
WilmerHale 2011 in Review

JANUARY 31, 2012

Dear Clients and Friends,

We are honored to report to you for the first time in our new roles as WilmerHale's co-managing partners. As we begin our term, we want to thank [Bill Lee](#) and [Bill Perlstein](#) for their exceptional vision and service to the firm over the past seven-plus years. Under their leadership, the firm has flourished through an extraordinary period of challenge and change and cemented its position at the top of the profession—while strengthening its unique culture of collegiality and public service. We are proud to dedicate ourselves to the same principles that have made WilmerHale synonymous with the highest-quality legal counseling, client service and business advice.

A hallmark of WilmerHale has long been our ability to serve clients seamlessly across practice areas and geographies, and 2011 was no exception. Our lawyers addressed some of the year's most significant and complex legal challenges, demonstrating what can be achieved when skilled lawyers working in complementary practices combine their expertise. Our appellate and intellectual property litigation practices proved an unbeatable pairing when [we won two of the year's most important US Supreme Court patent cases](#) in the space of just a few days. A team drawn from our litigation, regulatory and intellectual property practices secured a significant win for Apple in an ITC action in which Nokia had accused Apple's iPhone, iPad, iPod and MacBook products of infringing seven Nokia patents. We continued to lead BP's response to several of the multiple investigations and criminal and related inquiries into the April 2010 accident and spill at the Macondo well in the Gulf of Mexico. At the same time, we represented HSBC in complex matters that sit at the critical nexus of our investigations, securities, regulatory and transactional practices. We also attracted increasing numbers of experienced laterals to enhance our thriving practices, expanding our attorney numbers by one-third on the West Coast alone.

The past 12 months saw the fruition of a number of long-term initiatives designed to enhance the firm's value-added platform of services and increase cost savings for our clients. With the launch of [WilmerHale DiscoverySolutions](#), we delivered a state-of-the-art response to the pervasive challenges of electronic discovery and document review. Our [Business Services Center](#), established in the Dayton, Ohio region in 2010, proved its value as an effective hub for many of our critical business and document review functions. We became rated as *Fully Compliant* with the ISO 27002 information security standard, an international standard of data protection, which illustrates

our ongoing commitment to protecting firm, client and personal information. The firm continued as a leader in the shift to alternative fee arrangements, working with more clients eager to embrace the flexibility, cost-predictability and savings afforded by AFAs. We also signed a [landmark "green lease"](#) for office space at 7 World Trade Center, New York, and a new lease accompanied by a significant space optimization project in Boston.

Each of our major departments played a role in making 2011 a very successful year:

Litigation/Controversy. It was a successful year for our litigators, who secured trial wins across the US and made more than 40 oral arguments in 15 different state and federal appellate courts, clinching many victories. We filed 40 US Supreme Court briefs in 2011 and argued five cases in the last completed term, [achieving the highest win rate of any firm](#), and managed an international arbitration portfolio of 63 cases with more than \$60.5 billion in dispute. We were pleased that our Litigation Department was awarded an Honorable Mention in *The American Lawyer's* Litigation Department of the Year biennial competition, which noted our intellectual property appellate triumphs and our renowned white-collar criminal defense practice. We invite you to view a list of our [Litigation highlights](#).

Intellectual Property. As the center of our [scientific and technical](#) and IP law expertise, our Intellectual Property Department played a critical role in the firm's recognition as [a top-three finalist in *The American Lawyer's* Intellectual Property Litigation Department of the Year competition](#). In addition to its vital part in several large IP litigations, pre-litigation and patent analyses, and corporate due diligence matters, our IP Department worked on numerous reexamination and interference proceedings, filed 1,546 patent applications and secured 401 patents in 2011, for clients ranging from leading game development studios to clean energy innovators. We worked on numerous opposition and cancellation proceedings, filed 1,835 trademark applications, and obtained 1,789 trademark registrations on products as diverse as wearable infant blankets and grainless granola. We invite you to view a list of our [Intellectual Property highlights](#).

Regulatory and Government Affairs. The expertise of our regulatory and policy lawyers was instrumental in many of the year's most important and challenging matters, including our continued work on behalf of BP in the Deepwater Horizon investigations. We represented JPMorgan Chase in the settlement of high-profile parallel investigations; helped clients in the United States and Europe—including leading companies in the automotive sector—respond to civil and criminal antitrust probes; and assisted global leaders in a range of industries with merger clearance filings for major acquisitions. AT&T turned to us for representation on the proposed acquisition of T-Mobile; and we assisted financial institutions before the newly opened Consumer Financial Protection Bureau; represented an increasing number of clients on matters before the Committee on Foreign Investment in the United States; and continued to handle significant antitrust litigation, including the representation of Deutsche Telekom in competitor lawsuits for hundreds of millions of Euros in damages from an alleged margin squeeze in the local loop. We helped cleantech companies navigate the regulatory approval process for alternative energy projects, and assisted many clients with compliance and enforcement matters involving US economic sanctions and export controls. We invite you to view a list of our [Regulatory and Government Affairs highlights](#).

Securities. Our Securities Department played a pivotal role in many of the most significant cross-disciplinary matters entrusted to the firm by major clients. In addition, our lawyers achieved victories in a number of wide-ranging securities litigation matters, including a win for Medtronic in a putative ERISA class action, represented parties in investigations and enforcement proceedings, and successfully defended a number of clients—including smartphone semiconductor manufacturer Skyworks Solutions—in challenging mergers and acquisitions. We leveraged our regulatory expertise to launch a [Derivatives and Futures Practice](#) and provided important guidance to clients on new Dodd-Frank developments involving [consumer protection](#) and [whistleblower rules](#). We invite you to view a list of our [Securities highlights](#).

Transactional. It was an exciting and active year for our transactional lawyers, who served as issuers' counsel or underwriters' counsel in more than 30 public offerings raising more than \$16 billion in 2011, handled more than 80 M&A transactions in the United States, Asia and Europe with an aggregate value in excess of \$15 billion, completed 200 venture capital financings with an aggregate value of approximately \$1.6 billion, and negotiated more than 90 significant technology transactions and licensing deals in the life sciences and high-tech industries. Among many other matters, we closed 60 funds for fund sponsors and investors; represented an array of leading financial institutions in precedent-setting, multi-billion-dollar bankruptcy litigation; and handled major real estate transactions on both sides of the Atlantic. We invite you to view a list of our [Transactional highlights](#).

Pro Bono and Community Service. We continued to represent our many pro bono clients in the highest tradition of the profession, exceeding the 5% billable-hour-equivalent benchmark set by the Pro Bono Institute's Law Firm Pro Bono Challenge. Our lawyers secured an important veterans' rights victory in the Federal Circuit and convinced the US Supreme Court to overturn a Board of Immigration Appeals policy. We were thrilled to see our client Dewey Bozella—released from prison in 2009 after a 26-year incarceration for a murder he did not commit—[receive the Arthur Ashe Courage Award at ESPN's 2011 ESPY Awards](#). On the international front, we achieved a successful outcome for a group of non-governmental organizations (NGOs) challenging government funding restrictions in the fight against HIV/AIDS. We invite you to view a list of our [Pro Bono and Community Service highlights](#).

We extend our sincere thanks to you, our remarkable community of clients and friends, for all that we have shared over the past 12 months. It is your support that makes it possible for us to embrace the challenging legal work that is the essence of who we are as a firm. We look forward to continuing to provide the highest-quality work and service, and to reporting back to you on what we trust will be an exciting and successful 2012.



Susan W. Murley
Co-Managing Partner

Robert T. Novick
Co-Managing Partner

