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alumni news

SheppardMullin

FALL 2017

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STATS AND FACTS

780

Sheppard Mullin attorneys globally

15

Offices in 5 countries

25

Industry teams

32

Blogs

1,165

Alumni in our network

GREETINGS

We are pleased to present our second alumni newsletter for your reading pleasure. It includes an alumni spotlight, news about the firm, upcoming events and other items of interest.

As always, and especially during our 90th anniversary year, we look forward to hearing from you.

ALUMNI SPOTLIGHT



Suzanna Winslow

Senior Vice President, Associate General Counsel, Banc of California

Formerly Labor & Employment Group, Los Angeles Office, Sheppard Mullin

We are delighted to profile former Sheppard Mullin attorney, **Suzanna Winslow**, Senior Vice President, Associate General Counsel for Banc of California.

Career Path

Suzanna received her law degree from University of California Hastings College of the Law and began working at Sheppard Mullin as a summer associate in 2010. She joined our Los Angeles office after graduating law school in 2011, focusing on labor and employment matters on behalf of management. At Sheppard Mullin, Suzanna defended employers in a wide range of matters, including allegations of discrimination, harassment, wrongful termination in violation of public policy, breach of contract, and wage and hour violations. She developed a specific expertise with class action litigation, including cases involving off-the-clock allegations and alleged meal and rest period violations.

Since Suzanna joined the Banc of California in December 2016, it's been a whirlwind of activity, with executive management changes, the sale of its mortgage division in March 2017, and subsequent internal reorganization post-sale.

Role and Responsibilities

Banc of California is known as "California's Bank" and at \$10 billion in assets, it is the only midsize bank focused exclusively on California. Their legal department is comprised of a General Counsel and eight in-house counsel who work on a variety of legal services for the bank.

Suzanna's primary focus is providing advice and counsel to Banc of California's Human Resources Department, building upon her labor and employment skills developed at Sheppard Mullin. While at the firm, Suzanna sought out opportunities to do more advice and counsel work for clients under her mentors Kelly Hensley and Lisa Harris, who gave her opportunities to shadow on audits and investigations, revise employee handbooks and policies, and provide training at client sites. Most big law associates have their plates full with litigation, but in-house counsel roles primarily focus on advice and counsel. Suzanna is grateful for the experience she gained at Sheppard doing both litigation and advice work.

That said, she is called upon by all levels of management, from the CEO to other executives to advise on all matters employee related. Over the last eight months, she's been extremely busy answering a plethora of labor and employment questions, working on global projects such as drafting and updating HR policies, procedures, forms, and checklists, and auditing the Bank's wage and hour practices to ensure legal compliance. In the Spring, she presented live mandatory discrimination, harassment, retaliation and bullying training for all supervisors, allowing her to meet key stakeholders in person. She is currently providing live seminars on wage-hour topics and brainstorming training topics for next quarter.

Finally, her role includes managing outside counsel on litigation projects, and Sheppard Mullin partners Kelly Hensley and Greg Labate were pleased to be added to the list of outside counsel supporting the Bank, selected after a RFP process consolidating outside counsel. Due to the enforceable arbitration agreement at play, the Bank is able to ward off some frivolous litigation. Suzanna has been asked to resolve some litigation herself, to the extent possible.

In House v. Law Firm Differences

Pros: No more billing. Lifestyle changes with more stable working hours (8:30 am to 5:30 pm) and a 10-15 minute commute. She can tack on both a gym class and a date to a normal workday.

Cons: She misses the collegial lifestyle that working "in the trenches" brings, making friendships by working on projects together and socializing outside of work. For Big Law firms, she feels that Sheppard "does it the best." She loved the

camaraderie of its Los Angeles office and appreciated the holiday décor year round, planned or impromptu social events, and internal pride, which gave it a family feel. Brand loyalty is huge and relationships developed at law firms can last a lifetime.

Outside Counsel Tips

It sounds cliché, but a fast response rate really goes a long way. If Suzanna contacts outside counsel with a question, it's generally because one of her internal clients (sometimes the CEO) has asked and she needs a reliable and quick answer. One of outside counsel's job is to make her "look good" to Bank management, and timeliness helps achieve that goal.

She also appreciates concise responses and "gut check" judgment calls based on the facts presented, along the lines of a friend to a friend recommendation ("if I were in that situation, I would do it this way").

