

THE AM LAW LITIGATION DAILY

Litigation Leaders: David Hille of White & Case on the Importance of Liking Your Teammates

By Ross Todd

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Welcome to another edition of our Litigation Leaders series, featuring the litigation practice leaders at some of the biggest and most innovative law firms in the country—and the world.

Meet **David Hille**, one of three co-chairs of the global litigation practice at **White & Case**. Hille, who is based in New York, handles a mix of complex commercial litigation and international arbitration. He previously served two terms on the global partnership committee, White & Case's eight-member, elected governing body.

Lit Daily: Tell us a little about yourself—perhaps even a thing or two your partners would be surprised to learn about you.

I was born in New York, my dad's family is all from California, I went to college in the South and law school in the Midwest. I love getting to know people from different parts of the country and around the world. Understanding what makes different people tick also informs my advocacy.

When not working, I like to ski, play tennis, watch college football, cook anything on a grill and pretend I am handier around the house than I am. On my bucket list is to do the Great Loop, which is a boat trip up the Hudson River, across



Courtesy photo

David Hille of White & Case.

the Erie Canal, into the Great Lakes, down the Mississippi, across the Gulf of Mexico and then back up the East Coast to New York. I am married (fortunately my wife is into the Great Loop too) with three young adult children. My family is the most important thing in my life.

You are a White & Case lifer, as is Glenn Kurtz, who co-chairs the litigation practice. Your other co-chair, Jonathan Polkes, joined the firm earlier this year after 20 years at Weil, Gotshal & Manges. What has it been like having veterans of the firm share leadership of the practice with a newcomer?

It's been fantastic. Integrating Jonathan into the firm and our leadership team has been

effortless. We've found it really valuable to have the perspective of such an accomplished litigator who did not grow up here. The three of us see most things the same and when there is a difference of opinion, we listen to one another and make a consensus decision. It's a very productive collaboration and a lot of fun.

How have you been dividing your managerial duties with your own litigation and international arbitration practice?

I continue to maintain a full docket of court cases and arbitrations and always will. Balancing that with driving forward a high-performance global litigation team is time-consuming, but it's also a privilege. My mantra for how law firm leaders divide their time is simple: Your clients have to know that they come first, and so do your people.

When I asked Glenn to name the three areas of litigation where the firm has the deepest bench five years ago, he said commercial cross-border and multi-jurisdictional disputes, the pharmaceutical and healthcare industries and international arbitration. (He also tried to sneak in a fourth, with international litigation in the technology sector.) What do you think? In what three areas of litigation does the firm have the deepest bench? (I know it's hard, but please name just three.)

Those are still very strong practice areas for us. I'll add three more.

First is securities litigation. We have always had a strong securities litigation practice but with the arrival of Jonathan, **Stacey Nettleton** and their team, our securities team is now second to none.

The second is restructuring litigation. We have a world class complex restructuring team and those matters throw off lots of litigation, giving our people incredible experience in that space.

The third is what Glenn tried to sneak in last time—international tech disputes. We handle and coordinate disputes and administrative actions on cutting-edge issues for top tech clients literally all over the world. No other firm is doing this kind of work at the scale we are.

How big is the firm's litigation team and where are most of your litigators concentrated geographically?

We have a global team of nearly 1,000 litigators spread across 40 offices in 28 countries. This includes substantial on-the-ground presence in New York, London, Paris, Washington, D.C., Frankfurt, Silicon Valley, Berlin, Sydney, Houston, Los Angeles, Mexico City, Chicago, Miami, Melbourne and Madrid. The best part, though, is that we all work together. Our culture is to support one another without hesitation. Working together as one integrated team allows us to advocate for our clients in their most complex challenges.

What do you see as hallmarks of White & Case litigators? What makes you different?

Three things jump to mind. First, we keep a laser focus on what really matters in a case. Most cases turn on a few core issues and themes and we spend most of our time developing those and driving them forward. Second, we love to try cases. A big part of our culture is being ready and willing to go to trial and giving our people the skills to perform well in a trial setting. Third, we like one another. Clients and even lawyers from other firms have told me that they can tell our teams really enjoy working together. We believe that is critical to delivering the best of the firm for our clients and a great experience for our people.

What were two or three of the firm's biggest in-court wins in the past year, and can you cite tactics that exemplify your firm's approach to success?

Globally, our trial teams have been busy delivering lots of great headline-winning results for our clients this year. Here are a few highlights.

In May, a team led by Jonathan Polkes and **Adam Banks** secured a significant verdict for Regeneron Pharmaceuticals in the District of Delaware. At stake was a critical piece of the US healthcare system: the integrity of the process by which pharmacy benefit managers select the drugs in a therapeutic class that they will insure. Our trial team framed the case so that the jury could understand the impact for everyday Americans as well as the complex antitrust issues at play. The result was a seven-member jury awarding Regeneron more than \$405 million in damages for Amgen's violations of federal and state antitrust laws. The verdict will likely significantly impact the structuring of insurance negotiations going forward.

In September, **Jonathan Lamberson** and **Henry Huang** successfully secured a significant defense win for Microsoft in a long-running three-patent case that implicated a wide range of the company's products—Word, Excel, PowerPoint, Outlook, Visio, Publisher, Paint and WordPad—for versions dating back to 2007. The case ran for a decade and the plaintiff demanded \$4.6 billion in damages. The team did an outstanding job locating and developing relevant prior art and securing critical rulings that the asserted claims were invalid, resolving all claims in Microsoft's favor.

Lastly, I'll mention that **Jim Robinson**, **Raoul Cantero** and **Ryan Ulloa** led a team that secured a \$131 million appellate win for the Republic of Trinidad and Tobago against three defendants

who conspired to defraud the Republic. The case ran for 21 years and had 40 defendants and six non-final appeals, with a 3.5-week jury trial. Notably, our team was appointed on the eve of trial and had a short 10-month continuance to learn 18 years' worth of litigation. The team successfully persuaded the court to reject arguments challenging the applicability of Florida's Civil RICO statute and confirmed that the Republic suffered domestic injury due to the scheme. It was a significant milestone in a complex, long-running legal battle. In September of this year, the court of appeal affirmed the judgment in full.

These are a few examples, among many, but there's clearly a few themes that emerge: We try high stakes, complex and precedent-setting cases, and our teams come together in creative ways to deliver strong results for our clients.

What does the firm's coming trial calendar look like?

Our team is humming and we have lots of trials on deck in the next few months, ranging from a carbon capture pipeline equipment case in Delaware court, a wrongful death trial in Alaska, an insider trading case going to trial in New York, a product liability case in South Carolina, an administrative trial in the PREPA bankruptcy in Puerto Rico and a number of energy cases going to trial in the new Texas Business Court. We also have teams involved in trials around the world, including in Brazil, Canada and Australia. Our people are hard at work preparing and we can't wait for these opportunities to advocate for our clients. It's why we do what we do.