

Benchmark 2008 Rankings & Editorial

NATIONAL: GENERAL COMMERCIAL LITIGATION						
Firm Ranking 2007	Firm Ranking 2006	Firm Ranking 2005	Number of Tiers	Leading Individuals 2007	Leading Individuals 2006	Leading Individuals 2005
3	–	–	3	Mentioned George Terwilliger Christopher Curran Nicole Erb	–	–
NATIONAL: INTERNATIONAL ARBITRATION						
Firm Ranking 2007	Firm Ranking 2006	Firm Ranking 2005	Number of Tiers	Leading Individuals 2007	Leading Individuals 2006	Leading Individuals 2005
1	–	–	3	“Stars” Paul Friedland Carolyn Lamm Abby Cohen Smutny	–	–
White & Case Editorial						
<p>The firm Clients and peers enthusiastically praised White & Case for its “consistent level of quality work and responsiveness.” Founded in New York in 1901 and with 560 litigation attorneys in offices throughout the US, Latin America, Europe, the Middle East, Africa and Asia, the firm is especially renowned in the US for its international litigation and arbitration expertise, but also boasts top general commercial and white-collar practices. One client commended the firm for being “as keen as we are to get the deal done properly and quickly,” and being “not just about the buck.” Others called their relationship with White & Case “ideal,” and said that “they’re practical, professional and responsive.” The firm’s depth was also the subject of much acclaim, and one client recalled that, in a recent case handled by White & Case attorneys, “the junior people were superbly prepared, and I was in awe of the associates, who were able to lay their hands on a particular document amidst reams and reams of paper within seconds.” Still others agreed that White & Case teams reliably “out-lawyer the other side considerably” and one general counsel said that “the White & Case team we worked with left the opposition for dead” in a recent case. Competitors judged the firm a growing national litigation force as well, and one source said, “I’d recommend them to anyone.”</p>						
<p>Litigation stars “DC fixer” George Terwilliger was described by competitors as “a prominent member of the bar,” and one client said that he “knows how to separate the wheat from the chaff” and “zeroes in on the pivotal issues.” Others liked that “he gets personally engaged and invested in the case and gets good results” and that “he has a good sense of how to deal with government.” Clients also applauded Terwilliger’s teams of younger partners and associates, saying that “he has very good people working with him” and “they have strong teams – the whole operation is great.” DC partner Christopher Curran was similarly extolled by</p>						

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clients as “extremely thorough and diligent,” someone who “gets fired up and into the case” and who “maintains a balance without overlawyering.” Partner Nicole Erb impressed clients as well, and international arbitration star Carolyn Lamm was described as “a gunslinger” who “completely out-lawyered the opposition” in a recent case, according to one client. Partners Paul Friedland and Abby Cohen Smutny also were recommended by peers as being among the nation’s top international arbitration stars.

Experience

White & Case’s renowned international arbitration team – which includes three of the top 14 stars in the country according to Benchmark’s research – recently secured a \$20 million award for PSEG Global in an International Centre for Settlement of Investment Disputes (ICSID) arbitration against the Republic of Turkey, arising under the US-Turkey bilateral investment treaty, and led Deutsche Bank Trust Company Americas, as respondent, through an International Chamber of Commerce (ICC) case in which the claimant sought \$100 million but was awarded nothing on claims of fraud and breach of warranty. The international arbitration team also won an almost \$200 million award for client RWE Nukem and succeeded in defeating over \$440 million in claims against the country of Romania. White & Case’s intellectual property group includes more than 140 specialists worldwide, with many of them located in the practice’s hub in New York. In recent victories, the firm defeated a preliminary injunction and settled a case after partial summary judgment for client Ellie Mae relating to a copyright infringement suit by Calyx, represented Arclight Cinema in a trade secret misappropriation case resulting in a \$315 thousand settlement in favor of Arclight, and also advises Pfizer in ongoing patent-related litigation, including a recent patent infringement action against Teva Pharmaceuticals USA under the Hatch- Waxman Amendments, in which Teva conceded infringement early in discovery. The firm’s antitrust practice includes expertise in both contentious and non-contentious matters, and has been bolstered considerably in recent years with the strengthening of the complex litigation practice. In recent representative matters, New York attorneys guided pharmaceutical company, Sandoz, through an antitrust challenge to a restrictive supply agreement, in which Sandoz alleged that a major competitor sought to block its access to the market. White & Case managed to secure a reversal of the district court’s dismissal of the company’s claims from the US Court of Appeals for the Second Circuit, and ultimately negotiated a substantial settlement with the defendant one day before trial was to begin. The firm also recently represented Stolt-Nielsen and Stolt-Nielsen Transportation Group in the first US federal court appellate decision compelling arbitration of claims based on alleged horizontal price-fixing, and further acted for Stolt-Nielsen Transportation Group in the first trial with live witness testimony before the Korean Fair Trade Commission (KFTC), relating to an investigation into cartel activity in the parcel tanker industry, ultimately managing to clear the case from the docket without a finding of any violations. Other recent significant matters include Washington DC attorneys’ successful defense of client Upsher-Smith in an antitrust case brought by the federal Trade Commission (FTC), in which the firm prevailed after a 40-day trial, as well as on appeal, and also secured a denial of certiorari from the US Supreme Court in June of 2006. In another key victory, the California litigation team recently earned the dismissal of all claims against Deutsche Bank in *Newby v Enron*, one of various class actions and other securities actions relating to the collapse of Enron in which the firm is representing this client.

