

THE WALL STREET JOURNAL.

TUESDAY, FEBRUARY 2, 2016

© 2016 Dow Jones & Company, Inc. All Rights Reserved.

Kasowitz Losing Insurance Litigators to McKool Smith

By SARA RANDAZZO

It's been a busy few weeks for notable litigators switching law firms.

Today, we hear that seven trial lawyers, led by Robin Cohen, are leaving Kasowitz Benson Torres & Friedman LLP for the New York office of McKool Smith PC.

The lawyers will launch an insurance recovery practice for the Texas-based litigation shop, which has around 175 attorneys.

Ms. Cohen, who represents Fortune 500 companies, hedge funds and private-equity firms in disputes with insurance companies, said she needed a new firm because she began running into conflicts with work Kasowitz handled for a holding company that owned some insurance companies.

"It was becoming a bit of an issue for me," she said, adding that she needs to be "completely unencumbered" in her practice to pursue insurance companies over allegations of bad faith, coverage issues, and the like without worrying about other firm clients.

Kasowitz founder Marc Kasowitz said in a statement that the losses position the firm "to pursue substantial future opportunities in its core litigation practices without any conflicts or other impediments." He added that the firm "just enjoyed two of its most successful years in a challenging market environment."

Knowing she wanted to go to a litigation boutique, Ms. Cohen said she cold-called McKool Smith founder Mike McKool a few months ago.

Mr. McKool recalled Tuesday that he wasn't familiar with Ms. Cohen when



McKool Smith co-founder Mike McKool *Mei-Chun Jau for The Wall Street Journal*

she called, but soon realized the insurance recovery practice would be a good area for expansion. In the face of a tough environment for litigation, "we're constantly on the lookout for areas within the broad umbrella of commercial litigation which will sustain a profitable amount of business," he said.

Ms. Cohen, who joined Kasowitz in 2010 from Dickstein Shapiro LLP, said her whole team of around 15-20 lawyers in New York is expected to make the move, along with their clients. So far, that includes Elizabeth Sherwin, Adam Ziffer, Kenneth Frenchman, Keith McKenna, Natasha Romagnoli and Burt Garson, who will all join McKool Smith as principals.

Noticeably absent from that list is

Jerold Oshinsky, the Los Angeles-based "dean" of the policyholders bar who has worked with Ms. Cohen at both Dickstein and Kasowitz. Ms. Cohen said the California side of Kasowitz's insurance practice isn't included in the initial move. Mr. Oshinsky didn't immediately return a call for comment Tuesday.

Ms. Cohen said she didn't consider moving to some other major firms that do insurance recovery work, including Covington & Burling LLP and Reed Smith LLP, in part because she wanted a firm that's open to contingency-fee arrangements. She said McKool Smith's "completely transparent" compensation system will also be "very refreshing."