

Massachusetts Powerhouse: Latham & Watkins

By **Emma Whitford**

Law360 (August 3, 2021, 2:02 PM EDT) -- The 10th anniversary of Latham & Watkins' Boston office may have fallen "smack dab in the middle" of the coronavirus pandemic, as managing partner Hans Brigham put it, but that hasn't dampened his spirits.

That's because the office's anchor practice areas — including mergers and acquisitions and private equity, emerging companies and litigation — are humming with no signs of slowing down, and the firm's work over the past year has landed them a spot among Law360's Massachusetts Powerhouses.

On the deals side, there's a steady pipeline of startups and drug developers seeking capital. Meanwhile, the firm's litigators cite an active local plaintiffs' bar and increasing enforcement activity from the U.S. Department of Justice.

Since May 2020, the team of 88 lawyers with circa-2011 offices on Clarendon Street has guided local heavyweights such as Momenta Pharmaceuticals and Boston Scientific through billions of dollars in deals, and represented longtime client General Electric through a settlement with the U.S. Securities and Exchange Commission, among other matters.

Latham also secured plea agreements for actress Lori Loughlin and her fashion designer husband Mossimo Giannulli in the now-infamous "Varsity Blues" case, amid intense press scrutiny.

Brigham, himself a Massachusetts native and veteran of the one-time Boston firm Bingham Dana & Gould, says Latham, which was founded in Los Angeles in 1934, has succeeded in Boston because it came in intending to recruit top local talent in areas central to the city's legal identity.

"They made a decision in 2009 to go into Boston in a big way," Brigham said. "And what they did was identify all of the top-notch practitioners in the fields where they wanted to have representation, and they went after those folks ... They were very surgical about how they put this office together."

Those early recruits included Brigham and J. Ryan McCarthy for private equity, as well as John Chory, who's described by Brigham as Boston's "crown jewel" for emerging companies.

The firm's major deals over the last year include Boston Scientific's \$1.07 billion buy of Israeli medical



device company Lumenis' global surgical business, which makes laser- and fiber-based technologies for urinary system disorders and head and neck surgeries. Latham also represented Momenta through its \$6.5 billion acquisition by Johnson & Johnson.

Brigham explained that he has worked with Boston Scientific for 30 years, guiding them through their initial public offering back in 1991. With longtime clients, he said, "you just get the experience of knowing what it is that they want and how to get there."

Latham has also been busy with its startup clients, representing alcohol-delivery startup Drizly, which was founded by a Boston College alum, through its pending \$1.1 billion acquisition by Uber Technologies Inc. The firm has guided other startups through multimillion-dollar financing rounds in the past year, such as rowing machine maker Hydrow.

On the litigation front, Latham's top practitioners include Ken Parsigian, Gwyn Williams and firm executive committee member B.J. Trach, all of whom came over from Goodwin Procter LLP.

A former assistant U.S. attorney in Boston, Trach was also appointed to the Massachusetts State Ethics Commission by former Gov. Deval Patrick. He's been heavily involved in Latham's representation of Boston-headquartered General Electric, which in December reached a \$200 million settlement with the SEC over alleged disclosure failures related to GE's power and insurance businesses.

In separate GE litigation, alleging misrepresentations about the company's insurance portfolio among other claims, a New York federal judge in February dismissed most of the proposed shareholder class action with prejudice.

And in yet another win for GE and Latham, the Second Circuit in February declined to revive a proposed class action accusing the company of concealing issues including a defective gas turbine ahead of a share price drop.

As counsel for Loughlin and Giannulli, two of dozens of defendants charged in March 2019 as part of an elaborate admissions bribery scandal at elite universities, Trach helped negotiate a plea deal with sentences well below what the government had been advocating for other defendants in the case, amid a press bonanza.

"I was a prosecutor for several years and was in and out of that courthouse every day for years and I never saw anything like what it was like on the day of the arraignment in that case," Trach recalled.

In addition to its big-ticket clients, Latham has a robust pro bono practice in Boston, representing asylum seekers, children in family court, and prisoners seeking compassionate release.

"It's something that we really see as an opportunity to get our associates real hands-on, stand-up-in-court experience," Trach said. "And we work incredibly hard to both get great results for our pro bono clients, but also to use the opportunity to help our associates build their legal skills."

--Editing by Jay Jackson Jr.