

# STAY CONNECTED

# alumni news

## SheppardMullin

SUMMER 2020

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### STATS AND FACTS

950

Lawyers Globally

15

Offices in  
5 Countries

10

Practice Groups

22

Industry Teams

35

Blogs  
(including new Energy  
and Trademark blogs)

1,565

Alumni in our network

## MESSAGE FROM THE CHAIR

Since we last communicated in March to convey our concern about the coronavirus pandemic, much has changed. In addition to COVID-19, these last few months have been tough for our country's soul with the tragic killing of George Floyd, on top of the other recent acts of violence against Americans of color.

At Sheppard Mullin, we proudly affirm we are a welcoming, supportive, safe and inclusive place. We also recognize our obligation to participate in the larger dialogue and responses to the effects of systemic racism in this country. To that end, we have formed a Task Force of attorneys and staff that will look both inward and outward. Its work will include providing resources and trainings on allyship, promoting cross-cultural understanding and dialogue, providing opportunities for the Firm and its members to support affected communities, supporting peaceful efforts to achieve racial justice, and assisting with issues related to COVID-19 related racism. We will determine how to best support the community through a number of avenues, including community service, pro bono, D&I organizational restructuring, and financial contributions.

One of our initial pro bono projects will be leveraging our firm's unique experience in several aspects of police reform in America, gained through the appointment of our firm and Washington DC partners Jonathan Aronie and David Douglass as the first federal monitor of the New Orleans Police Department.

The Firm's Executive Committee has committed \$400,000 to the work of the Task Force, \$100,000 of which comes from the court award for the Firm's successful pro bono representation of people with disabilities in New York City enforcing their human right to safety in emergency situations, specifically during Hurricane Sandy in 2016. We anticipate the Task Force will invest a significant amount of the funds in the coming weeks and invest the rest over the next year.

This will not be a one-time investment or the primary focus of our response. While \$400,000 is a lot of money, we recognize we cannot simply throw money at this problem, hope it will go away, and feel better about ourselves. Real change will require us to engage, let down our defenses, listen, do our best to put ourselves in the shoes of others with different life experiences, take action and persevere. Our Firm is committed to this endeavor and pledges we will do what it takes to make sure these times represent a turning point and not just an uncomfortable episode in our nation's history.

Please do not hesitate to reach out if you need us in any way. We are here for you. Be well and courageous.



**Guy Halgren**

Chair

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# ALUMNI SPOTLIGHT INTERVIEW: LAUREN THIBODEUX & CASSIE ENGLISH OF NIKE



## Lauren Thibodeaux

VP, Global Employment Counsel  
NIKE, Inc.

Formerly Labor & Employment Group,  
2005-2013



## Cassidy Mariko English

Americas Employment Counsel  
NIKE, Inc.

Formerly Labor & Employment Group,  
2009-2019

We are delighted to profile two former Sheppard Mullin labor and employment attorneys now at NIKE, Inc. in Beaverton, Oregon: Lauren Thibodeaux (Global Employment Counsel) and Cassidy “Cassie” English (Americas Employment Counsel).

### Career Paths

Raised in Inglewood, California, Lauren obtained her B.A. in Psychology and Biology from Georgetown University in 1999 and her J.D. from USC’s Gould School of Law in 2005. She was a labor and employment associate in Sheppard Mullin’s Los Angeles office from 2005 to 2013. She then became Assistant General Counsel, Employment for DIRECTV, LLC in El Segundo, CA. She joined Nike in January 2016 as Assistant General Counsel–Employment, Americas, and became Nike’s Global Employment Counsel in March 2018 and a Vice President in August 2019.

Cassie was raised in Northern California, and was also a labor and employment associate in Sheppard Mullin’s Los Angeles office from 2009 to 2019. She received her B.A. in English from University of California, Los Angeles in 2005 and her J.D. from UCLA School of Law in 2009. She joined Nike in March 2019 as Assistant General Counsel–Employment, Americas in Beaverton, Oregon.

### Current Roles and Responsibilities

Founded in 1964, NIKE, Inc. is a global marketer and distributor of athletic footwear, apparel, and equipment operating in more than 160 countries around the globe. NIKE, Inc. consists of three brands – Nike, Converse, and Jordan.

