

STAY CONNECTED

alumni news

SheppardMullin

WINTER 2018

IN THIS ISSUE

Greetings from Guy Halgren	1
Alumni Spotlight	2
In House Job Opportunities	3
Ahead of the Curve	4
Alumni Survey Results	4
Alumni Moves	5
Electronic Newsletter	5
News of Note	5
Helping Clients Succeed	6
Alumni Web Site	7
Upcoming Events	7

STATS AND FACTS

790

Sheppard Mullin attorneys globally

15

Offices in
5 countries

28

Industry teams

30

Blogs

1,170

Alumni in our network

GREETINGS FROM CHAIR GUY HALGREN

I once heard someone say, "Diversity is not about *them*, it's about *us*!" While we know that workplace diversity is important, we also know that *inclusion* is the key to real progress. It makes a huge difference when an organization is committed to having diverse voices be recognized, heard and valued. Sheppard Mullin has been on this path as an organization for many years, and I am delighted that together we have created an environment where our attorneys, staff – and clients – know that diversity and inclusion matters to us and that we care deeply about it.

Like most big law firms, we started out with sporadic external activities and later established a Diversity & Inclusion ("D&I") Committee. Now our D&I leadership includes an expanded D&I Committee, a D&I Strategic Council, thirteen attorney-led affinity groups serving women attorneys, attorneys of color, LGBTQ attorneys, and male and female attorneys addressing parental and family issues and, most recently, office-specific D&I Working Groups. By tapping into prominent research, conducting our own detailed inquiries and offering expert training and education, we have implemented diversity and inclusion best practices that put us on a par with the best in the legal profession. We are grateful that multiple clients have noticed and selected Sheppard Mullin for their top law firm diversity awards. In addition, last year we were one of only three law firms from across the country nominated for the prestigious Minority Corporate Counsel Association Thomas Sager Award for diversity and inclusion, and we were the only law firm in California to receive the State Bar's annual Law Firm Diversity Award.

As Sheppard Mullin remains committed to the work of diversity and inclusion, we are pleased to see continuous improvement on annual law firm diversity rankings and to have consistently reached the pinnacle of one:

- **American Lawyer Top Firms for Diversity/2017 Diversity Scorecard** – Among the top law firms for diversity in 2017 (#34, up from #52 in 2016).
- **Law360 100 Best Law Firms for Minority Attorneys** – Ranked among the 100 best firms for minority attorneys in 2017, 2016 and 2015 (since survey inception).
- **Human Rights Campaign Corporate Equality Index 2018** – 100% rating of LGBTQ workplace benefits (9th consecutive year).

We continue to seek out new ways to enhance diversity recruiting, retention and promotion, as well as the advancement of diverse attorneys into leadership roles at Sheppard Mullin.

To that end, our most recent endeavors include the following:

- Sheppard Mullin is one of 44 law firms that signed the Mansfield Rule initiative, the legal profession's equivalent of the Rooney Rule. The pilot year goal is that at least 30% of candidate pools considered for promotions, senior level hiring and firm leadership roles be attorneys of color and women attorneys.
- Sheppard Mullin is a prominent sponsor of the ABA Presidential Initiative on Achieving Long Term Careers for Women In The Law. I was honored to lead a contingent of Sheppard Mullin attorneys and to serve as a speaker at the invitational kick-off meeting at Harvard Law School last month.

We have come a long way and have many people to thank for it. Joining me in my role as Chair of the Attorneys of Color Success Committee and Chair of the Diversity & Inclusion Strategic Council are:

- Leaders of Diversity & Inclusion Committee – Partner Dianne Smith (LA) serves as Chair and Rena Andoh (NY) serves as Vice-Chair. Rena is also Vice-Chair of the Attorneys of Color Success Initiative Committee.
- Diversity & Inclusion Attorney Network (DIAN) Co-Leaders – Partners Olivier Theard (LA) and Lisa Harris (CC/NY)
- Out at Sheppard (OAS) Co-Leaders – Partners Candace Matson (LA), Rob Guite (SF) and Daniel McQueen (LA)
- Gender Initiatives Co-Leaders – Partners Anna McLean (SF) and Nancy Pritikin (SV)
- Diversity & Inclusion Manager – Carol Ross-Burnett (LA)
- Chief Talent Management & Human Resources Officer – Bess Sully (LA)

There is still much work to do, but we are up to the challenge. As always, we look forward to hearing from you.



