

Expanding Out of a Sub-Specialty or Creating One of Your Own: A Career Development Conversation With 2 Latham Litigators

By Ross Todd
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Latham & Watkins partners Jamie Wine and Andy Gass have both found their own ways to build a Big Law litigation practice.

Wine began her career during an era of uber-specialization handling securities cases for Big 4 accounting firms. Since the Big 4 were early adopters of alternative dispute resolution, that meant early stand-up opportunities for Wine during arbitrations. She harnessed the accounting expertise and trial experience she picked up early on to build a more expansive complex commercial litigation practice as a partner. “The facility to understand those [accounting] issues ends up being a huge plus and something that you can market if you’ve got comfort with and expertise with those concepts,” Wine says.

Gass, meanwhile, combined the experience he got on antitrust cases with subject-matter expertise honed moonlighting teaching copyright law at the University of California, Berkeley School of Law. “I started in my day job really actively seeking out litigation matters either that the firm was already handling or that it might be handling where there would be some need for someone who spoke these two languages fluently,” Gass says. “There aren’t that many people out there who can do that.” Gass launched the firm’s copyright practice in late 2018 and it’s since grown to 25 lawyers.

The Litigation Daily recently caught up with Wine and Gass to discuss their career paths and practice-building strategies. The following has been edited for length and clarity.

Lit Daily: So what tips do you have for associates or young partners seeking to build their own practices?

Jamie Wine: The number one piece of advice I would give to anyone is to pursue and take on the type of work that interests you and that you love. That’s really what drove me. I started out with a specialty that I was attracted to. I was good at it. But, I wanted to do more. I wanted to be in the courtroom. I wanted to try big cases. And I just figured out a way to broaden out my expertise and market it to end up where I am. Just go for it, right? Go for and pursue what you love.

I think the second piece is to think creatively. I do think we still live in a world where firms are set up by departments and practice areas and specialties for a whole host of reasons that make sense. I do think it’s important early on for

young lawyers to develop some areas of expertise because that’s going to be useful on their matters and assisting more senior lawyers and ultimately for them to market themselves to clients.

But, we don’t have to be pigeonholed into precise buckets. Hopefully, you find yourself in a place that allows you to expand your wings a bit and be creative and develop the practice that makes the most sense for you and your interests and your skillset.

Andy Gass: I’ll reiterate the same two points, but in the reverse order. I give law students and young lawyers this advice all the time: You don’t have to take the world as it exists. It wasn’t always the way that it looks now and it won’t always be the way that it looks now in the future. So knowing that there’s going to be opportunity to create the world that you want for your practice is just a core viewpoint that people should bring to the development of their career.

Relatedly, it’s not going to work for you to try to build something and make your name in an area unless you really are interested in it. So for me what that meant was finding subject matter that I could work on in my day job that wasn’t different than what I would be like looking at on Twitter in the interstitial moments where your focus kind of lapses and you just need a break. For me that meant finding a way to make it where my brain just kind of naturally wanted to go. It made all the difference between picking something that I was going to have the energy to focus on in the long run versus picking something where I was just always going to struggle to get by.

I guess the bigger question is, how do you figure out what you like to do? How do you figure out what is going to keep you going?

Wine: So I think part of it is you might pick up a gut feeling from seeing what other people do and knowing what it is that interests you, But really, part of it is just trying out different things, right? Whether it’s different practice areas



Courtesy photos

Andrew Gass(L) and Jamie L. Wine(R) of Latham & Watkins .

or doing different things. Get the opportunity to try a case. Get the opportunity to argue an appeal. Those are different skill sets, even within litigation. I always thought I might be drawn to the courtroom and as soon as I had an opportunity to try cases, again, even as a young associate and actually stand up and handle witnesses, I knew that I loved that. I argued plenty of motions. To this day in my practice, all sorts of dispositive motions. I argue a lot of appeals. I enjoy that. But there is nothing more that I enjoy than examining a witness in the courtroom. And I can't tell you why other than I just find that to be the most exciting and challenging and fun thing that I get to do day to day in my practice. So I knew that I wanted to have a practice that afforded me the opportunity to do that.