In her role as Global Employment Counsel, Lauren and her team of seven global lawyers (including Cassie for the Americas) are responsible for all labor and employment law matters, including providing support to Human Resources professionals and business leaders; providing counsel on applicable employment laws, non-compete, and discrimination/harassment issues; responding to employee relations issues and providing guidance and recommendations for problem resolution; managing labor and employment litigation by working with external legal counsel on litigation, administrative agency, and policy matters; advising on issues related to COVID-19; and assisting in the review and development of company employment and labor policies. The team, which also includes one non-lawyer responsible for government compliance and reporting, supports more than 74,000 employees globally.

### Importance of Outside Counsel

“Outside counsel is only helpful if they are able to speak both to in-house lawyers and to business leaders in a way that makes sense,” said Lauren. “Outside counsel must have knowledge of the business, including level of risk adversity. They should proactively provide information related to recent changes to law, case law and trends that impact our business and indicate how it may vary from location to location.”

It is not useful when outside counsel provides lengthy summaries of what the law says and leaves it to the client to interpret it and “figure it out.” Instead, providing usable and practical summaries that are easy to digest, indicate how they relate to the business and can be understood by the business client are most useful. Similarly, clear and concise summaries and recommendations in litigation matters are also the most useful and allow us to provide quicker responses that make outside counsel’s job easier, whether it be providing additional information or documents, facilitating access to witnesses or subject matter experts, approving strategy decisions, or obtaining settlement authority.

“Creating relationships and trust not just with the lawyers, but with the support staff who can help them get the information they need without the assistance of the in-house attorney, also helps to take things off our plates and can help move matters along more effectively,” noted Cassie.

### Innovative Approaches

In this time of COVID-19, law firms that have created the most user-friendly and comprehensive guides to the various state and local regulations have been the most useful. Newsletters that contain links to relevant guidelines and regulations rather than long articles are preferred for busy in-house counsel.

### Diversity Matters

Yes, diversity does really play a role in outside counsel selection.

Nike believes in the inspirational power of sport to break down barriers, overcome differences and bring people together. To serve every athlete\* individually and completely, across the many countries where Nike does business, the company needs teams that truly reflect the diversity of Nike’s consumers and model a culture of respect and inclusion. (\*If you have a body, you are an athlete.)

Diversity and inclusion drive innovation and lead to better decision-making and a competitive advantage. "This is particularly true now, during these complex and challenging times created by the global COVID-19 crisis and the spotlight on systematic racism in the United States," said Lauren.

As women of color, both Lauren and Cassie value the different perspectives a diverse legal team offers. From what they learned at Sheppard Mullin, they are also conscious about who shows up for a pitch, who gets credit, and who on the team is actually doing the work, demanding the highest level of diversity possible.

### Career Advice for Young Lawyers

Working at a firm and living the billable hour life can be difficult. But it's the best way to: learn valuable fundamental legal skills, learn how to effectively write and communicate with a variety of audiences, gain perspective through working with different clients and types of businesses on a variety of issues, and understand the importance of common sense all of which will help in either an in-house or business position. Rather than dread the experience, use it to your benefit to learn and develop relationships with multiple attorneys and clients.

### How the Firm Prepared Them for Current Roles

While at Sheppard Mullin, Lauren served on the firm's Recruiting Committee, Associates' Forum; she was also the firm's Leadership Council on Legal Diversity 2013 Fellow. Lauren also planned parties at Daniel McQueen's house for the Los Angeles-based Labor & Employment teams. In addition to working hard, Lauren used her time at Sheppard Mullin to learn how to build lasting relationships and trust among the partners, associates, and staff she interacted with. Similarly, at Nike, where trust in legal counsel is invaluable, she has been able to use the ability to develop relationships and be active in internal groups to build valuable relationships and trust with her business clients.

In her time at Sheppard Mullin, Cassie also served on the Associates' Forum and had the opportunity to work with and learn from a variety of attorneys and staff, each with unique personalities and styles. These experiences prepared Cassie to be adaptable and effectively manage differences in expectations and approaches, which are important skills when supporting different business functions and stakeholders with opinions and desired outcomes that can sometimes be in conflict.

