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### **STATS AND FACTS**



#### MESSAGE FROM THE CHAIR

Many alumni, clients and friends of the firm have reached out to ask about ways in which our Sheppard Mullin community can help the people of Ukraine. Needless to say, the unprovoked invasion of Ukraine is devastating to the people of Ukraine but also to the geopolitical world order. The daily stories about innocent Ukrainians having to choose between fleeing their homes and defending their country are impossible to fathom and yet true. It is a sad time.

We have members of our Sheppard Mullin community who are from Ukraine and who have family and friends there, including my own wife. We have many others, including our overseas and European colleagues, who feel very palpably the fear, frustration and disbelief set in motion by the aggression of the Russian government and the consequences of such violence.

I am personally very moved and thankful for the support that our Sheppard Mullin community has shown for Ukraine and for the Ukrainian people over the last few weeks. Many have asked about ways to contribute and help the Ukrainian people. There are many organizations (including bar associations) that are accepting donations and financial aid to help the people and the causes of Ukraine, including our pro bono client Razom (Razom – Together we are Ukraine (razomforukraine.org), Doctors Without Borders, and the International Committee of the Red Cross.

We are reviewing ways in which our folks can contribute their time and expertise through pro bono projects, including helping Ukrainians find safety in the United States as we face one of the largest refugee crises since World War II. Our pro bono leaders, New York partner **Dan Brown** and Pro Bono Manager **Abby Carrigan**, are working closely with various organizations, so please contact them if you are interested in participating.

In the meantime, Sheppard Mullin stands firmly with the Ukrainian people as we all hope for a rapid end to the war.



**Luca Salvi** Chair Isalvi@sheppardmullin.com

# TWENTY-FOUR ATTORNEYS PROMOTED TO PARTNER

We are pleased to announce that 24 attorneys were promoted in our 2022 partnership class, effective March 1, 2022.

"Each one of our new partners is an excellent lawyer and critical advisor to our clients, and they all represent the drive, teamwork, and commitment to quality of service that are engrained in our Sheppard Mullin culture," said Sheppard Mullin Chair Luca Salvi. "The Partner Class of 2022 is the largest in the firm's history, which is a testament to our strong and consistent strategic growth. We could not be more thrilled to welcome these incredible people to the partnership."

#### The newly elevated partners include:



# ALUMNI SPOTLIGHT INTERVIEW: ANDREW ALBERG



**Andrew Alberg**Senior Corporate Counsel, Real Estate
Amazon | Seattle, WA

Formerly Real Estate Group, 2012-2015, 2017-2019 Washington, D.C. Office

We are delighted to profile former Sheppard Mullin attorney Andrew Alberg, now Senior Corporate Counsel, Real Estate at Amazon in Seattle, WA.

#### **Career Path**

Andrew spent the beginning of his life in the Washington, D.C. area, growing up in the D.C. suburbs and attending college and law school there. He attended George Washington University, where he obtained his B.A. in Political Science and Government in 2009, then graduated from George Washington University Law School in 2012.

He found his way to Sheppard Mullin in 2012 when alum Michele Williams hired Andrew in the Real Estate, Environmental & Land Use Group, despite having no background in real estate. He spent 3-1/2 years at the firm and then decided to "see what else was out there" and worked at both Stroock and Seyfarth, but neither was the right fit.

He realized that "perhaps he had it right the first time" and returned to Sheppard Mullin in 2017, as a real estate associate had coincidentally left that very week. He began working on Amazon leases and other matters, including working with New York partner Eric Altman on Amazon's high-publicity (but doomed) New York headquarters deal.

When his mentor left Sheppard Mullin and eventually retired, Andrew decided to consider in-house work and applied to a position at Amazon. He had always wanted to move West, so he decided to make the big change and move to Seattle.

#### **Current Roles and Responsibilities**

Andrew was promoted to Senior Corporate Counsel on April  $1^{\rm st}$ , 2021 and leads a team of four lawyers, working on "last mile" delivery stations (the last step before packages get to the customers). These warehouses are often located in major metropolitan areas, presenting land use, entitlement, and political obstacles to the projects, which makes them dynamic.

