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Leading COMMERCIAL LITIGATORS 2023



Jamie L. Wine

LATHAM & WATKINS

NEW YORK

LITIGATION

Jamie L. Wine joined Latham & Watkins straight out of Harvard Law School in 1995 and worked at the firm's California offices until moving to New York, where she became the global chair of the firm's litigation and trial department.

She gradually pivoted from securities litigation work to a more general commercial practice. "I had the opportunity to do a lot of arbitration and trial work, and I found I love being in the courtroom,

so now I do everything from complex commercial to pharmaceutical and environmental cases," she said.

Not to mention her successful move into sports law. It took all of Wine's considerable skills to navigate the rough pitch on which her client, the U.S. Soccer Federation, was facing off over unequal pay and benefits claims by the U.S. Senior Women's National Soccer Team.

The ultimate outcome -- an agreement on improved working conditions and a later \$24 million settlement -- was the result of "a collaborative process," Wine said. *Morgan et al. v. U.S. Soccer Federation*, 2:19-cv-01717 (C.D. Cal., filed March 8, 2019).

But the road to collaboration was no straight path. First, Wine had to soothe the outrage roused by former counsel for the soccer federation, who offensively asserted in court papers that female and male players "do not perform equal work requiring equal skill, effort, and responsibility."

Then Wine had to win the \$67 million-plus punitive lawsuit filed by the women's team by establishing that the team's unequal compensation arguments failed -- at least as far as her client's policies were concerned. Retained to replace the federation's former lawyers in March 2020, just seven weeks before trial, she prevailed on summary judgment on the team's pay discrimination claims.

That set the stage for settlement talks over working conditions. "In addition to being a lawyer, diplomat and PR strategist all wrapped up together, we

thought through all these angles, thought about the broad implications of what the federation wished to achieve," Wine said. "We came into a maelstrom, and we were happy to take it on."

While the women's team appealed the pay verdict to the 9th U.S. Circuit Court of Appeals, Wine and opposing counsel hammered out a deal on that issue. "Our great summary judgment win showed us a path to work together by bringing the women's team to the table," Wine said. "We'd done a good job, but we didn't want to be fighting the women players. We wanted to be locking arms with them."

Her client, the U.S. Soccer Federation, paid fairly, but FIFA, the International Federation of Association Football, did not, Wine said. "Our pitch was: we are now in full agreement, and let's have the battle with FIFA. That worked well, and we got the men's team involved too in working to share FIFA proceeds. It was a terrific outcome."

Wine doesn't play soccer, but her teenage daughter does. That led to the girl's questions about her mother's role in the litigation, Wine said. Finding answers helped clarify the matter. "It was an easy narrative the women's team put out: we want to be paid equally," Wine said. "What I needed to do was to show my daughter and the court that when you look at the facts, the U.S. Soccer Federation paid fairly."

— JOHN ROEMER