Outside of Work

Suzanna moved to the slower paced Orange County to relax and live a more well-rounded, peaceful lifestyle. She enjoys running at the beautiful Back Bay (a nature preserve in Newport Beach), gardening in her sunny backyard, and taking "girls getaway" trips with her law school classmates (next up is Montauk, New York).



We thank Suzanna for taking the time to share her insights with us about her post-Sheppard Mullin career and wish her continued success. We hope that you will also keep in touch with us – and with each other. We'd love to hear from you.

ALUMNI SURVEY – WE WANT YOUR OPINION

As we expand Sheppard Mullin's alumni program, we'd like to better understand the needs of our alumni. To build a program that benefits you, we seek your help in responding to a few quick questions. As an incentive, two randomly selected alumni respondents will win a \$50 VISA gift card! Please go to www.surveymonkey.com/r/MJZMG5H to respond to the survey (electronic responses only).





AHEAD OF THE CURVE

As the world changes due to innovation and new technologies, so does the law. This column features new trends and practices that may intersect with your job responsibilities. As innovation is a major focus at Sheppard Mullin, our lawyers are able to stay on top of these trends through a new internal education program we call “Ahead of the Curve.”

The New Administration’s Effect on NAFTA and Global Trade

The global trading system is facing a period of unprecedented controversy and uncertainty. In this early stage of his term, President Trump has demonstrated that he is serious about implementing many of the commitments concerning trade that he made during his campaign. The initiatives that the new U.S. Administration is pursuing for tax reform, trade enforcement and future trade deals are multifaceted and unconventional, and are expected to make significant changes to NAFTA, trade remedies, import duties and Customs processes. Brussels Partner Curt Dombek, who serves on the U.S. Commerce Department’s Regulations and Procedures Technical Advisory Committee, has been close to these unfolding developments in Washington, Brussels and Mexico City, and recently offered his insights into the current proposals, potential outcomes, and their legal and business implications for clients’ operations.

Our assessments include:

- Border Adjustment Tax looking less and less likely
- Use Section 232 (investigation to protect domestic steelmakers against foreign steel imports) may target specific products or industries
- NAFTA changes less severe terms and some parallels to Trans-Pacific Partnership
- Rules of origin may push manufacturers to buy U.S. steel
- Regional Value Content formulas could be shifted and completely reconfigure international supply chains.

Companies dealing with the United States, directly or indirectly, whether for exports, investments, sourcing or local production, should prepare for major changes and shifts in policies. From taxes to import duties, anti-dumping measures, market access and regulatory hurdles, we expect this presidency to have a major impact on business in one way or another. Sheppard Mullin’s International Trade team, composed of both U.S. and European Trade and Regulatory lawyers, can assist and guide companies through these changes and help optimize business decisions in light of the upcoming changes. Our lawyers, including Partners Curt Dombek (Brussels), Reid Whitten (London) and Scott Maberry (Washington DC) are experts in Direct and Indirect Taxes, NAFTA, FTAs, WTO, U.S. Imports and Exports, Customs and Regulatory. We are here to offer strategic advice to protect your business.

NEWS OF NOTE

Prestigious Energy, Infrastructure & Project Finance Group Joins Sheppard Mullin

In late Spring, Sheppard Mullin added tremendous depth to its Energy, Infrastructure and Project Finance Group with the addition of a five partner, three associate group from Winston & Strawn. Partners Katherine Gillespie, Laurette Petersen, Andrew Ratts and Amit Kalra joined our Chicago office, while Partner Christine Hoefliger joined in San Francisco.

Together, these attorneys make up one of the country's preeminent project finance teams in the renewable energy sector. They focus on energy project finance transactions and tax-driven renewable energy project finance transactions, in particular. These transactions involve federal and state incentives, but two federal incentives for renewable energy are the most important: the Production Tax Credit ("PTC") which pays a tax credit based on energy production, and the Investment Tax Credit ("ITC"), a tax credit paid based on the eligible cost basis of the project.

Sheppard Mullin's Energy, Infrastructure and Project Finance team now has more than 50 attorneys firmwide with experience in electrical power, oil and natural gas, and biofuels. Our clients include some of the largest and most innovative energy industry players, including leading utilities, municipalities, independent power producers, commercial banks, equity and tax investors, EPC contractors and energy technology companies.