Guy Halgren

Chair

ghalgren@sheppardmullin.com

ALUMNI SPOTLIGHT INTERVIEW



Dan Rosenberg

General Counsel and Senior
Vice President of James McHugh
Construction

Formerly Business Trials Group,
Chicago Office, Sheppard Mullin

We are delighted to profile former Sheppard Mullin Chicago partner, **Dan Rosenberg**, General Counsel and Senior Vice President of James McHugh Construction.

Career Path

Dan has served as General Counsel and Senior Vice President of James McHugh Construction Co. in Chicago since April 2014. Founded in 1897, McHugh is known as a builder of landmark, one-of-a-kind structures. McHugh is particularly known for building high-rise concrete buildings, including many of the tallest buildings in the country, such as the under construction 98 story Vista Tower in Chicago. Beyond high-rises, McHugh focuses on difficult to build projects ranging from the Centennial Ferris Wheel at Navy Pier to transforming a former office building into Virgin Hotel's flagship property to constructing award winning bridges. McHugh is based in Chicago but builds around the country for the right project. Since Dan has been with McHugh, the company has completed many projects in Illinois, but also worked in California, Texas, Oklahoma, Louisiana, Florida, Missouri, Minnesota, Indiana and Tennessee.

One of the founding members of the Chicago office, Dan joined Sheppard Mullin three months after the office opened in October 2012, after working at K&L Gates / Bell Boyd and Lloyd and Sachnoff & Weaver. Dan really misses the people the most from Sheppard Mullin, as the Chicago office has a great group of folks. The things he misses the least are Larry Eppley's crushed velvet blazers and writing discovery responses (it's a tie).

Dan practiced in the Business Trials Group and had a commercial litigation practice focused on construction and insurance law. A 1998 graduate of Miami (Ohio) University, he earned his law degree from Loyola University of Chicago.

Role and Responsibilities

There is no typical day in his role as General Counsel and Senior VP, as he oversees Legal, Human Resources and Compliance.

He doesn't try cases anymore, which was his favorite part of being a litigator, but is involved with matters that go to trial, overseeing outside counsel. Dan sometimes has to bite his tongue and allow the outside litigators to do their work, which is hard for him. He also sits on McHugh's Executive Committee working on business strategy and policy issues with firm management, including the company's President and Chairman.

McHugh doesn't use a lot of hourly billing and primarily uses alternative fee arrangements. Even if a case goes to trial, they figure out ways to make it work.

In House v. Law Firm Differences

Dan now has a very different role from when he was a litigator working at law firms. When he was outside counsel, he was primarily tearing things down (pun intended), but in his current role, he is building things up in a positive, constructive way. Although he liked working as a litigator, he truly enjoys the change being in house and his role as a businessperson.

Sheppard Mullin prepared him well for his current role as he had a foundational understanding of litigation and how difficult and costly it can be. As litigation and liability drive much of what they do, a strong understanding of both enables him to do his job better. The person he replaced wasn't a litigator by background and management now sees the value of his litigation experience and what it brings, such as understanding the practical realities of litigation and resolving a case in the most effective manner. Dan also learned a lot on the business side of things as Sheppard Mullin opened the Chicago office which has assisted him in his current role.

Best Career Advice

When he took on his current role, a colleague who was general counsel at a competitor told him that he had to "be prepared to commit malpractice every day, if judged by big law firm standards", as there are many decisions that have to be made with less than perfect information and more quickly than issues law firms are often presented with.

