

# Employment Litigator Returns to Latham for Emerging Companies Work

Oswald Cousins, one of Latham's first San Francisco associates, has returned to the firm with a new focus on counseling emerging companies.

By Jessie Yount

## What You Need to Know

- Latham rehired Oswald Cousins as an employment litigation partner in the Bay Area this week.
- Cousins counsels emerging companies on reductions in force and other thorny employment issues.

Employment litigator Oswald Cousins returned to Latham & Watkins as a partner in its Bay Area offices this week, as “boomerang” hires continue to increase in popularity.

Cousins joined Latham’s litigation and trial department from Morrison & Foerster, and expects much of his practice to revolve around deal support and high-level advice for emerging companies.

Emerging companies may not have a general counsel or dedicated human resources person but “they usually need high-

level but fast practical guidance to guide them through challenging and unique situations,” Cousins said.

“This could include dealing with separation decisions, responding to employee complaints or planning and preparing for reductions in force. That type of counseling is hard to do effectively if you don’t have the experience to understand how it would play out later. I’ve seen how juries and judges think about things, and I try to help my clients make decisions that a judge or a person on the street would understand,” he said.

Cousins’ narrow focus isn’t particularly common in Big Law because it requires the right client base. But Latham has grown a robust emerging companies practice in Northern California—one that has earned



Courtesy photo

**Oswald Cousins of Latham & Watkins.**

it a reputation alongside the indigenous Silicon Valley law firms.

And there’s growing demand for that type of employment expertise in the current economic environment that is financially pressuring some tech companies and, according to Cousins, fueling demand for more reductions in force counseling.

There’s also been a healthy appetite for employment

litigation and employee benefits and executive compensation partners—particularly for those that provide transactional support—in California this year.

“We’re at ground zero for emerging companies here, and those companies are constantly dealing with employee mobility. When they’re merging or being acquired, that brings a ton of thorny issues to the table,” said Macrae legal recruiter Suzanne Kane.

As a result, “clients prefer to have their employment and executive compensation partners in Northern California. The nuances of their needs are so different and complex,” she said.

In March, Latham rehired executive compensation and employee benefits partner Maj Vaseghi, a founding member of Freshfields Bruckhaus Deringer’s Silicon Valley office and Orrick brought on Goodwin Procter partner Christina Bouchot to fill a gap

on the corporate side of the employment group. More recently, Freshfields hired Brandon Gantus, a longtime employee benefits partner at Wilson Sonsini Goodrich & Rosati.

As previously noted, Cousins’ return to Latham is also an example of a “boomerang” partner move. He started his career at Latham in San Francisco in 1994, just four years after the office launched.

“When I left Latham, I knew that I wanted to focus on employment law,” Cousins said. “I liked the personal aspects, variety and faster pace of employment litigation. However, a lot of Latham’s litigation opportunities involved large consumer class actions and securities cases. I was concerned that if I was staffed on those I would lose opportunities to develop expertise in employment law.”

That led Cousins to Orrick and four other law firms

including Morrison & Foerster ahead of his return to Latham this week.

When he learned of the opportunity to return, “I realized the needs of the firm were consistent with what I was doing at the time, including providing high-level counseling to established and emerging companies,” Cousins said. “I really loved the idea of returning home and bookending my career here.”

He was reunited with his former colleagues in the office this week, including Tad Freese, who was in the same starting class year as Cousins and is now managing partner of Latham’s Bay Area offices.

“Our clients here in the Bay Area—which are a wide mix of innovative clients, from emerging companies to mature, multi-national brands—will benefit from Ossie’s multi-faceted approach refined over his many years of growth and experience,” Freese said in a statement.