HELPING CLIENTS SUCCEED

Sheppard Mullin lawyers work on a broad range of litigation and transactions to help our clients succeed. Here are a few examples of our work over the past quarter.



Adidas — Adidas announced on May 10th that it has entered into a definitive agreement to sell its TaylorMade, Adams Golf and Ashworth golf brands to a newly formed affiliate of KPS Capital Partners, LP for a total consideration of US\$ 425 million, around half of which will be paid in cash with the remainder in a combination of secured note and contingent considerations. The transaction, which is subject to customary closing conditions, is expected to be completed later in 2017. Adidas was represented in this deal by Partners Tobin Dommer (SV), Mike Orlando (Del Mar), Steve LaSala (Del Mar), Jim Ritter (DC), and Tim Epp (Orange County).

AIRBUS Airbus — We successfully represented Airbus in obtaining EU approval of €377 million in State aid from the French and German governments to support R&D on a new helicopter. On June 19th, the European Commission approved the €377 million aid to Airbus Helicopters. This was a rare joint aid notification by two Member States and one of the first important R&D cases since the new EU policy on R&D aid in 2014. It was also the largest ever aid granted by the French State in the aviation sector. Partner Jacques Derenne (Brussels) led this matter.

Bank of America Bank of America/Merrill Lynch — A Sheppard Mullin team prevailed in a hard-fought RICO case involving the dissolution of a pharmaceutical empire. On May 12th, the Third Circuit Court of Appeals affirmed the district court's dismissal of a \$225 million RICO case brought by a former Merrill Lynch customer against a Philadelphia-based financial advisor on statute of limitations grounds. Sheppard Mullin, led by Partners Rob Friedman (NY) and Jeff Kern (NY), represented the financial advisor and BofA/Merrill Lynch in the litigation. The former customer had garnered national headlines for killing her 9 year old son in a posh Manhattan hotel in February 2010 by forcing him to ingest a toxic cocktail of prescription drugs, and filed the RICO action while awaiting trial. We secured the dismissal of the fraud case in March and also successfully defended the financial advisor against a FINRA inquiry that emanated out of the customer's civil suits.



Domino's Pizza — We recently obtained a groundbreaking opinion on behalf of our client, Domino's Pizza. A serial plaintiff sued Domino's claiming that the pizza maker's website and mobile application was inaccessible to the blind and visually impaired in violation of the ADA and California law. Plaintiff's lawsuit was in the mold of hundreds of similar lawsuits across the country. U.S. District Judge S. James Otero, in a decision that will provide a national framework for disposing of these actions, agreed with our argument that Plaintiff's claims violated due process in the absence of specific technical guidance from the DOJ and dismissed the case. The case was led by Partner Greg Hurley (Orange County).



Fiat Chrysler — After nearly four years of litigation, the Central District of California granted summary judgment in a trademark infringement case in favor of our client Fiat Chrysler Automobiles. Chrysler marketed a line of Dodge muscle cars from 1969 to 1971 under the name SCAT PACK but, due to increasing pollution and safety regulation and skyrocketing insurance costs, they got out of the muscle car business in 1971 and Chrysler stopped marketing new Scat Pack vehicles. In 2013, Chrysler decided to relaunch the Scat Pack with a new line of Challengers and Chargers with high-performance motors. Plaintiff Scat Enterprises, an aftermarket performance automotive parts manufacturer, had been using the trademark SCAT for its products, consisting primarily of crankshafts, connecting rods and rotating assemblies, since 1962 and at one time was a Chrysler supplier. When Chrysler announced the return of the Scat Pack, plaintiff sued for trademark infringement. In granting Chrysler's summary judgment motion, the Court ruled that: (1) Chrysler's use of SCAT PACK with its vehicles did not infringe Plaintiff's use of SCAT; and (2) Plaintiff's claims for monetary remedies were barred as a matter of law. Partner Kent Raygor (Century City) led the matter.



