



New York Law Journal

OCTOBER 2022

LITIGATION DEPARTMENT OF THE YEAR WINNER

CRAVATH, SWAINE & MOORE

Q&A **What are some of the department's most satisfying successes of the past year and why?**

Our litigation department prides itself on training trial-ready attorneys, so we are incredibly proud of our trial win for The Williams Companies last December. The decision brought to a close nearly six years of litigation related to Williams' terminated merger with Energy Transfer, and secured a \$410 million contractual termination fee for our client. We also achieved another important win for our longstanding client Qualcomm in antitrust litigation related to its patent licensing and modem chipset businesses. In September 2021, the U.S. Court of Appeals for the Ninth Circuit ruled in Qualcomm's favor, vacating the certification of a class estimated to be the size of the entire U.S. adult population.

Many of our wins over the past year not only impact our clients, but also provide greater clarity on the law. We secured a precedential Federal Circuit decision for Alarm.com, which provides patent litigants with an additional path to challenge USPTO decisions vacating reexamination proceedings on the basis of estoppel. We also secured a North Carolina Supreme Court decision for



From left to right: Antony L. Ryan, Kevin J. Orsini, Sharonmoyee Goswami and J. Wesley Earnhardt. Photo: Ryland West/ALM

Reynolds American, affirming our trial win, which offers a roadmap for how courts will adjudicate appraisal claims in states that have adopted the Model Business Corporation Act.

A prospective client in crisis calls and asks why your team should be retained.

What is your answer? Cravath's history of achieving successful resolutions for our clients' biggest and most challenging matters spans more than two centuries. Our time-tested approach puts the business considerations of our clients at the center of our strategy, ensuring the legal result pays dividends to the company as a whole for years to come. Still, we continue to evolve to meet our clients' needs and to grow strategically in ways that



From left to right: Antony L. Ryan, J. Wesley Earnhardt, Sharonmoyee Goswami and Kevin J. Orsini. Photo: Ryland West/ALM

will best serve them. In the past year, our litigation department has been strengthened by the arrival of Daniel K. Zach, former Assistant Director of the Federal Trade Commission, in New York and Jennifer S. Leete, former Associate Director of Enforcement at the SEC, who will be joining the firm's Washington, D.C. office when it opens this fall.

What traits do you respect most in opposing firms and lawyers? This profession demands a lot of its litigators. We have a great deal of respect for lawyers who strive to uphold the law, who show respect for the courtroom and who zealously advocate for their clients. We also have enormous respect and admiration for our fellow attorneys who advocate for causes with great social and community

impact. We are thoroughly moved by the number of public interest representations we have read about in recent years and it is incredible to see litigators applying their abilities to making this world a better and more equitable place.

What is the firm doing to ensure that future generations of litigators are ready to take the helm? Training is of the utmost

importance at Cravath, and it is a consideration in every decision we make at the firm. Known for our “Cravath System” of associate development, we take care in selecting the most promising recruits out of law school and ensuring that they receive thorough training across practice areas. Our associates rotate from partner to partner throughout their training at the firm and are exposed not only to a variety of legal issues, but also a variety of approaches to developing legal strategy, forming business relationships and managing a team. We foster a collaborative environment where associates of all levels work together and have the opportunity to benefit from formal and informal peer mentorships. We also emphasize opportunities to take on leadership roles early and often so our litigation associates are as comfortable in the courtroom as they are in the conference room.