

Sizzle And Steak At Zuckerman

Firm honors legacy as it ushers in its new chair.

BY KATELYN POLANTZ

There's one law firm in Washington that, even with a new chairman, wants to remember the old days.

Zuckerman Spaeder "enjoyed 15 years of brilliant leadership from [outgoing chairman] Graeme Bush, which benefitted it immeasurably. Dwight [Bostwick] will follow that same path," said a statement from firm founder Roger Zuckerman on the leadership handover to Bostwick on Jan. 1.

But could an intention not to rock the 80-lawyer boat cause it to slow down?

Zuckerman Spaeder, at 40 years old, still benefits from the presence of its first generation.

Four of the six founding partners are current partners. They are William Taylor III (who represented Dominique Strauss-Kahn and Massey Energy Corp. CEO Don Blankenship), Mark Foster, Peter Kolker and Zuckerman, who represented the president of Enron Energy Services.

During Bostwick's tenure, the founders could foreseeably retire from the firm.

"One of the problems of a boutique firm is its visibility tends to be associated with a few high-profile individuals rather than with the



DWIGHT BOSTWICK

AP PHOTO/JOHN MANCILLIO

institution," Robert Luskin, the Paul Hastings litigator, said. Luskin throughout his career has worked with Zuckerman Spaeder attorneys on cases and hired Bostwick as a partner at his own boutique years ago.

Luskin cited the leadership philosophy of the "routinization of charisma."

"It applies perfectly to the challenge that Dwight is facing. How do you bridge that? How do you project that same kind of competence and skill?"

In an interview with The National Law Journal this month, Bostwick said the firm will counteract fizzle by

choosing its lawyers wisely.

Litigation clients tend not to be institutional clients, since disputes settle and trials end, so the strength of the firm depends on individual reputations. Bostwick plans to keep the firm small, and the number of associates to partners—the leverage of the firm—low, around one-to-one. The attorneys he manages will only focus on the dispute practices it handles best. "We think it's much better for a client to hire a heart surgeon to do heart surgery than to go get a bunch of free agents to do lower-level work, who are coming

Zuckerman Plans to Stick to Its Roots, Firm Size

and going," he said.

Bostwick said Zuckerman Spaeder's model rejects the now-industry standards of firm expansion. This firm isn't one that will recruit regularly from other firms, or grow into tangential practice areas or far-flung offices to appease its clients.

"We fundamentally disagree with that principle" of a general-service approach to law, he said in a recent interview.

He compared the firm's level of camaraderie to his freshman dorm in college. Partners are compensated based on three-year averages of their business. The firm's profits per partner is more than \$1 million, according to *The Washington Post*.

"They're very, very committed to each other," Bostwick said of the firm's partners. "If you're looking to be a free agent and make an absolute top dollar, this wouldn't be the place for you."

Only one partner lateraled to the firm in 2015. Five years ago, the firm built out its criminal defense team in New York, then added health insurance litigators to the office in 2014. Another key hire last year came in Catherine Duval, a former state department lawyer who worked in the federal government on investigations of Zuckerman Spaeder client Lois Lerner, a former IRS official, and for Secretary of State Hillary Clinton regarding Benghazi.

About a half-dozen partners left the firm last year, for positions at other firms, in-house jobs and, in the case of Amit Mehta, to be a judge on the U.S. District Court for the District of Columbia.

WORKS WITH PLAINTIFFS

The firm has a few other differences from the rest of Big Law.

Zuckerman Spaeder's amount of corporate plaintiffs-side work is more than what many firms—especially larger ones, rife with conflicts—would take on. Bostwick said the firm's contingency work makes up more than 15 percent of hours for all lawyers. That is more than it amounted to five years ago, he said.

Bostwick, 55, was a high school teacher before he went to law school. He moved through the U.S. Justice Department as a fraud section prosecutor that investigated the Whitewater allegations against President Bill Clinton, then to a few different small firms, including the boutiques *Comey Boyd & Luskin* and *Baach Robinson & Lewis* (now *Lewis Baach*).

He landed at Zuckerman Spaeder about eight years ago. A litigator, he represented Brazilians involved in the Petrobras corruption scandal and in an H.J. Heinz Co. insider-trading case, as well as a French pharmaceutical company. He is currently on the team that appealed the \$765 million settlement between the National Football League and players regarding concussions.

Bush announced he would step down from the chairmanship two years ago. A partnership board chose Bostwick.

Bostwick "had a little trepidation" because of his lack of management expertise and wish to continue practicing. But the appointment, to him, was an honor. His wife, Carolyn Lerner, also maintains a leading role

in the legal community: she leads the U.S. Office of Special Counsel.

Last year, Bush and Bostwick served as co-chairs together. Bush, who did not respond to a request for comment, will return to his practice. Bostwick says he'll keep his practice alongside the management job as well. The chairmanship job doesn't have a set term length.

"Dwight's got a remarkable knack for being direct and for standing his ground without being challenging or divisive. He has the ability to listen to people's concerns, to convey the view that he's serious about addressing their concerns. It's the perfect skill set for that role." Luskin said.

Bush's leadership still may be difficult to follow. Andrew Sandler, the chairman of *BuckleySandler* who founded his own high-end boutique about seven years ago, said Bush has guided him on how to manage and grow a firm.

"He stayed the course, had discipline, stayed focused on what they do well," Sandler said. "He has been one of the best leaders in D.C. in the past decade."

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