Hugh Hefner — "American Playboy", a 10 hour series documentary (with dramatizations depicting Hugh Hefner's life story) premiered on April 7th on Amazon. Partner Shaun Clark (Century City) represented Mr. Hefner in his deal with producer, Stephen David Entertainment. He also recently closed a theatrical biopic rights deal for Mr. Hefner with Brett Ratner's RatPac. RatPac Entertainment and Brett Ratner will spearhead the development of a feature film. The picture will be a co-production between Ratpac and Playboy/Alta Loma Entertainment.



Jaguar Land Rover — We represented Jaguar Land Rover and its investment arm, InMotion Ventures, in a \$25 million preferred stock investment in Lyft, Inc. As part of the deal, Jaguar Land Rover will supply Lyft with a fleet of Jaguar and Land Rover vehicles, while the U.K.-based automotive company develops and tests self-driving cars. Partner Frank Bacelli (Washington DC) led the deal.



ON THE BIG & SMALL SCREEN

Abacus Trial and Sheppard Mullin Featured in Recent Documentary

New York litigators Kevin Puvalowski, Rob Friedman and Sarah Aberg were featured in the documentary, *Abacus: Small Enough to Jail*, that made its big screen debut in New York on May 19th and played in theaters nationwide over the summer. The documentary, directed by Steve James (of "Hoop Dreams" fame), tells the incredible saga of the Chinese immigrant Sung family, owners of Abacus Federal Savings Bank in Chinatown, New York, and the subsequent 2015 trial. In May 2012, Abacus and 11 former employees were charged with conspiracy and

substantive fraud charges alleging that the bank knowingly approved mortgages to unqualified borrowers based on falsified documentation and then sold those fraudulent mortgages to Fannie Mae. Abacus was the only bank to face trial on criminal charges in connection with the financial crisis, and the first bank indicted by the Manhattan District Attorney's Office since 1991. In June 2015, following a four-month trial, the jury returned a verdict of not guilty in favor of our client on all 142 counts against the bank. The movie has been critically acclaimed.

"For Your Emmy® Consideration"

Partner David Ulich (LA) was nominated for a News & Documentary Emmy in the category of "Outstanding Research" for his work on "Munich '72 and Beyond," sharing this honor with his co-researcher on the project Dr. Steven Ungerleider.

PRO BONO HIGHLIGHT

In addition to a recent pro bono victory highlight, we are very proud to share our 2017 pro bono video (<https://www.sheppardmullin.com/2017-pro-bono-video.html>) that summarizes our great work over the last year for those in need:

World Wildlife Fund —

Sheppard Mullin obtained a significant victory for the World Wildlife Fund, reversing a proposed sustainability certification under the Marine Stewardship Council scheme for the Mexican tuna fishery, which sets upon dolphins in the Eastern Tropical Pacific Ocean to catch tuna. In the Eastern Tropical Pacific, for reasons unknown, yellowfin and skipjack tuna aggregate beneath marine mammal dolphins, which has been unfortunate for the dolphins. Beginning in the late 1950s through the present, large commercial purse seine fishing vessels hunt the dolphins in this part of the world, chasing them with high speed boats and setting nets on the dolphins to catch tuna. This horrific fishing practice has led to: (1) depleting certain species of dolphins to near extinction; (2) the most studied marine mammal population on the planet in scientific literature, through the U.S. Marine Mammal Protection Act's scientific requirements; (3) the highest profile and continuous lightning rod marine environment issues in the U.S., and (4) an international WTO trade war between the U.S. and Mexico. Recently, the Mexican fleet attempted to obtain an international sustainability certification for its tuna fishery through the international Marine Stewardship Council scheme, generally regarded as the highest level of scientific

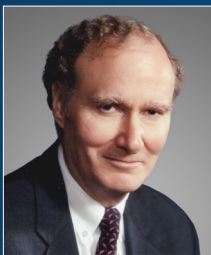


sustainability certification for marine fisheries. The U.S. Marine Mammal Commission, Humane Society International, Earth Island Institute and World Wildlife Fund opposed the certification, with World Wildlife Fund leading the legal defense, arguing for denial based on the fishery's impact to the dolphins. The case proceeded to international adjudication in London in late May. Partner Michael Cohen (DC) led the representation of WWF in the two day evidentiary hearing, resulting in the successful denial and remand in a lengthy decision.

