

Leading LAWYERS

**Legal Times Identifies Twenty
of the D.C. Area's Go-To Litigators**

Identifying **20** Leading Litigators

The 8,000-word article that follows, starting on Page 36, marks the second time we identify and profile some of the D.C. area's leading lawyers.

We began the series on March 31 with a look at real estate. This week, we look at litigators.

Our aim was to find the lawyers who are top of mind for clients, and highly respected by judges and other lawyers. This peer review was informed by our base of knowledge here in the newsroom at *Legal Times*. But in the end, our choices were made based on what we found in our reporting. The project was reported and written by veteran *Legal Times* journalist Jonathan Groner.

As we did with the real estate article earlier this year, we also solicited input from the legal and client community. We got the word out in various ways, including mailings and prominent notices within these pages. We also posted information about the series—and how to make a “nomination”—on our information Web site, legaltimes.biz.

We received nearly 100 nominations. They were all useful, but didn't limit our pool of candidates. Many of the lawyers included in this article were not nominated.

As a matter of background, I need to say a few words about the litigation category. As a practice area, of course, litigation is a catchall term.

And in shaping this article, we found it was overly



LITIGATION A Special Report

broad. So we had to make some judgments about what *kind* of litigators we would include and not include.

First, we looked for people who actually try cases, not simply those who represent clients in litigation.

Much of what litigators do is filing and responding to motions, doing discovery, reaching settlements. We wanted people who, regardless of their skill at papering a case, can and do actually take cases before juries and judges.

We then excluded several subspecialties of litigators. We left out appellate litigators. (We may well add a “Leading Lawyers” focus on the appellate bar in the future, owing to the important place it plays in the Washington

legal market.) We also excluded lawyers whose mark is in real estate, intellectual property, or securities litigation—since those are all areas we have covered or will cover later this year.

In the selection process, our goal was to add reliable information to our readers' knowledge about D.C.-area litigators. We strove to publish a list of lawyers from firms of different sizes, jurisdictions, expertise, and backgrounds.

We have two more “Leading Lawyers” articles scheduled for this year. The nomination deadline for the IP focus is June 25. Go to legaltimes.biz for details.

—RICHARD BARBIERI, EDITOR IN CHIEF

LegalTimes

WEEK OF JUNE 16, 2003 • VOL. XXVI, NO. 24

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Howard Shapiro **Wilmer, Cutler & Pickering**

Only 43 years old, Wilmer, Cutler & Pickering partner Howard Shapiro has already had the equivalent of several full careers. In his latest incarnation, he has emerged as the top young trial lawyer in his firm's very strong litigation department.

Shapiro came to Washington in 1993 to serve as general counsel of the Federal Bureau of Investigation under his mentor, then-FBI chief Louis Freeh. He was a hotshot litigator at the time, fresh from an acclaimed five-year tenure trying criminal cases for the U.S. Attorney's Office in Manhattan.

But the cross-currents of Washington politics took their toll on Shapiro, and he left for Wilmer, Cutler in 1997 under something of a cloud. He acknowledged having tipped off the White House about potentially damaging information concerning Hillary Rodham Clinton in a controversy over the compilation of FBI files on Republican appointees. It wasn't a legal or ethical breach, but in the atmosphere of distrust and suspicions of scandal that pervaded the city even before the Monica Lewinsky matter, Shapiro's action was seen as politically inept.

At Wilmer, Cutler, Shapiro has turned his career around. A co-chair of the litigation department, he has represented clients in matters as diverse as a congressional probe of technology transfer to China and the Lewinsky investigation, in which he represented private investigator Terry Lenzner.



Shapiro's largest recent victory came a year ago, when he won a \$505 million verdict on behalf of IGEN International, a Gaithersburg, Md.-based biotech firm claiming that Roche Holding AG had breached a licensing agreement. After a 10-week trial, a federal jury in Maryland awarded IGEN \$105 million in compensatory damages and \$400 million in punitives, an unusually large amount in a commercial case. The ruling is on appeal.

"In addition to his phenomenal mental capacity and his understanding of the law, Howard has an amazing ability

to simplify a case and to communicate a very powerful story to a jury," says Daniel Abdun-Nabi, IGEN's general counsel. "His closing argument could have been scripted in Hollywood."

Shapiro says the key to success as a litigator is to be "the best-prepared lawyer in the courtroom." He says that at Wilmer, he is able to surround himself with "a first-rate team, a group of people that knows that they must master the details."

—Jonathan Groner