

STAY CONNECTED

alumni news

SheppardMullin

WINTER 2019

IN THIS ISSUE

Greetings From The Chair	1
Alumni Spotlight	2
Alumni Moves and Notable Achievements	3
Ahead of the Curve	4
In Memorium	5
Helping Clients Succeed	6
Upcoming Events	7

STATS AND FACTS

883

Sheppard Mullin lawyers globally

16

Offices in 5 countries

30

New Lateral Partners (2018)

16

Lawyers Elevated to Partners (2018)

55

on AmLaw 100 List (2018)

1,163

Alumni in our network

GREETINGS FROM THE CHAIR

We hope you had a joyous and peaceful holiday season. As we look to 2019, we are proud of what we accomplished in 2018, including:

- Grew by 10%, now with 883 lawyers globally
- Opened a [Dallas office](#) in April, now with 22 lawyers
- Added 30 lateral partners, including a [7-lawyer NY real estate](#) group
- [Elevated 16 attorneys](#) to partnership in February
- Achieved [Mansfield Certification](#) from Diversity Lab, one of only 27 firms
- Launched new [podcast](#) series, *Nota Bene*, covering legal issues affecting multinationals
- Broadened innovative client solutions, such as our [Gavelytics](#) partnership

We continue to be recognized for our growth, diversity and office-focused achievements:

- Ranked #55 in size among all U.S. law firms (up from #58) by *The American Lawyer*
- Recognized by *Working Mother* as one of the “Best Law firms for Women”
- Selected as a “California Powerhouse” by *Law360*
- Chicago, New York and San Diego/Del Mar offices selected as “Best Places to Work”

We are excited to launch a Clients First 2.0 initiative this year, underscoring our commitment to client service as part of our strategic focus. We wish you a very Happy New Year and we look forward to catching up at alumni events and other activities during the year.

Best,
Guy Halgren
Chair
ghalgren@sheppardmullin.com



ALUMNI SPOTLIGHT INTERVIEW: EVAN MENDELSON



Evan Mendelsohn

Co-Founder, Topsy Elves

*Formerly Sheppard Mullin Del Mar,
Corporate Group*

We are delighted to profile former Sheppard Mullin lawyer Evan Mendelsohn, Co-Founder of Topsy Elves, located in San Diego, CA.

Career Path

Evan was born in Redding, CA (200 miles north of San Francisco) and graduated from the University of California San Diego in 2006 with degrees in Management Science and Psychology. He then attended the University of Southern California, where he obtained his joint J.D./MBA in 2010.

He worked as a summer associate in our Del Mar office for two years, joining our Corporate Group as an associate in 2011. During that time, he began to work on Topsy Elves, which he co-founded with endodontist Nick Morton in 2011.

Creating Topsy Elves

When Evan was in college, he attended many different theme parties and events, usually piecing together outfits from thrift stores. The only retailers that sold theme-oriented clothing were Spencer's and Party City, but quality was poor and the older owners of these companies didn't understand the millennial generation.

While studying for his MBA, Evan took an interest in Internet marketing, specifically search engine optimization and Google's ranking of web sites. After taking the bar, he had some free time and created a web site called Day-Finder.com, where you could look up holiday dates. The site was quite successful, ranking highly and profiting \$35,000 in its first year.

Six months into working at Sheppard Mullin, Evan had attended several Christmas parties and had a difficult time finding ugly sweaters, once even opting for a women's XXL from Wal-Mart. Following the success of Day-Finder, he decided to start an ugly sweater web site.

He and his co-founder pooled together \$80,000 and launched Topsy Elves in June 2011. They bought 5,000 sweaters in 10 designs and by October were ranked the #1 web site for ugly Christmas sweaters. Orders started rolling in and they quickly sold out before the holidays. Evan was still working at

Sheppard Mullin by day, and managing orders and working on the business when he returned home at night. He thought he could hold on to both jobs as the ugly sweater business was seasonal, but found it difficult to do both. So he left Sheppard Mullin at the end of the year to focus full-time on his business.