Lauren and Cassie firmly believe that Sheppard Mullin and the partners, associates, champions, and friends they met and worked with there are key figures in their success in-house and as attorneys in general.

### Sheppard Mullin Memories

Lauren most misses the ability to interact everyday with her colleagues who became her close friends. And, she misses the box at Staples Center – she loved that box.

Cassie misses the friendship and camaraderie of the practice group and being in the trenches with the team. She also misses all the fun events and celebrations (and the food!) at the office.

### Life Outside of Work

When visiting Los Angeles, which is frequent, Lauren enjoys catching up with friends and family and, in the winter especially, her old friend the sun. While in Portland, Lauren enjoys spending time with her Nike family, trying new restaurants, and watching dance shows and movies.

Cassie enjoys exploring Portland and experiencing the good food, beer and wine that the area has to offer with her husband and two young children. She is also slowly building up her sneaker collection and getting used to the rain.

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We thank Lauren and Cassie for taking the time to share their insights with us about their post-Sheppard Mullin career and wish them continued success.



## RETURN TO OFFICE

During the pandemic, Sheppard Mullin lawyers and staff worked 100% remotely, except for a small skeleton crew in each office. We were proud to be fully operational, working seamlessly with our clients.

We are now systematically and safely returning to our offices, with appropriate health and safety protocols in place. Our Del Mar (San Diego) office was first to open on May 26. As of June 15, all our offices — except those where Return to Office was not allowed by state or local governments (New York, Palo Alto, and Washington DC) — were opened on a voluntary basis.





## “CLIENTS DOING GOOD” DURING THE PANDEMIC

We are inspired by the good work that our clients are doing for others during the pandemic. Here are some examples of how our clients are helping others during this time of need:



**Cameo**, a Chicago-based startup, recently hosted “[Cameo Cares](#)”, a three-day virtual live-streamed fundraising event that featured appearances from actors, sports stars and singers (like Mandy Moore, Mike Tyson, Brett Favre, Debbie Gibson). The company raised \$725,000, which was donated to charities working to address problems caused by the COVID-19 pandemic including [No Kid Hungry](#), [the Restaurant Employee Relief Fund](#), [The Actors Fund](#) and many others.



**Gilead Sciences** has been working tirelessly on an effective treatment for COVID-19. Its antiviral drug remdesivir was cleared by the FDA for emergency use in COVID-19 patients, becoming the first medication backed by early clinical data to be made available to fight the coronavirus. Gilead also launched the Gilead CARES Grantee Fund which will provide up to \$20 million in financial support to community organizations that provide critical support to patients living with cancer, HIV, hepatitis and other illnesses.



**Nike** recently donated 30,000 pairs of [Nike Air Zoom Pulse](#) to health systems and hospitals to healthcare workers fighting COVID-19 in Chicago, Los Angeles, Memphis and New York City, and within the Veterans Health Administration, with another 2,500 pairs donated to hospitals across Europe.



**Peloton's** global community came together from March 21-22 and took over half a million classes, generating a \$500,000 donation to [The Food Bank For New York City](#) that paid for 2.5 million meals for those who need it most. Also, knowing how important exercise is for mental health and stress relief for frontline workers in this crisis, Peloton is providing 200 bikes to healthcare workers and hospitals through [The Comeback: Front Line Edition](#); donated £100,000 to Trussell Trust, €100,000 to Aktion Deutschland; and supplied 90,000 masks to healthcare workers in New York state.



**PepsiCo** and **The PepsiCo Foundation** announced a more than \$45 million initiative to provide vital support to those affected by COVID-19 including protective gear for healthcare workers, testing and screening services, and the distribution of more than 50 million nutritious meals to at-risk populations by supporting food banks and other partners around the world.



**Ridgmont Hospitality** stepped up to support first responders by donating 75 room nights to the city of Alameda and Oakland Police and Fire Departments, honoring heroes in a hospitable way.



**Skrewball Whiskey**, the maker of the original peanut butter whiskey, donated hand sanitizers to first responders across the country, and donated \$250,000 to USBG's [Bartender's Emergency Assistance Program](#) and an additional \$200,000 to the [Children of Restaurant Employees \(C.O.R.E.\)](#) and the [California Restaurant Association's Restaurant Cares Program](#). They have also put \$50,000 toward care packages providing almost 500 bags of essentials like peanut butter, bread, pasta, protein bars, bathroom tissue and other needed supplies to local San Diegans.