Obtaining and Retaining Clients

When pitching for new business, Dan feels it's very important to put forward people that have the expertise, not just those who have the capacity to take on the work but the right person for the job. The value of knowing a particular area of law cannot be diminished.

Dan values most the law firms that are honest in selling their people and always work to get him the lawyers that have experience dealing with the issues at stake. Dan has moved away from several law firms after they oversold their expertise and it became apparent that they were wholly learning major issues on his projects. There are three law firms that have told Dan that they were not a great fit for an assignment and helped him find a lawyer who was a great fit – today those law firms capture a large percentage of McHugh's legal spend. Happily,

Dan reports that Sheppard Mullin is one of those firms. Many lawyers have pressure to get the hours and bill, but in the long term, it's dangerous to the client relationship if the individuals don't have the expertise relevant to the client.

Dan also finds law firms that can teach him some of their expertise through CLE, blogs and alerts valuable. It is not unusual for Dan to forward to his senior business team a particularly well written piece written by a lawyer or law firm. Dan's job is in large part to know a little about a lot, and to the extent a law firm helps him understand the little he initially needs to spot an issue or avert a crisis, that law firm has an advantage when it comes to getting work.

Outside of Work

Dan has three young children aged 13 and under, so he basically has no free time for hobbies or outside activities besides all things kid-related. When he has the time, he likes to hunt (upland game mostly), travel and read.

•••••

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



IN HOUSE JOB OPPORTUNITIES

Our alumni survey revealed that you are interested in hearing about in house job openings. We post in house career opportunities from clients and friends of the firm on our alumni site, which features the most updated information. You can also visit the [ACC Career Center](#) or [Law360 Career Portal](#) for more career opportunities. We welcome in house job postings from your company; please send to alumni@sheppardmullin.com.

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.”

European General Data Protection Regulations Take Effect in May 2018

For American companies that do business in Europe or that process the personal data of individuals in the EU, the world of data privacy and security is about to get much more complicated. While U.S. privacy law is unsettled, with rapidly proliferating state and federal laws and regulations and uncertainty as to how strictly they will be enforced, the [rules in the European Union are tough](#) and about to get much tougher.

The General Data Protection Regulation ([EU](#)) [2016/679](#) (GDPR), slated to take effect on May 25, 2018, will give consumers in the EU substantially more control over how their personal data is used. The increased control includes the right to:

- object to data processing for profiling reasons,
- require that the data be “erased” if the consumer withdraws consent, and
- require that consumer provided data be “ported” to another provider.

Compliance with the GDPR is likely to affect the bottom line of American companies that process substantial amounts of data about individuals in the EU, and not just because of the costs associated with GDPR-mandated data inventories, privacy assessments, data breach notification and documentation. GDPR’s strict rules regarding consent to process personal data – which will require separate “opt-in” consent for each processing activity, and the destruction of data after the specific activity is completed – will mean that companies collecting data from individuals in the EU can no longer rely on a consumer’s agreement to a broad privacy policy that allows processing of data for purposes that go beyond the provision of the specific service in question. As a practical matter, compliance with these rules will almost inevitably mean that businesses will be able to collect and use far less customer data than they have been accustomed to collecting. For that reason, compliance is likely to affect the revenue that many companies have grown accustomed to generating by using and/or selling their customers’ data.

Sheppard Mullin’s Privacy & Data Protection experts, including our Head of EU Data Protection Sylvie Rousseau (Brussels), counsel Yaniss Aiche (Brussels), partner Oliver Heinisch (London) and Privacy & Cybersecurity Co-chairs Craig Cardon (Century City) and Liisa Thomas (Chicago), advise clients on all steps required to ensure compliance with the GDPR. Our team builds entirely new processes and compliance policies; we advise on how to deal effectively with rights of individuals to ensure that companies are able to discharge their newly imposed obligations under the GDPR. We also advise companies on how to efficiently change existing information notices and policies in the most cost-effective way to bring them in line with the GDPR. The wide jurisdictional scope and the increased risk of fines, investigations and litigation has made this a high-priority area for most companies that handle consumer and human resource data of individuals in the European Union.