Evan considers himself fairly creative and "hacked his way" through sweater designs the first few years, but they now have 20 full-time employees, 80 seasonal workers, with 5-6 full-time designers. Though they primarily offer their products online, they are also available in several retail outlets including Urban Outfitters, The Buckle and Tilly's. In addition to ugly Christmas and Hanukkah sweaters, they offer collections relating to Halloween, St. Patrick's Day, Mardi Gras, Pride and Independence Day.

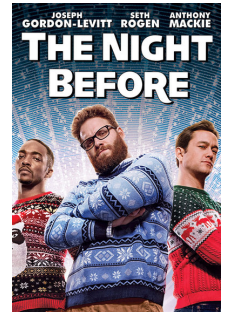
Into the Shark Tank

They were lucky to receive great visibility within two years of launching by appearing on the popular television show Shark Tank. One of Shark Tank's producers saw someone wearing a Topsy Elves' sweater at a Christmas party, loved it, and contacted Evan and Nick to pitch. It took them two months to prepare, and they appeared on the December 13, 2013 episode of Shark Tank (Season 5), where they received \$100,000 in funding from investor Robert Herjavec.

After their initial appearance, Topsy Elves grew to more than \$10 million in annual sales in the following two years. In addition to funding, Robert provides high level support, including navigating strategic decisions properly, such as balancing profitability with growth. They've done two Shark Tank updates since the initial episode: a feature on "Beyond the Tank" (a spin-off) and a subsequent update which aired on December 9, 2018.

Moving into Entertainment and Branding

Topsy Elves' sweaters have been featured in several movies, including "The Night Before" (released November 2015), starring Seth Rogen and Joseph Gordon-Levitt, and "The Office Christmas Party" (released December 2016), starring Jennifer Aniston, Jason Bateman and T.J. Miller, where they designed the sweaters and were the official licensed reseller.



They also have a co-branding agreement with Taco Bell, known for their fun and witty brand. Together, they offered unique clothing for the holidays, including Friendsgiving pieces (which sold out in a few days after launch) and a Christmas Taco Bell collection (www.tipsyelves.com/taco-bell).

Current Role and Responsibilities

Evan acts as both Chief Executive Officer and Chief Marketing Officer, dealing with creative and web site development. His co-founder works on operational aspects, such as product orders and their growing Amazon.com product management, which is a large part of their business.

Evan still uses his legal skills on smaller tasks such as model and licensing agreements, but looks to outside counsel for more advanced litigation and transactional issues. He works with Del Mar partner Travis Anderson, who handles their litigation and employment work. He uses another Sheppard Mullin alumni, Ryan Connor of the Law Offices of Ryan Connor, for corporate work such as vendor contracts.

Pivoting from Lawyer to Entrepreneur

If you're interested in becoming an entrepreneur, Evan notes that "lawyers are generally risk averse and unwilling to throw away a great career on a whim, so it's important to test the business before going all in." He would never have quit working as a lawyer off an idea and crossing his fingers that it would work out. He recommends testing the market first before you leap. You can launch as a hobby and see how it goes, and then decide if you want to pursue your passion full-time.

Sheppard Mullin Memories

Evan loves the people at Sheppard Mullin, and still keeps in touch with many of them including Del Mar partners Travis Anderson and Michael Orlando. Evan fondly remembers a great summer associate trip to Las Vegas, held prior to the recession when summer events were big and splashy. He developed close bonds socializing with other lawyers during the Corporate Practice Group Retreats, which were an excellent way to cement friendships and get to know people in a social setting.

Life Outside of Work

Evan enjoys staying active and plays ice hockey in a San Diego hockey league. One of the teams is called Topsy Elves, which they sponsor and for whom they designed the jerseys. It's important to work hard but play hard, too.

Need an Ugly Sweater?

If you'd like to purchase Topsy Elves' unique and entertaining merchandise (including sweaters, jumpsuits, dresses, t-shirts, socks and other accessories), go to www.topsyelves.com and enter "SHEPPARD" upon checkout to receive a 20% discount for alumni on each order.



We thank Evan 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.

ALUMNI MOVES AND NOTABLE ACHIEVEMENTS

Below are a few recent in-house, governmental and other alumni moves. Let us know if you've changed jobs so we can feature your move in a future edition.