**The Sazerac Company**, the largest producer of distilled spirits in North America, is producing hand sanitizer for some of the world's largest organizations in the healthcare, government, military, retail, distribution, airline, pharmacy, and banking industries. The initial run of sanitizer was produced at Sazerac's [Buffalo Trace Distillery](#) in Franklin County, Kentucky. Sazerac's other plants across the country are also producing hand sanitizer.



**Tech Mahindra** ran the [TechM-FoodDriveforCovid](#), which is helping Los Angeles during the coronavirus crisis. Sheppard Mullin partner **Whitney Jones Roy**, Chair of the LA Regional Food Bank, emphasized that “Donations to local food banks have never been more important. Please support TechM's Food Drive for Covid if you can.”

## SOME GOOD NEWS (LAW FIRM STYLE): SHEPPARD MULLIN TEAM CLOSES DEAL IN MIDST OF PANDEMIC FOR ALUMNI CLIENT MEDIA SERVICES

Sheppard Mullin has not only stepped up to assist our attorneys and staff, but also our clients and alumni. Former Los Angeles labor and employment associate Melissa (Hughes) Lee, who is now General Counsel of **Media Services**, recently benefitted from our team going above and beyond.

Melissa and her CEO turned the company around from near insolvency in 2013 to a very successful business. About a year ago, her CEO came to us about potentially selling the company. Corporate partner **Linda Michaelson** (Century City) became involved and did an amazing job putting together the deal. Then COVID-19 hit. In the midst of the shutdown and WFH, and all of the personal and professional challenges that ensued, Linda and the multidisciplinary Sheppard Mullin team worked around the clock to save the deal.

We represented Oberman, Tivoli & Pickert, Inc. (doing business as Media Services) in the sale to Cast & Crew. Media Services is recognized as the third largest provider of payroll and accounting services and software to the entertainment industry, behind Cast & Crew and Entertainment Partners.

Cast & Crew had pursued Media Services for many years, but in mid-2019 Media Services decided to pursue a sale and hired Moelis & Company. After an auction process, Cast & Crew won the bid which was negotiated for many months given the complexity of the corporate structure and extensive due diligence conducted of Media Services. For many reasons, the transaction was structured as an asset purchase. Washington, D.C. lawyers **Malika Levarlet**, **Bob Magielnicki** and **Leo Caseria** took the company through a complicated HSR filing process that led to inquiries, but no second request.

Unfortunately, the timing was problematic as we cleared HSR about March 13, just as the pandemic shut down many film and television productions. After much back and forth with Cast & Crew about closing and whether a Material Adverse Effect had occurred, and a filing in Delaware Chancery Court to enforce specific performance ably led by partners **John Stigi** (Century City), **Whitney Roy** (Los Angeles) and our Delaware counsel at Morris Nichols, we closed a hard fought deal on April 20.

The deal was truly a multidisciplinary effort. The transaction was led by **Linda Michaelson**, with special counsel **Jeff Kaye** (Los Angeles) leading many of the negotiations. Partner **Michael Chan** (Los Angeles) advised on employee benefits and Media Services' Multiple Employer Welfare Arrangement which was a key provision of the deal; San Diego partner **Amy Tranckino**'s advice was critical on the tax side, and partner **Greg Schick** (San Francisco) assisted on bonuses for employees and 280G analysis. **Whitney Roy** was critical instrumental in providing litigation assistance, and partner **Tom Leo** (Century City) negotiated the parent guaranty. Partner **Jennifer Redmond** (San Francisco) advised on WARN and other employment issues; partner **Rick Kopenhefer** (Century City) guided us on guild issues; and partner **Dan Yannuzzi** (Del Mar) provided advice on IP issues.

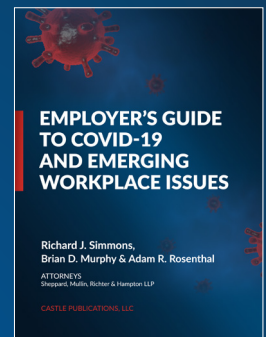
Media Services' General Counsel, alumni Melissa (Hughes) Lee, was thrilled with our support, noting, "I wanted to thank you personally for helping us get to closing. There were times that I really did not think that we'd get here, but here we are and in no small part due to your hard work. As a law student, I chose to join Sheppard Mullin largely because of the attorneys that I met while interviewing and the firm's excellent legal reputation.