DC: GENERAL COMMERCIAL LITIGATION						
Firm Ranking 2007	Firm Ranking 2006	Firm Ranking 2005	Number of Tiers	Leading Individuals 2007	Leading Individuals 2006	Leading Individuals 2005
2	–	–	2	Local Litigation	–	–

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				Stars George Terwilliger Christopher Curran Carolyn Lamm Mentioned Nicole Erb		
White & Case Editorial						
<p>International firm White & Case boasts a talented Washington litigation team that is particularly proficient in antitrust and white-collar crime work. Clients describe the firm as “practical, professional and responsive,” and one client said that White & Case maintains “the ideal relationship for outside counsel.” Partner George Terwilliger is described by competitors as “a prominent member of the Bar” and “a DC ‘fixer.’” Terwilliger recently represented Consortium de Realisation (CDR), a defeasance corporation funded by the French state, in connection with a multibillion-dollar fraud claim by the insurance commissioner of California, settling the case for a fraction of the amount sought, and subsequently obtaining further successful rulings in related cases for CDR. Partner Christopher Curran, described as “extremely thorough and diligent” by one client, is also well regarded by the DC market, and recently helped to win a major antitrust case on behalf of clients Upsher-Smith and Schering-Plough. Curran is also representing Al Rajhi Banking and Investment Corporation, Saudi Arabia’s largest commercial bank, in relation to charges brought against it by victims and heirs of the September 11 2001 terrorist attacks, so far securing a unique dismissal of all claims against the bank. Partners Nicole Erb and Carolyn Lamm were also noted by clients, and one remarked that Lamm “completely outlawyered” the opposition in a recent case. In other important matters, White & Case’s Washington team is representing Stolt Nielsen Transportation Group in the first case in which the DOJ has sought to prosecute an amnesty informant, thereby revoking its privileges under the Corporate Leniency Program. There is a certiorari pending before the US Supreme Court for this fall.</p>						

NEW YORK: GENERAL COMMERCIAL LITIGATION						
Firm Ranking 2007	Firm Ranking 2006	Firm Ranking 2005	Number of Tiers	Leading Individuals 2007	Leading Individuals 2006	Leading Individuals 2005
2	–	–	2	Local Litigation Stars Paul Friedland Mentioned Vincent Fitzpatrick Glenn Kurtz	–	–
White & Case Editorial						

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Clients could not praise New York-headquartered White & Case enough. The firm's litigation experts were noted for their "preparation, attention to detail and deep involvement" in cases, and several clients attested that White & Case litigation teams "considerably out-lawyer the other side." One happy client noted the firm's deep bench, recalling how "the junior lawyers were superbly prepared and able to lay their hands on a particular document within seconds," adding that "the White & Case team left the opposition for dead." Still other clients said they choose the firm because the attorneys are "practical, professional and responsive," which creates "the ideal relationship for outside counsel." White & Case boasts a national reputation for proficiency in international arbitration matters, and New York partner Paul Friedland boosts the firm's status in this area. As co-head of the international arbitration practice group, Friedland has been involved in a range of international arbitration, chiefly in the oil and gas, power, telecommunications and construction industries. The New York office is also adept in the areas of antitrust and intellectual property, and in recent matters has obtained the reversal of a district court's dismissal of an antitrust suit for Sandoz against a competitor, ultimately negotiating a big settlement, and also represents Pfizer in ongoing patent-related matters, including a recent successful outcome in an infringement suit against Teva Pharmaceuticals USA. In general litigation matters, head of the 600-lawyer global disputes practice, Vincent "Vin" FitzPatrick, recently represented Syngenta Seeds in a price-fixing case filed against the company and a co-defendant by a group of corn and soybean farmers, ultimately securing the US Court of Appeals for the Eight Circuit's affirmation of the district court's denial of class certification and reducing Syngenta's potential exposure. Partner Glenn Kurtz heads the global commercial litigation practice and is lead counsel on one of the largest multi-district litigation securities fraud cases ever filed, involving client Ahold's disclosure of an about \$1 billion overstatement of earnings and also is defending Bank of America in a litigation brought on behalf of Adelphia Communications Corporation, which is said to be one of the largest and most complex cases ever brought in the Southern District of New York.