- Formerly an associate in our LA office and now Orange County Superior Court family law judge **Andre De La Cruz** was profiled in "Seismic Shift," a November 20, 2018 *Los Angeles Daily Journal* article that described his journey from working odd jobs in East LA, to a network engineer at a bank, to a patent litigator, then a judge. The article also explained how the loss of his 9 year old son propelled him to refocus his career on helping others. He was appointed to the bench on November 2, 2017.

- **Natalie Ferrall** is now Real Estate Counsel at WeWork in Culver City, CA She was a real estate associate in our LA office from September 2016 to November 2018.
- **Aaron George** is now Vice President and Assistant General Counsel at Charter Communications in Jacksonville, FL. He was a litigation partner in our DC office from February 2013 to November 2018, where he developed expertise representing communications companies in matters involving state and local franchising, access to rights-of-way, franchise fees, public access programming, pole attachments, infrastructure deployment, and related issues.

- **Michael Giacinti** is now Corporate Counsel at Digital Realty in San Francisco. He was an employment special counsel in our SF office from April 2015 to November 2018.
- In November 2018, the Securities & Exchange Commission announced that **Kurt Gottschall** was named Director of the Denver Regional Office. He began working in the Denver Office's Division of Enforcement in 2000 before becoming a Branch Chief in 2003 and an Assistant Regional Director in 2010. As Director, he will lead more than 100 enforcement attorneys, accountants, investigators, and compliance examiners involved in the investigation and prosecution of enforcement actions. Prior to joining the SEC, he worked as a litigation associate in our LA office.
- **Peter Krause** was appointed Associate Justice of the Third District Court of Appeal in October 2018. He had served as Legal Affairs Secretary in the Office of California Governor Jerry Brown since 2014, where he was Chief Deputy Legal Affairs Secretary from 2013 to 2014. He was a litigation associate in our LA office from 1996 to 2005.

- **Aaron Shourie** is now Vice President of Commercial Legal Affairs at Intelsat in Tysons Corner, VA. He was a corporate special counsel in our DC office from September 2016 to September 2018.

A reminder that we regularly post in-house job opportunities from clients and friends of the firm on the Sheppard Mullin alumni site under "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 disruptive 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 program we call "Ahead of the Curve." This article focuses on changes to investment strategies as U.S. laws on foreign investment and technology export begin to impact your job responsibilities.

CFIUS Changes Ahead

Successful investing in the United States is possible, but companies must prepare. It is critical for companies to be familiar with the Committee on Foreign Investment in the United States (CFIUS) and the recent law that expanded the Committee's powers: the Foreign Investment Risk Review Modernization Act (FIRRMA). FIRRMA was signed into law on August 13, 2018. It expanded the scope of CFIUS jurisdiction to review transactions, granted the Committee power to impose penalties, and implemented a number of changes to the review process.

What is CFIUS and Why Does it Matter?

CFIUS is a committee of nine U.S. agencies that is authorized to review any transaction that may result in foreign control of a U.S. company. CFIUS reviews investment in the United States to determine whether the investment may affect national security. Pursuant to that review, the Committee clears the transaction, proposes steps to mitigate national security risk, or prohibits or unwinds the deal.

Prior to FIRRMA, CFIUS had jurisdiction over transactions that could result in control by a foreign person of a U.S. business. FIRRMA expands that jurisdiction to include the following:

- Transactions involving real estate in close enough proximity to U.S. military or other sensitive facilities to pose a national security risk;
- Investments in U.S. companies that produce or design critical technologies, own or manufacture critical infrastructure, or maintain sensitive personal data even if the investment does not result in foreign control of these U.S. companies; and
- Changes in foreign investor's rights which could result in the foreign investor controlling the U.S. company; and
- Transactions designed to circumvent or evade CFIUS review.

FIRRMA also introduced a "CFIUS Lite" option which allows parties to submit short, written declarations of transactions and receive a response from CFIUS in 30 days. CFIUS may respond to a declaration by requesting a formal written notice, informing the parties that CFIUS cannot review the

transaction on the basis of the declaration and suggesting that parties file a written notice, initiating a unilateral review, or clearing the transaction. Additionally, CFIUS now requires parties to submit a written declaration regarding transactions that would result in a company in which a foreign government holds a “substantial interest” acquiring a “substantial interest” in a U.S. business.