Now having worked with many top law firms and attorneys, I am even prouder to have begun my career at Sheppard Mullin. Your excellent legal work contributed to a fantastic outcome for our partners and companies."

Congratulations to Media Services for closing their transaction successfully.

## NEW BOOK: EMPLOYER'S GUIDE TO COVID-19 AND EMERGING WORKPLACE ISSUES

Sheppard Mullin, in partnership with Castle Publications, recently announced the publication of *Employer's Guide to COVID-19 and Emerging Workplace Issues*. The nearly 700 page online book, written by partner and Castle Publications founder **Richard Simmons** (Los Angeles) along with partners **Brian Murphy** (New York) and **Adam Rosenthal** (Del Mar), provides employers with a comprehensive resource for managing employment issues related to the COVID-19 pandemic under federal, California, Illinois and New York employment laws during – and after – the crisis. It is a one-stop, go-to "desk reference" that provides businesses and employers throughout the country with reliable information that is a click away. As an online publication, the forward-looking *Employer's Guide* will be routinely updated throughout 2020 to reflect the effects of the pandemic and the regulatory responses on the legal landscape.



Some of the topics covered in the *Employer's Guide* include:

- **Families First Coronavirus Response Act:** Comprehensive analysis of Department of Labor guidance, regulations and other authorities issued since March 2020.
- **First and Second Generation Challenges:** Addresses employer obligations in the wake of the COVID-19 shutdown, and legal strategies for employers emerging from the crisis.
- **Federal and State Guidance:** Compilation and analysis of CDC guidelines; reshaping wage and hour considerations; the increasing role of public health standards in workplaces; new remote working environments; and continuing WARN Act responsibilities, the CARES Act, Unemployment Programs, OSHA and workplace safety and more.

In addition to the online publication, Castle Publications will offer webinars covering a variety of topics featured in the guide. For more information about purchasing the book, click [here](#). If you are interested in a SMRH alumni discount for this publication, please contact Castle Publications at [info@castlepublications.com](mailto:info@castlepublications.com).

## ALUMNI MOVES AND NOTABLE NEWS

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



**Nicole Bagood** is now Corporate Legal Counsel at Twitch in San Francisco, CA. She was an entertainment technology and advertising associate in our Los Angeles and San Francisco offices from 2014 to 2020.



**Dan Bane** is now Vice President of Business Development and General Counsel at Meyer Laboratory in Kansas City, MO. He was a business trials partner in our Orange County office from 2008 to 2020.



**Robert Gerard** was appointed to serve as a Judge in the Orange County Superior Court on April 29th. He was a labor and employment associate in our Orange County office from 1987 to 1990.



**Cooper Campbell Jackson** is now Vice President, Head of Business Affairs at Electronic Arts in Los Angeles, CA, after spending 22 years in entertainment at Warner Bros., Sony Pictures and Twentieth Century Fox. She was an intellectual property associate in our Los Angeles office from 1996 to 1998.



**Marie Lagrue** is now an EU Official, a Case Handler at the European Commission, Directorate-General for Competition (DG COMP), in the *Antitrust: Telecoms, Information, Communication and Media* (COMP.C.1) Unit, in Brussels, Belgium. She was an antitrust and competition associate in our Brussels office from 2015 to 2020.



**Chris Meltzer** is now Senior Director-Transactions Counsel at Healthpeak Properties in Irvine, CA. He was a finance associate in the Orange County office from 2017 to 2020.



**Craig Mordock** is now the General Counsel of Titan HST in Newport Beach, CA. He was a corporate partner in our Orange County office from 2015 to 2020.



**Ethna Sinisi** (formerly Piazza) reports that she had a successful kidney transplant in July 2019 donated by her best friend from law school. She is still recuperating and her friend is fully recovered. More details about the transplant can be found in this [Sag Harbor Express article](#). Ethna was a corporate partner in our Del Mar office from 1996 to 2008.