And frankly, before I figured this all out and I thought I was going to be pigeon-holed as a securities lawyer, I felt a little bit not only disappointed but that, honestly, I wasn't utilizing my best attributes and core skill set. So I felt like it was really important for me and my development and my satisfaction to be able to have that trial practice be a core part of what I do every day in my job in order to enjoy it and feel fulfilled.

Gass: It's really essential to just try a bunch of different stuff. I at least have had a very poor track record of being able to predict which parts of the practice of law I enjoy and which ones I don't. I set out in fact to be a transactional lawyer. That's the kind of work that I did at **Howard Rice**. It's actually what I came to Latham to do — counseling on the merger control part of antitrust. So for me getting a chance to try real litigation and wrestling with what I consider to be important issues in the context of that unique paradigm was an essential piece of finding what it is that I wanted to do.

Just be honest with yourself about which parts of the experiences you enjoy and which ones are more of a struggle. As Jamie said, there are lots of different roles that come even just within the world of litigation on a big team litigating a big case. There are people who spend a lot of time wrestling with the law. There are people who spend a lot of time wrestling with the facts. There are people who spend a lot of time on the project management side of orchestrating these large matters. And ultimately, it's really important to have your eyes open to which role you fulfill that you actually enjoy. Because again, it's a hard job and it's a demanding job. And you're only going to succeed ultimately doing something that you feel good about and you feel like you're good at doing. So having this sort of self-knowledge to take stock of the different experiences you've had and really honestly assess which are the ones that you enjoy to me is probably the critical piece of the puzzle

Do you have any further thoughts on this topic that we should be chewing on?

Wine: Even if you don't see somebody out there that looks like you doing what you want to do or that has a practice that you want to pursue, don't let that discourage you. Just to tell you why this was on my mind: When I was growing up as a younger lawyer — and still today — there aren't a lot of well-known, high-profile female trial lawyers. The ones that you do hear about tend to be ones who come out of the government and have more of a white-collar investigations background — somebody like **Beth Wilkinson**, who I know and who used to be at our firm. I didn't really see and I still don't really see that many female trial lawyers leading Fortune 500 corporations in their highest-stakes litigation matters. And that's something that could be discouraging if you're coming up. Or you can view it as an opportunity. And that's the way that I choose to view it. You can really make your own path. It sometimes can be a challenging environment to go into when you're dealing with executives and boards and whatnot that also may not quite look like you. But if you have the right stuff to back it up and earn their confidence, it can be a really wonderful relationship. I've developed a lot of great relationships with big companies out there that look to me every day to handle their most complex and sensitive disputes. And so, that's just a bit of a roundabout way of saying, again, do what you want to do, even if you don't necessarily see examples out there that are exactly like you.

Gass: That is such a great point, Jamie. I'll give you my version of that experience. Again, I actually never had any intention of doing this job in the long term. When I was a young associate at Latham in San Francisco, I was not aware of any partner in our office who had a spouse who worked full time. As far as I knew 100% of them either had been divorced, or had a partner who didn't have a job. And that just didn't look anything like my family. My wife is in academic medicine. I remember thinking: "It is unclear to me whether there's actually a way to do this job and have the kind of equitable allocation of parental responsibilities that I'm going to have in my life."

It could have been discouraging and disheartening, and to some degree, it was that there weren't at that time a lot of visible role models for people who were balancing their life and their job in a way that kind of made any sense to me. But with a lot of support and a lot of luck — and a lot of privilege to be sure — I was able to chart a course that I hadn't seen done before. And now thankfully, it's much, much more common. Now, I would say it's the majority of partners in our office in San Francisco who have partners who work full time. But getting from there to here really required embracing that notion that just because you don't see someone doing it the way that makes sense to you doesn't mean it's impossible to do the way it makes sense to you.