FIRRMA expanded the scope of materials CFIUS may request as part of its review. CFIUS may now require parties to submit partnership, integration, or other side agreements related to a transaction under review. CFIUS also has the power to identify covered transactions for which a notification has not been filed, suspend a transaction during review or investigation, use mitigation agreements or conditions to address potential issues with abandoned transactions, and impose interim mitigation agreements or conditions on completed transactions that are still under CFIUS review. Finally, FIRRMA limited challenges to CFIUS decisions to civil suits brought in the U.S. Court of Appeals for the District of Columbia Circuit.

The Process One Step at a Time

CFIUS has the power to unwind a deal – so if you’re planning an investment or acquisition in a US company which could be considered impacting U.S. national security, it’s important your company is well prepared. *The CFIUS Book*, published December 1, 2018 by World Export Control Review, will give you a head start in your preparation.

The CFIUS Book provides straightforward examples, illustrated charts, and highlighted key points on the best approaches to success for a U.S. investment. The CFIUS Team at Sheppard Mullin maps out the paths to and through the CFIUS process, from the decision to submit a notification, through tips and traps along the way, to the CFIUS safe harbor, including the most recent updates under FIRRMA. *The CFIUS Book* also includes chapters from Sheppard Mullin’s specialists in National Security and NISPOM, as well as Team Telecom and the particular requirements for space-related investments.

Order your copy of *The CFIUS Book* [here](#) or contact London partner [Reid Whitten](#) at rwhitten@sheppardmullin.com about obtaining a copy through Sheppard Mullin. *The CFIUS Book* is also available in Mandarin – 提供中文版本



IN MEMORIAM

Laura Harrigan Peters

Oct. 25, 1974 - Nov. 16, 2018



We are sad to report that former Sheppard Mullin lawyer Laura Kay (“Lori”) Harrigan Peters passed away on November 16, 2018 at age 44. Born in Houston in 1974, Lori moved to Southern California in 1979, where she and her siblings were raised. Lori earned a B.S. in Cognitive Science from UCLA in 1996, then began work as a consultant for Ernst & Young. She then earned a J.D. from Northwestern Law and in 2002 embarked on her legal career at Shepard Mullin Los Angeles, where she worked in both the Finance & Bankruptcy and Corporate Securities Groups. In 2007, Lori transferred to Sheppard Mullin’s San Diego office and in 2009, became Associate Vice President, Legal Services with Bridgepoint Education in San Diego.

Her friends at Sheppard Mullin will greatly miss her. Bob Williams noted that “Lori was very smart, always a sunny, cheerful person who made it a pleasure to be in her presence.” Kandace Rayos recalled she “had such a bright personality and outlook on life, and was a great friend.”

Lori is survived by her parents, her three children and her two siblings. Her services were held on Nov. 20, 2018 in San Diego. If you would like to honor Lori’s memory, contributions to [UCSD Moores Cancer Center](#) or [St. Therese of Carmel](#) in San Diego would be appreciated.

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.



Cubic – We represented Cubic Corporation (NYSE: CUB), a market-leading, technology provider of integrated solutions that increase situational understanding for transportation, defense C4ISR and training customers worldwide to decrease urban congestion and improve the militaries' effectiveness and operational readiness, in its October 24th [acquisition](#) of Advanced Traffic Solutions Inc. for approx. \$235.7 million. The deal team was led by DC partner Luca Salvi.



General Atlantic – We represented private equity firm General Atlantic in its formation of, and \$200 million equity commitment to, a new portfolio company, [OneOncology](#), a company dedicated to managing community oncology practices and supporting the entire continuum of cancer care. OneOncology recently closed its first affiliation transaction with Tennessee Oncology, one of the nation's leading and largest community oncology practices, for \$117 million and equity ownership. Century City partner Aytan Dahukey led this deal.