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 you; please send to [alumni@sheppardmullin.com](mailto:alumni@sheppardmullin.com).

## HELPING CLIENTS SUCCEED

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



**ACT** – We are intellectual property counsel to ACT, the college and workplace readiness assessment company. When ACT caught one of its competitors infringing its copyright and certification marks and falsely advertising the competitor's products and services, ACT reached out to partner **Michelle Kahn** (San Francisco), who works with ACT on a day-to-day basis on brand development and protection, for help. Michelle tapped partner **Laura Chapman** (San Francisco), who quickly filed a complaint on behalf of ACT in the Eastern District of Tennessee deploying a broad litigation team. The competitor raised every conceivable defense over the course of 18 months of hard-fought litigation, alleging myriad supposed faults with ACT's copyrights. The competitor also aggressively went on the offensive by filing a \$30 million federal antitrust counterclaim against ACT, accusing ACT of unlawfully monopolizing a nationwide market for "workforce development" products. To address the antitrust counterclaim, an antitrust litigation team led by partner **Dylan Ballard** (San Francisco), filed a motion to dismiss, while the IP litigation team filed a motion for summary judgment on the copyright claim. The motions were pending for months, and the court ordered the parties to answer the counterclaims while it considered the motion to dismiss. After a summary judgment briefing on all claims was complete, the court granted our motions, dismissing the antitrust counterclaim in its entirety and entering a summary judgment order finding the copyrights valid and infringed. The certification mark infringement claims and false advertising claims will proceed to trial.



BANC OF  
CALIFORNIA

**Banc of California** – In the aftermath of the Lehman Brothers Chapter 11 bankruptcy case, there were hundreds of adversarial proceedings brought by the plan administrator, Lehman Brothers Holdings. Our bankruptcy team represented many of the defendants in those cases, all of which are pending in the Southern District of New York. And while all of those cases have been ordered to mediation in NYC, the COVID-19 situation has prevented those mediations from



going forward. In April, our bankruptcy team participated in the first-ever videoconference mediation conducted in connection with the Lehman Brothers litigation, and it resulted in a favorable settlement for our long-time client, Banc of California. This was viewed as a “beta test” for all involved, and given the success, a wider program of videoconference mediations is being rolled out across many of the pending Lehman Brothers adversary cases. The team included partners **Aaron Malo** (Orange County), **Mike Driscoll** (New York) and **Jacqueline Luther** (Orange County).



**Blue Shield of California** – We represented Blue Shield of California’s new healthcare services and physician practice platform Altas, an innovative healthcare services provider pioneering next-generation clinical tools and technology, in its affiliation with Brown & Toland Physicians. Brown & Toland is a San Francisco independent practice association with a network of more than 2,700 primary care and specialist providers, providing front-line care to more than 350,000 patients throughout the San Francisco Bay Area. Together, Altas and Brown & Toland will serve as the leading platform for independent physicians in the Bay Area, providing best-in-class support levels and new technology-enhanced services to allow network physicians to deliver high-quality, affordable care and relieve the burdens associated with practice management. The deal was led by partners **Eric Newsom** (San Francisco) and **Eric Klein** (Century City).



**Invenergy** – We represented Invenergy, the largest independent sustainable energy solutions provider in North America, with a limited-recourse construction loan financing for its 301MW Deuel Harvest wind farm under construction in Nebraska. We also represented Invenergy in the negotiation of an agreement by Southern Power Company to purchase an 80% interest in the project upon achievement of commercial operation. The deal team was led by Chicago partners **Amit Kalra** and **Ben Huffman**.



**LA Opera** – As the COVID-19 crisis shut down music and arts programs across the country, the LA Opera, Los Angeles’s renowned opera company, turned to Senior Advisor **Dick Troop** (Century City), and Dick turned to partner **Peter Carson** (San Francisco), who helped guide LA Opera through the maze of the CARES Act’s Paycheck Protection Program (PPP) process to an early approval and funding of a PPP loan, enabling LA Opera to retain its talented staff in anticipation of re-opening as soon as possible. The LA Opera and opera lovers everywhere are exultant in our successful pro bono representation.