ALUMNI SURVEY RESULTS

In our Fall 2017 newsletter issued last September, we surveyed our alumni and received a great response to our questions. Some highlights include a preference for:

- Electronic (email) communication over hard copy mailing
- Quarterly communication on alumni news
- Hearing about alumni job changes, in addition to spotlight interview
- Events to be social/networking, with alumni from the region
- Development of a LinkedIn alumni group
- Alumni web site (including job opportunities), though many were unaware we had one

We will be implementing many of your suggestions to build an alumni program that benefits you, as you’ll see reflected throughout this newsletter and in the coming months. Thank you to those that took the time to participate. We welcome your feedback at any time.



ALUMNI MOVES

Many of you expressed interest in hearing about alumni job changes. Moving forward, we will feature a few in house moves in each issue. Let us know if you'd like to be featured!

- In July 2017, **Tony Mauriello** was named General Counsel of Generation NEXT Franchise Brands in San Diego. Tony was Special Counsel in the Corporate Group of the firm's San Diego office, and received his J.D. from Duke University in 2003.
- In October 2017, **Marcos Vergara del Carril** became the Director of the Business & Legal Affairs Department of Netflix's International Originals in Los Angeles. He was an Associate in the Entertainment, Technology and Advertising Group of the firm's Century City office. He received his LL.M. from UCLA in 2011.
- In November 2017, **Ellen R.Z. Rosen** joined the Jewish Community Foundation of Los Angeles as General Counsel. Ellen was a senior attorney in Sheppard Mullin's Trust & Estate Group in its Los Angeles office. She received her J.D. from the University of Southern California in 1993.



MOVING TO ELECTRONIC ONLY NEWSLETTERS

Most of you indicated a preference for receiving alumni communications electronically, so this will be the last newsletter sent in both hard copy and electronic format. For those whom we only have a snail mail address and no email in our system, look for the insert included in your newsletter asking for that information so we can continue to communicate with you.

NEWS OF NOTE

Privacy & Cybersecurity Duo Join Chicago and New York Offices

Last Fall, two noted privacy partners joined Sheppard Mullin from Winston & Strawn. Liisa M. Thomas joined our Chicago office and serves as co-leader of the firm's growing Privacy & Cybersecurity practice. Kari Rollins joined the firm as a privacy litigator in our New York office. As privacy and cybersecurity issues become increasingly important to our clients, we continue to offer best in class service throughout the full cycle of privacy and cybersecurity needs. Whether responding to regulatory changes or security incidents, recent events demonstrate just how integral privacy and cybersecurity is to the modern businesses we service.



Liisa's expertise in privacy and cybersecurity issues is sought after by global corporations. She is a recognized expert in the industry by *Chambers Global*, *Legal 500 U.S.*, *Cybersecurity Docket*, among others. Liisa is the author of the definitive treatise on data breach, *Thomas on Data Breach: A Practical Guide to Handling Worldwide Data Breach Notification*, which has been described as "a no-nonsense roadmap for in-house and external practitioners alike."



Kari serves as a trusted advisor to her clients, bringing a focused, strategic approach to complex litigation and investigation matters alike. Her clients praise her ability to efficiently and effectively manage complex matters with many moving pieces. Kari has conducted multiple internal investigations in data breach matters, and handles any litigation or regulatory inquiries arising from the breach.

Sheppard Mullin's global, interdisciplinary Privacy & Cybersecurity Team includes some of the most respected lawyers in the privacy space, including a former U.S. Department of Homeland Security deputy general counsel, award-winning privacy class action litigation practitioners, and leading EU-based data protection experts. The team also offers the full range of privacy-related experience, from government regulatory and cross-border data transfers to social media compliance and technology transactions. When companies need practical advice from experienced counsel who thoroughly understand privacy law to prevent potential disasters, we are uniquely qualified to help.