In his role overseeing last mile delivery stations, he serves as a strategic advisor to Amazon's real estate transaction team and business teams, thinking holistically about each project. His team "looks at the bigger picture, which is a fun role because you never know what's going to come up."

#### **Importance of Outside Counsel**

Andrew has recently been working with Sheppard Mullin San Francisco partner **Keith Garner** and Los Angeles partner **Jim Pugh**, who have helped him with complicated land use matters in California. They provided practical, not too risk-adverse, and straightforward advice that has allowed Amazon's in-house lawyers and business teams to understand the real world scope of potential problems. Their understanding of Amazon's challenges and industry is a testament to their client service commitment.

Sheppard Mullin is grateful to also work with many in-house lawyers on Amazon entertainment deals through Century City partner **Bob Darwell**. Amazon and Sheppard Mullin have expanded their relationship in recent years, partly due to the excellent client service Sheppard Mullin has provided.

#### **Pandemic Effect**

When asked how the COVID-19 pandemic affected his work, he had one word: "Dramatically." Andrew was already dressing down before the pandemic as Amazon was casual, so his wardrobe didn't change much, but he went from being in the office every day to working from home every day. He now goes in about once a month as Amazon allows many tech and corporate employees to work remotely indefinitely, as long as they can commute to the office when necessary.

Amazon adjusted to their employees working from home from a technology standpoint fairly easily, but as customer demand skyrocketed during the pandemic, the number of Amazon last mile sites "seemed to triple overnight." Andrew's team had to scale with it and they couldn't hire quickly enough. He said it made his team focus on where their guidance and input was most important, and learn where they could take a more passive approach and lean on outside counsel more heavily.

#### **Career Advice for Young Lawyers**

As an in-house lawyer, Andrew really appreciates outside counsel who are responsive, speak in plain language and send short but dense emails.

He also recommends that young lawyers have some patience with themselves. He commented that, "Most mistakes are fixable very quickly and you are better off not wasting energy stressing out over past mistakes. If you're too stressed out over being perfect, you won't be prepared to make the more difficult strategic analyses law school doesn't prepare you to be a real world lawyer, so you need to roll with the punches."

#### **Preparing for His Role at Amazon**

Andrew noted that "having a close relationship to Michele Williams's client was extremely helpful because I got to know their business well and what they cared about more than just four corners of documents." He was able to apply the foundation of what he learned at Sheppard Mullin once he went in-house at Amazon.

Also, once he was able to handle some legal work on his own, his mentor Michele Williams "let him fly without breathing down his neck." His team at Amazon is fairly lean so he needed to learn to trust himself and lean on himself to get the work done.

#### **Sheppard Mullin Memories**

When asked what he most missed about the firm, Andrew joked, "Obviously, the Laguna Beach retreats, cold brew taps in the office, and being paid in dollars instead of stock." Seriously, it's cliché and an easy answer, but he has kept in touch with his former Sheppard Mullin colleagues because he really enjoyed working with them and they had a lot of fun in the office. He thinks back fondly of times running down the halls of the D.C. office and joking around with people.

Sheppard Mullin allowed him to goof around and be himself, where other firms didn't and tried to force him to be an "uptight professional" and that didn't work for his personality. He was happy that Sheppard Mullin let him be himself and is equally appreciative that Amazon does, too.

#### **Life Outside Work**

Andrew and his wife have a one-year-old son and a Labrador retriever dog, so that keeps them very busy. He has loved exploring the West Coast and the beautiful scenery up and down the coast, from California to Washington and beyond.

••••

We thank Andrew for taking the time to share his insights with us about his post-Sheppard Mullin career and wish him continued success.

# 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.



**Kathy Bañuelos** is now Senior Vice President of State Government Affairs for the Motion Picture Association in Los Angeles, California. She was an employment associate in our Los Angeles office from 2005 - 2007.



**Stephen Chernow** returned to become Vice President-Commercial Legal Affairs at Intelsat in McLean, Virginia, where he worked from 2000-2018. He was a corporate special counsel in our Washington, D.C. office from 2020 - 2021.



**Hae Eun Choi** is now Senior Legal Counsel at Samsung Electronics in Gyeonggi, South Korea. She was an antitrust associate in our San Francisco office from 2011 - 2021.