**Liberty Mutual** – After eight hard fought years of litigation, we obtained a \$10 million judgment for long-time client Liberty Mutual. The litigation arose out of the 2008 “Moonlight Fire Actions,” in which multiple parties sued Liberty Mutual’s additional insured, Sierra Pacific, for fire-related damages that collectively exceeded \$1 billion. Liberty Mutual paid more than \$13 million defending Sierra Pacific, while Sierra Pacific’s own umbrella insurer, AIG, denied any duty to defend. In June 2012, we sued AIG on Liberty Mutual’s behalf, seeking equitable contribution. Ultimately, the district court granted Liberty Mutual’s motion for summary judgment, finding that AIG’s umbrella coverage “dropped down” as co-primary with a duty to defend because it alone covered Sierra Pacific’s non-vicarious liability. The trial court awarded Liberty Mutual half its defense costs. AIG appealed the entire \$6.6 million award to the Ninth Circuit, and we filed a cross-appeal challenging the court’s denial of prejudgment interest. On January 7, 2020, the Ninth Circuit affirmed the district court’s \$6.6 million reimbursement award and reversed the district court’s decision denying Liberty Mutual prejudgment interest. The Ninth Circuit remanded the matter to the district court to award prejudgment interest on the \$6.6 million award from 2012 to the present. After a failed attempt to get the Ninth Circuit to reconsider its decision, and recognizing defeat, AIG stipulated to judgment in Liberty Mutual’s favor for just under \$10 million, which AIG paid in March. The matter was led by Los Angeles partners **Frank Falzetta** and **Scott Sveslosky**.



**LA5 Foundation Face Shield Project Foundation** – To slow the spread of COVID-19 in the Los Angeles area, Sheppard Mullin’s Nonprofit Team (providing pro bono legal services) joined forces with the “LA5” Rotary Club of Los Angeles and its Foundation, a group of volunteer healthcare professionals, and several large for-profit donors to launch a major volunteer service project to repurpose SoCal Litigation Support Services’ 187 3D printers to produce up to 30,000 face shields and assemble and distribute them to front line healthcare service providers and emergency first responders in the LA area. New York partner **Tamar Rosenberg** and LA Special Counsel **Nancy Howard** led the coordination of this major effort, with assistance from the firm’s healthcare, FDA, products liability, state and local tax experts and others.



**Spotify** – We worked closely with client Spotify to close a marketing, promotion and distribution deal with J.K. Rowling’s company Wizarding World. As a result, Spotify is the exclusive audio partner for a series of unique celebrity-read Harry Potter recordings that will only be available for a limited period of time. Each week, a different celebrity will read a chapter in Harry Potter and the Sorcerer’s Stone. The project kicked off with Daniel Radcliffe, star of the Harry Potter film franchise, reading the first chapter in the series, “The Boy Who Lived.” Others who will participate include former soccer player David Beckham; actresses Dakota Fanning and Claudia Kim; Fantastic Beasts franchise star Eddie Redmayne; and “Harry Potter and the Cursed Child” actress Noma Dumezweni. Century City partner **Shaun Clark** led the deal.

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BTI Consulting Group named Sheppard Mullin a “Standout Law Firm” with regard to Alternative Fee Arrangements.



## UPCOMING EVENTS

Due to the pandemic, our programs have shifted from in person to webinars for the near term. Upcoming webinar topics include, among others:

- Distressed Asset Litigation
- Employment Changes in the World of COVID-19
- PPP Loan Forgiveness
- Sensibly Protecting Information in Unusual Times
- Thriving, Not Just Surviving, in a M&A Process
- Trending Legal Issues in the Retail Industry
- What's Next? Return of the Hotel Guest Experience

Please visit our Events page to learn more about upcoming webinars including dates, time, speakers and registration info. You can also view recordings of past webinars. [www.sheppardmullin.com/newsroom-events.html](http://www.sheppardmullin.com/newsroom-events.html).



## CORONAVIRUS INSIGHTS

To help you stay informed, we continue to add to our "Coronavirus Insights" web page with relevant blog posts, podcasts and webinar invitations and recordings. You can also subscribe to our Coronavirus Insights Portal (newsletter), which aggregates content biweekly.



## 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.



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



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

## PODCAST



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

## 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 Senior Manager Michelle O'Driscoll. We look forward to hearing from you and staying in touch.



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