

# HIDDEN GEMS

## TOP ATTORNEYS

Ask anyone who's the best trial lawyer or the best IP litigator in California, and you'll probably hear the names of well-known, \$700-an-hour senior rainmakers at California's largest law firms.

### EDITOR'S NOTE

But there are a great many superb lawyers practicing outside the headlines at smaller firms all over the state, or in more junior positions at the megafirms. They may not have the same name recognition — but they don't usually come with the same price tag, either.

This year, *The Recorder* is highlighting some of these hidden gems in a series of Top Attorneys special reports. Today's installment focuses on four "hidden gems" in the area of employment law.

To come up with the names, we surveyed in-house counsel at big, medium and small companies all over the state. We took their recommendations and cross-checked them with mediators and plaintiff attorneys who specialize in employment law.

We've ended up with four attorneys — two in San Diego (at the

same firm, no less), one in Los Angeles and one in San Francisco. All four began at big firms, then struck out on their own.

We don't mean to suggest that these are the only great lower-profile attorneys in California practicing employment law. No doubt there are many others. But we're nonetheless pleased to identify a few who may be flying under the radar.

We hope you'll enjoy this edition of Top Attorneys. Later this year, we'll be profiling hidden gems in intellectual property, commercial litigation and other areas. If you're an in-house reader, and you'd like to recommend an outside lawyer who fits this description, please e-mail Editor In Chief Scott Graham at [sgraham@alm.com](mailto:sgraham@alm.com), or write to me care of The Recorder, 10 United Nations Plaza, third floor, San Francisco, CA 94102.

*Scott Graham*  
Editor in Chief



TOM KURTZ

## FRED PLEVIN & MICHAEL SULLIVAN

Eight years ago, Fred Plevin and Michael Sullivan were practicing employment law at what was then known as Gray Cary Ware & Freidenrich. The firm was growing rapidly, becoming a national player, but the pressure to raise billing rates was threatening to squeeze the employment lawyers' government entity clients.

So Plevin and Sullivan, along with partner Richard Paul and associate E. Joseph Connaughton, broke away and formed their own San Diego-based employment law boutique.

In-house attorneys at the University of California are glad they did.

"They are in the very top tier of attorneys with whom I have ever worked," says university counsel Christopher Patti, who estimates that lawyers at Paul, Plevin, Sullivan & Connaughton have represented the university in some 500 cases. "Fred and Mike are both outstanding lawyers: smart, diligent and efficient with virtually unerring tactical and strategic judgment."

Eric Behrens, UC's section leader for commercial litigation, is also enthusiastic about the firm. Plevin, he says, "is a good writer, which is important for the university. It's important for everybody, but we'd hate for someone who

represents us not to write well."

Behrens is also very high on name partner Paul, with whom he has worked closely.

The firm doesn't represent government agencies only. Qualcomm, Broadcom, Biogen Idec and Circuit City also populate the client roster.

A senior vice-president at a large corporate client says Sullivan is a "first-rate labor/employment lawyer who is smart, responsive, strategic and easy to work with. He routinely achieves exceptional results in an efficient and cost-effective manner."

That's the goal, says Plevin, the firm's managing partner: Give sophisticated clients the kind of quality they're used to getting at a big firm, but at a lower cost. Plevin estimates he bills at least \$100 an hour less than some big-firm employment counsel.

Plevin's strategic decisions are made with cost in mind, says L.A. Superior Court counsel Ivette Pena, who has worked with him on five employment matters.

"He's aggressive and zealous in his advocacy, but sensitive to the needs of the client," she says. "He doesn't let his ego get in the way of the best result."

And while this may sound strange for a law firm, the lawyers at Paul, Plevin

try not to be too legal.

"Clients hate it when they call you up, and they've got to deal with whether this person is exempt or non-exempt, and what you do is recite the legal principles for them," says Sullivan, 44. "That's not very helpful to them."

Instead, if a client were to ask, "Is this person an independent contractor?" the answer might be, "No, but here's how you can make them an independent contractor," he says.

As part of that practical approach, Plevin, also 44, regularly puts on a seminar for clients he calls "The Seven Habits of Frequently Sued Managers." Those habits include "Hire quickly, not carefully," "Blow off requests for leave or accommodation" and "Avoid at all costs confrontation."

Today, Paul, Plevin, Sullivan & Connaughton numbers 18 attorneys. Plevin contends that at that size the firm actually has more depth and expertise than the employment departments at some big firms.

Not that they're knocking big firms. "My style of practice," says Sullivan, "is taking bits and pieces from seven or eight partners at Gray Cary who were terrific lawyers."

— Scott Graham