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 during the last quarter.



Anaheim Arena Management — After a two-week trial involving claims of gender discrimination, retaliation and failure to accommodate, an Orange County (CA) jury returned a complete defense verdict for our client Anaheim Arena Management (aka The Honda Center), the indoor arena where the Anaheim Ducks hockey team plays. The case was brought by the company's former head of finance, a woman who was the third-highest paid and ranking employee at The Honda Center, who claimed she was the victim of gender discrimination. The trial was led by partner Tracey Kennedy (LA) with associate Matt Tobias (LA) as second chair.



Ardian — A team of Sheppard Mullin attorneys from nine offices in North America, Asia and Europe represented private equity firm Ardian and Ardian North American Fund II Group in a complex cross-border acquisition of Italy-based Dynamic Technologies S.p.A., a manufacturer of automotive fluid-handling systems, aluminum flanges, stainless steel tubes and other aluminum. The deal was led by partner Andrew Felner (NY).



Estate of Doug Tompkins, founder of the North Face and Esprit — We won summary judgment in the estate of Douglas Tompkins, founder of The North Face and Esprit apparel companies, defeating a contest with international implications and preserving hundreds of millions of dollars dedicated to creating and expanding national parks and wildlife preserves in Patagonia and elsewhere in South America. The case was led by partner Adam Streisand (Century City).



Fidelis Care — Our New York healthcare team represented Cardinal Timothy Dolan and the Diocesan Bishops of the State of New York in their capacity as members of Fidelis Care in its sale to Centene, the nation's largest Medicaid managed care plan provider, for \$3.75 billion. Fidelis, which sells health insurance plans to New York state residents and has 1.6 million members, will become Centene's health plan in the state. The deal was led by partner Jay Gerzog (NY).



Invitation Homes — Through the relationship established by lead partner Nancy Scull (San Diego) with client Invitation Homes, a Blackstone affiliated entity, Sheppard Mullin was engaged to serve as California counsel to Blackstone with the company's \$1.6 billion acquisition of media, studio and office buildings in Burbank, California, working with Simpson Thatcher nationally.



Smart & Final Stores — Our Labor & Employment Group client Smart & Final Stores defeated a state-wide class of 24,000 employees by compelling individual arbitration of all claims, avoiding class action litigation. The matter was led by partners Paul Cowie (Palo Alto) and Derek Havel (LA).



TCL Communications — Our IP team won a complete trial victory for handset and smartphone manufacturer client TCL Communications against Ericsson, setting a worldwide precedent in the telecom industry addressing standard essential patent and FRAND licensing issues. The 114-page decision was announced in December, after a three week trial in the Spring in federal court in Santa Ana, California. The trial team was led by San Diego partners Stephen Korniczky, Martin Bader and Matthew Holder.

ALUMNI WEB SITE

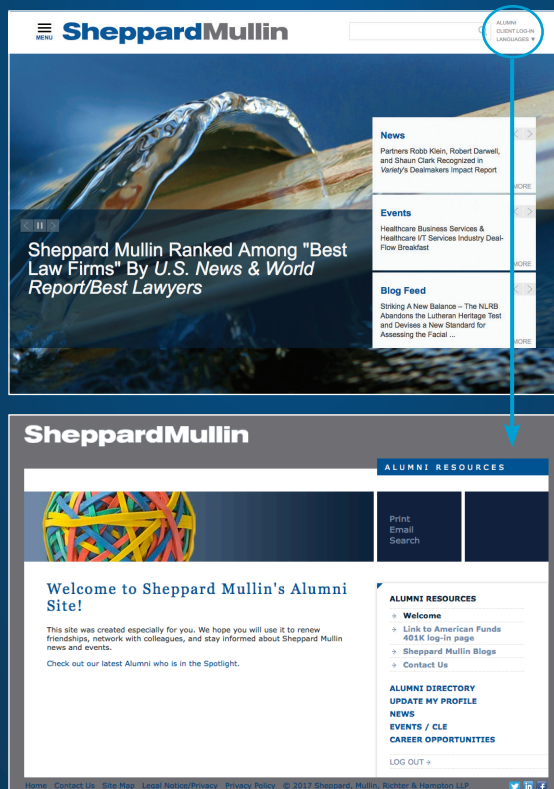
We learned that many of you are still unaware of Sheppard Mullin's alumni site, which is located on our web site's home page. The alumni site was created several years ago for alumni to renew friendships, network with colleagues, and stay informed about Sheppard Mullin news and events. Each departing attorney is provided with information about the site and a login/password.

