent to extort,” according to reporter [Staci Zaretsky](#). “At the time, the ex-Biglaw associate was represented by a public defender and faced up to 22 years in prison.”

[Read the Above the Law article.](#)

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[Making Law Firm Wins Stand Out Among the Crowd](#)



There are many approaches to making a law firm win stand out among the crowd, whether it's successfully representing a client at trial, completing a significant deal, landing a high-profile lateral hire, or any of the other notable accomplishments that happen inside or outside a courtroom, points out Bruce Vincent of [Muse Communications](#).

It's important to have in place an effective strategy and well-executed plan aimed at prolonging your win and making sure the right people know about it, he advises.

His article covers the importance of getting the client on board with the promotional efforts, the basics of promoting law firm wins, and making law firm wins stand out.

[Read the article.](#)

[Yes, Overtime Laws Apply To Law Firms](#)

A pair of lawsuits allege two Florida law firms failed to pay administrative workers proper overtime wages in compliance with the Fair Labor Standard Act, reports [Above the Law](#).

Reporter [Kathryn Rubino](#) explains: “Brandi Durrett, a case manager, is suing personal injury firm The Disparti Law Group and its founder, Lawrence Disparti over unpaid overtime wages. Jayne Hinkle, an office manager, is making similar claims against The Jodat Law Group and partner Gary Jodat.”

Plaintiffs claim their employers would use various methods to circumvent overtime compensation requirements.

[Read the Above the Law article.](#)

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[7 Steps to Creating a Law](#)

Firm Newsletter Clients Look Forward to Reading



Amy Boardman Hunt of [Muse Communications](#) offers some advice on the best practices for publishing law firm newsletters, addressing some of the practical, creative and Bar compliance issues that should be considered.

Some of the questions she covers include: How will we send it out? How often should we send? What do we include? Who do we send it to?

She also discusses designing the newsletter, growing the subscriber list, tracking results, and maintaining contact.

[Read the article.](#)

BigLaw is Doomed If Clients Refuse to Pay for Associates

Some general counsel are starting to push back against big law firms charging \$400 an hour for the work of associates, writes [Joe Patrice](#) for [Above the Law](#).

Patrice quotes from an Am Law Daily report on a recent summit:

At a Manhattan conference on legal innovation this month, Mark Smolik, the general counsel of DHL Supply Chain Americas, had a message for the law firm representatives in his audience.

“Sorry, law firms. You spend on the training,” Smolik said. “I cannot afford to pay your associates \$325 an hour.”

Smolik warned the group that he could hire those associates himself and “pick them up right out of law school.”

[Read the Above the Law article.](#)

[Building Your Legal Practice with Personal Networking in an Hour or Less](#)

While the usual marketing tools of websites, press releases, advertising, etc. can help bring clients to a lawyer’s door if managed effectively, many attorneys continue to miss out on one of the most effective means of attracting new business: personal networking.

Bruce Vincent, writing on the website of [Muse Communications](#), says the “problem” with personal networking for a lot of people, attorneys included, can be traced to a perceived lack of time or, in some instances, a simple, but common, fear of

social situations or public speaking. Fortunately, those obstacles can be overcome with a little planning, and the results are well worth it.

In his article, Vincent discusses how to find the time for personal networking, gaining social media dominance without spending excessive time on the project, face-to-face interactions, and how to use a low-maintenance way to keep your name in the minds of potential referral sources.

[Read the article.](#)

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[Biglaw Firm Announces Hundreds Of Buyouts And Layoffs, Almost 500 Affected](#)



Above the Law [reports](#) that Hogan Lovells recently decided to offer “voluntary retirement” packages to about 400 of its senior business support staff members in the U.S.

[Staci Zaretsky](#) writes that those who have been with the firm for at least five years were offered an out, and it’s expected that 5 to 10 percent of those who received the offer will take it.

“In addition to the hundreds of voluntary buyouts Hogan Lovells is offering to business staff members here in America, the firm is set to cut up to 90 jobs in London thanks to a recent restructuring,” Zaretsky adds.