**Ashley Hirano** is now Senior Attorney-Employment at Illumina in San Diego, CA. She was a labor and employment associate in our San Diego office from 2009 - 2021.



**Jennifer (Trusso) Salinas** is now General Counsel at Cerence Inc., headquartered in Burlington, MA. She was an IP partner in our Orange County office from 2008 - 2016.



**Matthew Shatzkes** is now Chief Legal Officer and General Counsel of Aditxt, Inc., in New York. He was a healthcare/corporate partner in our New York office from 2016 – 2021.



**Mike Wilmar** is now In House Counsel with Callahan Property Company in Pleasanton, CA. He was a real estate partner in our San Francisco office from 2000 - 2022.

Congrats to all our alumni! 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.

## **HELPING CLIENTS SUCCEED**

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



**ArborXR** – We represented ArborXR, the leading AR/VR device management company, in its deal to license its technology to power HP Inc.'s new extended reality device management platform, ExtendXR. This strategic collaboration allows HP to leverage ArborXR's cutting-edge technology to help companies seamlessly scale XR deployment via HP's Horizon secure cloud infrastructure. ArborXR's software allows organizations to manage AR & VR devices, deploy apps remotely, and lock down the user experience with a kiosk mode and a customizable launcher. Washington, D.C. partner **Jim Gatto** led this matter.



Amazon Studios – The firm handled negotiations for Amazon Studios in connection with the acquisition of the documentary film "Lucy and Desi." Directed by Amy Poehler, the film uses archival footage to tell the true story of Lucille Ball and Desi Arnaz and their impact on the television industry as both entertainers and producers. The film premiered on Amazon Prime Video on March 4, 2022. Century City partner Bob Darwell and Century City associate Eve Nguyen handled the deal for Amazon.



**EDP Renewables North America** – We represented EDP Renewables North America (an affiliate of global energy company Energias de Portugal) with a tax equity investment to support the repowering of the 162MW Blue Canyon II wind energy generation project in Oklahoma. Blue Canyon II was one of EDPRNA's earliest projects and we represented the company in connection with a buyout from the prior tax equity investors and this new capital raise for purposes of repowering the plant with a new generation of turbines. The deal team was led by Chicago partners **Ben Huffman** and **Amit Kalra**.



**Hulu** – We recently won a patent case filed in the Central District of California and a co-pending IPR challenge invalidating all claims of a patent being asserted against Hulu involving pause advertising. Plaintiff Pause, Inc. originally filed suit against Hulu in December 2020, alleging infringement of a patent related to the provision of advertisements when a stream is paused. After the initial dismissal of the action, Pause filed a second action a few months later. Following Hulu's motions to dismiss, Pause agreed to voluntarily dismiss the second action. Simultaneously, the Patent Trial Appeal Board granted institution of an invalidity challenge to the patent filed by the Sheppard Mullin team. After the institution decision was issued by the PTAB judges, Pause surrendered all remaining claims of the patent and the PTAB terminated the proceeding on January 10, 2022. The team was led by Silicon Valley partner **Harper Batts**.

J.P.Morgan

**JPMorgan** – We represented JPMorgan with two related financings to entities related to the Coors family in the aggregate amount of more than \$500 million, which closed in the final hours of 2021. The loans are secured by both private and public stock and involved coordination with public company counsel regarding approval of the public company stock pledge. The loans were guaranteed by a series of entities and irrevocable trusts, which trusts had governing documents dating back to the 1940s. San Francisco partners **Michael (Mick) Lauter** and **Jenny Park Garner** led this deal.



**Public Storage** – A deal team led by Del Mar partner **Domenic Drago** helped client Public Storage close its acquisition of All Storage's \$1.5 billion portfolio. The portfolio transaction included 56 self-storage facilities – 52 in the Dallas-Fort Worth market and the others in Oklahoma City and Killeen, Texas – totaling 7.5 million rentable square feet with an average occupancy of 75% during the third quarter. The deal significantly expanded our clients' holdings in the Dallas-Fort Worth area to 172 locations and \$15.5 million net rentable square feet.