GIGAVAC – We represented GIGAVAC, a provider of solutions that enable electrification in demanding environments, in its [acquisition](#) by Sensata Technologies, a publicly-traded industrial technology company and leading provider of sensors. GIGAVAC's high-value, mission-critical products are used by more than 1,500 customers, including Tesla, in complex and challenging applications within the automotive, battery storage, industrial, and heavy vehicle and off-road markets and overlap with Sensata's global customer base. SF partner Stephanie Zeppa led this deal.



TDO Software – We represented TDO Software (The Digital Office™), developer of the most widely-used endodontic software in the world, in its [acquisition](#) by Sonendo, a privately held company developing innovative and disruptive technologies to transform dentistry. Financial details were not disclosed. The deal was led by SM partner Steve LaSala.



UGG® Boots – After a year of discovery in the U.S. and Australia, consumer surveys, depositions of numerous expert witnesses in both countries, and competing summary judgment motions, a team led by Century City partner Kent Raygor and Chicago IP firm Greer Burns & Crain won summary judgment in trademark litigation for client Deckers Outdoor Corporation, producer of the iconic UGG® boots, against an Australian counterfeiter. The U.S. District Court for the Northern District of Illinois rejected the defendant's argument that because "ugg" allegedly was generic in Australia for a kind of sheepskin boot, it also should be deemed generic in the U.S., thereby preserving Deckers' trademark rights in its famous UGG® brand.



UPCOMING EVENTS

Below are a few upcoming events the firm is hosting that are open to in-house counsel or HR professionals. To RSVP or for more information about all events including our lawyers' outside speaking engagements, visit our [Events](http://www.sheppardmullin.com/newsroom-events.html) web page at www.sheppardmullin.com/newsroom-events.html.

2019 JP Morgan Healthcare Conference Reception

Tuesday, January 8, 2019
5:30 p.m. - 9:00 p.m. PT
San Francisco, CA
Space limited, inquire if interested

Emerging Growth Webinar: Current State of U.S. Immigration

Thursday, January 17, 2019
12:00-1:00 pm PT
Webinar, *inquire if interested*

2019 Sheppard Mullin Families Group of Orange County

Saturday, February 2, 2019
9:30 a.m. - 11:30 p.m. PT
Pretend City Children's Museum, Irvine, CA
By invitation only, inquire if interested

2019 Wage and Hour Laws Seminar

Wednesday, February 20, 2019
9:00 a.m. - 4:30 p.m. PT
Embassy Suites Anaheim, Garden Grove, CA

2019 Employment Discrimination and Employee Relations Laws Seminar

Thursday, February 21, 2019
9:00 a.m. - 4:30 p.m. PT
Embassy Suites Anaheim, Garden Grove, CA

2019 Wage and Hour Laws Seminar

Tuesday, February 26, 2019
9:00 a.m. - 4:30 p.m. PT
Embassy Suites Hotel, Arcadia, CA

2019 Employment Discrimination and Employee Relations Laws Seminar

Wednesday, February 27, 2019
9:00 a.m. - 4:30 p.m. PT
Embassy Suites Hotel, Arcadia, CA

2019 Employee Handbook and Personnel Policies Seminar

Thursday, February 28, 2019
9:00 a.m. - 4:30 p.m. PT
Embassy Suites Hotel, Arcadia, CA

2019 Employee Handbook and Personnel Policies Seminar

Wednesday, March 13, 2019
9:00 a.m. - 4:30 p.m. PT
Embassy Suites, Garden Grove, CA

2019 Wage and Hour Laws Seminar

Wednesday, March 20, 2019
9:00 a.m. - 4:30 p.m. PT
Sheraton Gateway Hotel, Los Angeles, CA

CONTACT US

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



Michelle O'Driscoll

Alumni Program Manager, Sheppard Mullin
modriscoll@sheppardmullin.com
alumni@sheppardmullin.com

FOLLOW US ON SOCIAL MEDIA (@SHEPPARDMULLIN)

We encourage you to follow us on social media to hear the latest developments, from daily blog posts to upcoming events to 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>

PODCAST



Nota Bene Podcast: Subscribe on Apple Podcasts, Google Play or Stitcher

STAY CONNECTED
alumni news
SheppardMullin

Beijing | Brussels | Century City | Chicago | Dallas | 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