On the site, you'll find information about other alumni, including a directory and spotlight interviews. There's also important information about your 401K, in house career opportunities, upcoming seminars which you can register for, links to our more than 30 blogs to which you can subscribe to read industry news, and much more.

To find it, go to www.sheppardmullin.com and click on "Alumni" on the upper right section near the search bar. We have pre-populated the site with your name and/or business contact information, but we encourage you to log in and update your profile. Your username and password is:

- Username: first initial and last name, e.g., modriscoll
 - Password: first name and 123, e.g., michelle123
- * If you are not in the system, please click on "register"*

For questions, contact Alumni Program Manager at alumni@sheppardmullin.com. We look forward to continuing the conversation!



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.

Trends in Intellectual Property – Keep Up or Get Left Behind

Thursday, January 18, 2018

Korea Chamber of Commerce, Seoul, South Korea
2:00 – 6:00 pm KST

Healthcare Business Services & Healthcare I/T Services Industry Deal-Flow Breakfast

Wednesday, February 14, 2018

Sheppard Mullin, New York office
8:00 - 9:45 a.m. EST

2018 Wage and Hour Laws

Wednesday, March 7, 2018

Embassy Suites Anaheim Hotel, Garden Grove, CA
9:00 am to 4:30 pm PST

2018 Employment Discrimination and Employee Relations Laws

Thursday, March 8, 2018

Embassy Suites Anaheim Hotel, Garden Grove, CA
9:00 am to 4:30 pm PST

2018 Wage and Hour Laws

Tuesday, March 13, 2018

Embassy Suites Hotel, Arcadia, CA
9:00 am to 4:30 pm PST

2018 Employment Discrimination and Employee Relations Laws

Wednesday, March 14, 2018

Embassy Suites Hotel, Arcadia, CA
9:00 am to 4:30 pm PST

2018 Employee Handbook and Personnel Policies

Thursday, March 15, 2018

Embassy Suites Hotel, Arcadia, CA
9:00 am to 4:30 pm PST

2018 Employee Handbook and Personnel Policies

Thursday, March 22, 2018

Embassy Suites Anaheim Hotel, Garden Grove, CA
9:00 am to 4:30 pm PST

2018 Wage and Hour Laws

Wednesday, March 28, 2018

Sheraton Gateway Hotel at LAX, Los Angeles, CA
9:00 am to 4:30 pm PST

FOLLOW US ON SOCIAL MEDIA (@SHEPPARDMULLIN)

As we explore development of a LinkedIn alumni group, we encourage you to follow us on social media to hear the latest developments, from daily blog posts to upcoming events to community and pro bono news.



LinkedIn: <https://www.linkedin.com/company/sheppard-mullin-richter-&-hampton-llp>



Twitter: <https://twitter.com/SheppardMullin>



Facebook: <https://www.facebook.com/SheppardMullin>

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.



Michelle O'Driscoll
Alumni Program Manager
modriscoll@sheppardmullin.com

STAY CONNECTED
alumni news
SheppardMullin

Beijing | Brussels | Century City | Chicago | London | Los Angeles | New York | Orange County | Palo Alto
San Diego (Downtown) | San Diego (Del Mar) | San Francisco | Seoul | Shanghai | Washington, D.C.

www.sheppardmullin.com