**Sony Interactive Entertainment** – We represented Sony Interactive Entertainment in several major gaming transactions over the last year, including Sony's agreement to acquire Seattle-based videogame developer Valkyrie Entertainment. Best known for providing content and co-development services for several highly acclaimed studios, Valkyrie Entertainment will join PlayStation Studios as the 17th studio and will aid in the development of key PlayStation Studios franchises. We also represented Sony in their minority investment in popular online chat platform Discord. Discord is used by more than 140 million gamers each month, mainly on PC and mobile devices. The Sony deal teams were led by San Francisco partner **Stephanie Zeppa**.

## UPCOMING EVENTS



Our CLE programs have shifted to mostly hybrid events, including an in-person and webinar component, unless otherwise indicated. Upcoming events where our lawyers are speaking include, among others:

#### Sheppard Mullin's California Labor & Employment Law Update

April 14, 2022, 10:00 am-12:00 pm PT

Webinar

Orange County partner **Greg Labate** and Century City partner **Paul Berkowitz** speaking on new developments in California employment laws

# Association of Corporate Counsel San Diego and Sheppard Mullin's Healthy Ways to Manage and/or Eliminate Stress and Anxiety and Improve Overall Work-Life Balance

April 20, 2022, 12:00-1:00 pm PT

Webinar

Del Mar partner Elizabeth Balfour speaking on panel discussion

#### **Sheppard Mullin's Ad Law Symposium**

May 4, 2022, 8:00 a.m. – 10:00 a.m. PDT *Webinar* 

Moderated by San Francisco partner Brian Anderson, with Jim Gatto and Brittany Walters on NFT/Metaverse; Craig Cardon on Mass Arbitration and Remand; Rachel Tarko Hudson and Snehal Desai on Trends in Digital Advertising; Steve Hollman and Jay Ramsey on Sustainability and Environmental Claims.

#### Informa's Antitrust West Coast Conference

May 13, 12:30-1:00 pm PT

The Marker Hotel, San Francisco, CA

San Francisco partner **Mike Scarborough** moderating "High-Tech Focus: IP and Antitrust"

#### Pan Asian Lawyers of San Diego and Sheppard Mullin's Blue Bayou Movie Screening & Panel Discussion

May 13, 2022, 5:00-9:00 pm PT Sheppard Mullin's Del Mar Office

Del Mar associate James Hurt is speaking on the panel

## Strafford's NFT and Intellectual Property Intersection: Licensing, Monitoring, Enforcement Strategies

May 31, 2022, 1:00 pm - 2:30 pm EDT

Webinar

Washington, D.C. partner Jim Gatto speaking

#### PLI's 23rd Annual Institute on Privacy and Cybersecurity Law

June 6, 2022, 10:15 am - 1:15 pm CT

The Allegro Royal Sonesta Hotel, Chicago, IL

Chicago partner **Liisa Thomas** speaking on "Beyond California, Virginia, and Colorado – What's Happening in Privacy and Data Security Law in the Rest of the US?"

#### Society for Human Resource Management's Annual Conference & Expo 2022

June 14, 2022, 7:30-8:30 AM CT

Hilton New Orleans, New Orleans, LA and Hybrid
Del Mar partner Adam Rosenthal is speaking on "Ethical
Considerations and Effective Strategies for HR Professionals
and In-House Attorneys in Workplace Investigations and When
Making Difficult Personnel Decisions" and on "Legal and Practical
Considerations For Encouraging Civility and Tolerance At Work
While Handling Complicated Matters Involving Politics, Race,
and Religion"

Please visit our Events page to learn more about upcoming webinars including dates, time, speakers and registration information. You can also view recordings of past webinars at www.sheppardmullin.com/newsroom-events.html.

# Help Us Grow: Associate Referral Bonus for Sheppard Mullin Alumni

We hope you enjoyed your time at Sheppard Mullin and valued the experience you received here. As an alum, you understand best our collaborative and inclusive culture, commitment to excellence, and focus on client service. Most importantly, you know what it takes to succeed here.