San Francisco Office Supports SF Pride — For the first time, Sheppard Mullin marched in San Francisco's Pride parade on June 25, 2017. A contingent of more than 150 lawyers, staff, their families and friends chartered a motorized cable car and marched, accompanied by the Cal Cheer Team. Sheppard Mullin serves as pro bono general counsel to San Francisco Pride, the non-profit group that organizes the yearly event and its accompanying festivities. Partner Michelle Kahn (SF) has represented SF Pride in a number of trademark, copyright, and intellectual property licensing matters as well as a broad range of Parade related transactions. Following a series of legal wins for SF Pride, enthusiasm to participate in the parade grew, and we made it happen.



IN MEMORIAM: ROBERT THOMPSON



We are deeply saddened at the news of San Francisco partner Bob Thompson's passing on July 29. Below are a few words of tribute taken from the dozens of emails the partners sent to express their grief as well as their enormous respect and affection for Bob.

- "Genuine" "generous" "gentleman" "modest" "mentor"
 - "Pinnacle of the profession" "the gold standard professionally"
 - "Longstanding commitment to pro bono" "believed in giving back"
- In sum: "A class act" "an honor to have known him"

Bob joined Sheppard Mullin in 1995 with a group of colleagues from Pettit & Martin. In addition to being a superb land use lawyer with a sterling reputation inside and outside the firm, he also was unwavering in his personal commitment to give back through pro bono work.

Bob touched many people, and we deeply mourn his loss. As one of his partners put it: "We've lost one of the very best."

UPCOMING EVENTS

Below are a few upcoming events that are open to in-house counsel or HR professionals. We will also offer alumni events and reunions in the near future. To RSVP or for more information, go to our Events web page at www.sheppardmullin.com/newsroom-events.html.

Thursday, September 14, 2017

2017 Employee Handbook and Personnel Policies
Embassy Suites Anaheim Hotel, Garden Grove, CA
9:00 a.m. to 4:30 p.m. PST

Tuesday, September 19, 2017

2017 Wage and Hour Laws
Sheraton Gateway Hotel LA Airport, Los Angeles, CA
9:00 a.m. to 4:30 p.m. PST

Thursday, September 21, 2017

Competition "Breakfasts with Europe"
Webinar
8:00 a.m. to 8:30 a.m. PST

Thursday, September 28, 2017

Cybersecurity Today – The Theater of Operations, the Enemy, their Tactics and You: Your Plan of Defense, Your Obligations, Your Risks and Your Liabilities
Sheppard Mullin Washington, D.C. office
12:00 p.m. to 2:00 p.m. EST

Wednesday, October 4, 2017

2017 Wage and Hour Laws
DoubleTree by Hilton Hotel SF Airport, Burlingame, CA
9:00 a.m. to 4:30 p.m. PST

Thursday, October 5, 2017

2017 Leaves and Local Ordinances
DoubleTree by Hilton Hotel SF Airport, Burlingame, CA
9:00 a.m. to 4:30 p.m. PST

Tuesday, October 10, 2017

Labor & Employment Law Update & Happy Hour
Sheppard Mullin Palo Alto office
4:00 p.m. to 7:00 p.m. PST

Thursday, October 12, 2017

Labor & Employment Law Update & Happy Hour
The LINE Hotel, 3515 Wilshire Boulevard, Los Angeles, CA
4:00 p.m. - 7:00 p.m. PST

Tuesday, October 17, 2017

Labor & Employment Law Update & Happy Hour
Westin South Coast Plaza, 686 Anton Boulevard,
Costa Mesa, CA
4:00 p.m. to 7:00 p.m. PST

Wednesday, October 18, 2017

Labor & Employment Law Update & Happy Hour
Sheppard Mullin San Francisco office
4:00 p.m. to 7:00 p.m. EST

Wednesday, October 25, 2017

Deal Flow Breakfast - Private Equity Investments in
Technology Companies
Sheppard Mullin New York office
8:00 a.m. to 9:45 a.m. EST

Thursday, November 2, 2017

Labor & Employment Law Update & Happy Hour
Hyatt Regency La Jolla, 3777 La Jolla Village Drive,
San Diego, CA
4:00 p.m. to 7:00 p.m. PST

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CONTACT US

For more information about our alumni program, or to notify us of a job change, subscribe to a blog, or register for events, contact Senior Business Development and Alumni Program Manager Michelle O'Driscoll. We look forward to hearing from you and staying in touch.



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