

## Law360's Weekly Verdict: Legal Lions & Lambs

By **Aebra Coe**

*Law360, Grand Rapids (November 30, 2017, 5:22 PM EST)* -- Morrison & Foerster LLP has earned the spot of top legal lion over the past two weeks, winning a Federal Circuit decision reviving a BASF patent related to catalytic converters, while Uber's deputy general counsel ended up on the legal lambs list after a judge blamed her for delaying the company's trade secrets litigation with Waymo.

### Legal Lions

**Morrison & Foerster LLP** on Monday secured a Federal Circuit decision **reviving a BASF patent** related to catalytic converters used in automotive vehicles that rival Johnson Matthey Inc. has been accused of infringing. The appellate court decision said that a Delaware court's ruling that the patent was indefinite wasn't supported by the evidence. BASF Corp. is represented by **Deanne Maynard, Marc A. Hearron, Seth W. Lloyd** and **Daniel P. Muino** of **Morrison & Foerster LLP**.

Next up on the legal lions list are teams of attorneys from **Winston & Strawn LLP** and the **U.S. Department of Justice**. The D.C. Circuit **on Monday rejected** an anti-nuclear power group's challenge to the U.S. Nuclear Regulatory Commission's approval of utility DTE Energy Co.'s plans to construct a new nuclear reactor at its Fermi plant in Michigan, saying the NRC's decision was legally sound. The NRC is represented by general counsel **Margaret M. Doane**, solicitor **Andrew P. Averbach** and staff attorney **Michelle D. Albert**, as well as the **U.S. Department of Justice**. DTE is represented by **Tyson R. Smith** and **David A. Repka** of **Winston & Strawn LLP**.

A Second Circuit panel on Wednesday affirmed a lower court's **dismissal of a proposed class action** accusing Sling Media Inc. of adding unwanted advertisements to its Slingbox mobile streaming service, in a victory for Sling's attorneys at **Coblentz Patch Duffy & Bass LLP** and **Lasky LLC**. The appeals court panel concluded that the consumers did not plausibly allege a deceptive act or practice on Sling's part. Sling Media is represented by **Richard R. Patch, Susan K. Jamison, Katharine T. Van Dusen** and **Mark L. Hejinian** of **Coblentz Patch Duffy & Bass LLP** and **Leigh R. Lasky** of **Lasky LLC**.

**Salon Marrow Dyckman Newman & Broudy LLP** and **Stone Bonner & Rocco LLP** on Nov. 21 secured a Second Circuit decision that **revived a bid** by families of the victims of the 1983 Beirut Marine Corps barracks bombing to collect \$1.68 billion linked to Iran's central bank, overturning an earlier decision that the money was beyond the reach of U.S. courts. The families are represented by **James P. Bonner, Patrick L. Rocco** and **Susan M. Davis** of **Stone Bonner & Rocco LLP** and **Liviu Vogel** of **Salon Marrow Dyckman Newman & Broudy LLP**.

The final firms to make it on the legal lions list covering the past two weeks are **McKool Smith PC, Kellogg Hansen Todd Figel & Frederick PLLC, Susman Godfrey LLP, Kramer Levin Naftalis & Frankel LLP** and **Berry Law PLLC**. Last week, U.S. District Judge William Pauley III filed an order praising attorneys at the law firms for their work on the claims administration of a **\$250 million settlement** a class of major consumer goods makers inked with News Corp. over its alleged monopolization of in-store advertising. "The efforts of lead counsel and the claims administrator to shepherd the distribution process offers a paradigm for smooth and efficient claims administration," Judge Pauley said. "If only all class action settlements could end on such a high note, the nettlesome problems inherent to cy pres might disappear." Attorneys representing the six corporate class representatives are **Steven Benz of Kellogg Hansen Todd Figel & Frederick PLLC, Lew LeClair** and **John Briody of McKool Smith PC, Jim Southwick of Susman Godfrey LLP, Dan Goldman of Kramer Levin Naftalis & Frankel LLP** and **Steve Berry of Berry Law PLLC**.

### Legal Lambs

A California **federal judge blamed** Uber Technologies Inc. Deputy General Counsel **Angela Padilla** for a two-month delay of Waymo LLC's trade secrets trial over allegedly stolen self-driving car technology, saying in a hearing Wednesday that Uber's failure to produce an ex-employee's letter meant the lawyer may be "in trouble." Padilla testified during the hearing that those allegations were false, and that she'd been instructed by her superiors not to share the document with anyone else because it could taint an ongoing internal investigation, but U.S. District Judge William Alsup stated that he couldn't understand why Uber would have kept Waymo's attorneys in the dark about the letter.

Mick Mulvaney **will remain acting director** of the Consumer Financial Protection Bureau after a D.C. federal judge found Tuesday that President Donald Trump has the authority to name the agency's interim chief. The decision was a loss for Leandra English — named CFPB deputy director on outgoing director Richard Cordray's last day — who had challenged Mulvaney's appointment, and her attorneys at **Gupta Wessler PLLC**. English is represented by **Deepak Gupta, Matthew W.H. Wessler** and **Daniel Wilf-Townsend of Gupta Wessler PLLC**.

Next up on the legal lambs list is **Nix Patterson & Roach LLP**, which failed to prevent a Federal Circuit order affirming a decision **invalidating two retail patents** held by the firm's client, Intellectual Ventures. The underlying ruling found that the patents claim only abstract ideas under the U.S. Supreme Court's Alice decision. Intellectual Ventures is represented by **Christian John Hurt** and **Derek T. Gilliland** of **Nix Patterson & Roach LLP**.

A Los Angeles jury on Nov. 17 awarded nearly \$3.5 million in legal fees to the Roman Catholic archbishop of Los Angeles and about \$1.57 million to pop star Katy Perry after a **Los Angeles jury found** that developer Dana Hollister intentionally interfered with Perry's \$14.5 million bid to buy a sprawling former convent by entering her own deal to buy the property from two nuns. Hollister is represented by **Michael A. Geibelson** and **Daniel L. Allender** of **Robins Kaplan LLP, Randy S. Snyder** of the **Law Offices of Randy S. Snyder** and **Frederick R. Juckniess** of **Juckniess Law Firm PLC**.

**Sedgwick LLP** told employees Nov. 21 that **the firm would close** at the end of December, a current firm employee confirmed to Law360 on Tuesday, capping off a year of defections and office closures that rocked the San Francisco-based firm. The announcement follows months of discussions involving firm management toward a potential merger or sale, stretching back at least to the spring, but those discussions continued without resolution through the summer and into the fall, according to people

with knowledge of the conversations.

--Additional reporting by Melissa Lipman, Evan Weinberger, Steven Trader, Keith Goldberg, Matthew Bultman, Sam Reisman, Melissa Daniels, Cara Bayles, Bryan Koenig and Kat Greene. Editing by Katherine Rautenberg.

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