Now with 1,000+ lawyers in 15 offices across 5 countries, we are busier than ever. Sheppard Mullin currently has openings for lawyers in several domestic offices across various practices (click here to view openings). We are primarily looking for midlevel associates in transactional practices, including M&A, real estate and finance.

As we communicated with you in January, one way we are now sourcing talent is by offering a \$25,000 referral bonus to Sheppard Mullin alumni for the successful referral and recruitment of all on-track associates subject to these linked guidelines. If there are any ethical concerns from your employer, we would be delighted to offer a donation to the charity of your choice in your name through Benevity in lieu of a direct cash payment.

To refer an applicant, please fill out the linked referral form and email it to Christina Jurado, Senior Firmwide Manager of Lateral Recruiting, at cjurado@sheppardmullin.com. If you have any questions about our new program, please contact Christina.

As an alum of Sheppard Mullin, your support and help is always appreciated.

# New Podcast "Restructure *This!*" Highlights Current Developments in Corporate Restructuring



With the seemingly unending pandemic, many companies have found themselves in the crosshairs of bankruptcy and insolvency issues. To address this, Sheppard Mullin recently launched our third podcast, entitled *Restructure This!*, hosted by Chicago partner **Justin Bernbrock** and featuring Chicago restructuring attorneys **Catherine Jun, Robert McLellarn,** and **Bryan Uelk**.

Restructure This! explores the latest trends and controversies in Chapter 11 bankruptcy, commercial insolvency and distressed investing. Each episode features an in-depth interview with a high-profile member of the restructuring industry, discussing popular developments in the wild west of the bankruptcy legal world and high yield dealmaking.

Now on Episode 8, past shows have included, among others:

- "Building a Bankruptcy Juggernaut" with guest Jamie Sprayregen, founder of Kirkland & Ellis' restructuring practice
- "Inflation and the Search for the Right Interest Rates" with guest Mohsin Meghji, Managing Partner of M3 Partners
- "Communicating Distress in the Digital Era" with guests Sydney Isaacs and Dan Scorpio, Manager Directors of communications firm Abernathy MacGregor

To listen, visit https://www.sheppardmullin.com/podcasts-restructure-this-podcast. Subscribe to the show to receive each new episode delivered straight to your podcast player on Apple Podcasts, Google Podcasts, Spotify, Amazon Music or Stitcher.

## In Memoriam: Otis McGee

We are saddened to report that former San Francisco litigation partner Otis McGee passed away on February 14, 2022. Otis suffered a cerebral hemorrhage in early January, came home briefly, but never fully recovered. He is survived by his wife, Valerie Lewis, his son Aaron and his daughter Kellyn.



Otis attended UC Berkeley Law School after serving as a police officer in Pacifica and as an investigator for the Alameda County Public Defender's Office. After law school, Otis joined Pettit, Evers & Martin, where he worked on insurance bad faith, construction and employment litigation matters. He then founded and served as Managing Partner of Alexander, Millner and McGee, which became the largest minority-owned firm in the country, with offices in San Francisco, Los Angeles, New York City and Philadelphia.

In 1997, Sheppard Mullin was pleased to recruit him as a partner in our San Francisco office, where he worked in our Business Trials Litigation Group until 2014. He later became a client of the firm, as Chief Assistant Attorney for the City of Oakland (during the fateful "Ghost Ship" fire years), and later became one of the most sought after private judges in the Bay Area, both at JAMS and Otis McGee Neutral Services.

Otis promoted diversity, equity, and inclusion in the legal profession throughout his career, and was a dedicated mentor, supporter and advocate for Black lawyers. He was awarded the Charles Houston Bar Association Presidents Award in 1994 and the CHBA Honorable Justice Clinton W. White Advocacy Award in 1988. He helped make the lives of Black mediators a little bit easier through his professionalism and determination and was instrumental in JAMS' DEI program.

Otis represented the best of us, and the best in all of us. He was an outstanding and nationally recognized trial attorney, a terrific partner, a supportive client, and a warm, caring, witty, friend to many of us at Sheppard Mullin. To learn more about him, check out this article where he appeared as our first alumni spotlight in Sheppard's Alumni News' Summer 2017 issue. He will be greatly missed.

## **CONTACT US**

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



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## **PODCASTS**



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