[Read the Above the Law article.](#)

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[Big New York Law Firm Faces Questions on Work With Manafort](#)



Image by [Disney | ABC Television Group](#)

The Justice Department recently asked law firm Skadden, Arps, Slate, Meagher & Flom for information and documents related to its work on behalf of a client of Paul Manafort, reports [The New York Times](#).

That client, Viktor Yanukovich, the Russia-aligned president of Ukraine, needed some cover to justify the jailing of a

political rival, according to reporters [Kenneth P. Vogel](#) and [Andrew E. Kramer](#).

They explain:

The request comes at a time when Mr. Manafort, his work for Mr. Yanukovych's party and for Russian and Ukrainian oligarchs as well as the handling of payments for that work have become focal points in the investigation of the special counsel, Robert S. Mueller III, into Russian meddling in the 2016 presidential election, and connections between Russia, Mr. Trump and his associates.

[Read the NYT article.](#)

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[2017 Litigation Finance Survey Shows Continued Growth](#)



Burford's [2017 Litigation Finance Survey](#) shows that litigation finance continues to achieve dramatic growth, finding that the use of litigation finance in the United States grew by 28% from last year, to 36%. And it has grown 414% since 2013.

Among respondents in the US, UK and Australia, a majority of users (59%) say their use of litigation finance has increased in the last two years.

A strong majority (72%) of all respondents agree that litigation finance is a growing and increasingly important area of the business of law—and, notably, 40% of US companies report having foregone claims due to the cost of litigation.

Pointing to continued growth on the horizon, among all respondents whose organizations have not yet used litigation finance, a majority of law firm respondents (57%) and nearly half of in-house respondents (49%) are likely to consider its use in the next two years.

Some early concerns about litigation finance have evaporated. For example, in the US, the number of in-house respondents with concerns about litigation finance leading to unnecessary litigation fell to 10% from 81% five years ago. Among all respondents, ethical concerns rank dead last among obstacles to use, at 9%.

Only 7% of all respondents are unfamiliar with litigation finance, and only 4% of law firm respondents.

Christopher Bogart, Burford's CEO, commented: "Burford's latest research affirms our own experience: More and more often, clients and law firms are turning to litigation finance as a solution to some of the intractable challenges and pressures of managing legal cost and risk, and that strong demand is driving dramatic growth."

Burford's 2017 Litigation Finance Survey was conducted by ALM Intelligence, the research arm of ALM Media, publisher of The American Lawyer, from May 17 to June 16, 2017. The full report is [available online](#).

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[Squire Patton Boggs Fights for Domain Name With Chinese Imitator](#)

International law and lobbying firm Squire Patton Boggs hit another roadblock in its fight with a Chinese entity when a panel concluded that the current trademark holder in China maintained rights in the domain and dismissed the complaint.

[World Trademark Review](#) reports that a Chinese company appears to be practicing law using the same name and logo as that of the established firm Squire Patton Boggs, promoting its practice on a website located at squirepattonboggs.net.

“Delving deeper, we discovered the Chinese company is the same one that had previously used the brand of another international law firm, Norton Rose Fulbright (we reported on this a year prior),” writes Tim Lince. “Much of the text used on the Chinese company’s website was lifted from other law firm sites, and many of the images were either stock images or taken from movie posters, including those on the staff page.”

[Read the World Trademark Review article.](#)

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[Which Biglaw Firms Are Doing Right By Their Staff?](#)

Above the Law follows up on an earlier report on the disparity of benefits offered to staff members of big law firms, compared to those offered to lawyers, this time with a [focus on family leave](#).

“There’s a reason, grounded in scarcity and specialization, to pay attorneys more than the staff,” writes [Joe Patrice](#). “But there’s not much reason why an attorney needs more time to bond with a newborn than someone in human resources would. Perhaps the firm knows that its associates are so socially dysfunctional they need an extra several weeks to seem human? That’s certainly a colorable argument.”

The article points out that some firms avoid the attorney-staff disparity by making benefits equal.

[Read the Above the Law article.](#)

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