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LITIGATION: LABOR & EMPLOYMENT • *Finalist*

SEYFARTH SHAW

Variety Show

**SEYFARTH'S EMPLOYMENT TEAM WINS CASES ACROSS
A BROAD SPECTRUM OF INDUSTRIES.**

BY ANDREW LONGSTRETH

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HEN BEVERLY LEDBETTER, general counsel for Brown University, went looking for a firm to represent the school in a National Labor Relations Board proceeding, she didn't have much time. The United Auto Workers had filed a petition to represent Brown's 450 graduate teaching and research assistants. A hearing was scheduled in two weeks.

The case was to address a hotly contested question at higher education institutions: Should graduate students be considered employees with collective bargaining power? Universities like Brown had taken the position that they were not employees. Ledbetter didn't have the time or resources for educating lawyers on the ins and outs of academia. So Ledbetter chose Seyfarth Shaw, which had represented dozens of educational institutions. "I felt that Seyfarth could hit the ground running," says Ledbetter.

Although Seyfarth's client lost at the regional level, the firm rebounded in 2004 before the National Labor Relations Board in Washington, D.C., where it matters most. After a 28-day hearing, the board, made up of three Republicans and two Democrats, voted along party lines, with the Republicans siding with Brown. The case, which overturned a precedent involving New York University, was a huge victory for institutions of higher learning.

The case is typical of the kind of industry expertise Seyfarth brings to a variety of clients. This is the same firm that appears to be just as comfortable negotiating labor agreements for a huge grocery chain like Safeway, Inc., as it is defending major government clients, like the city of New York, from wage-and-hour class actions. Seyfarth's labor and employment chairperson, Jeremy Sherman, says it's the department's understanding of language used in a wide variety of businesses that sets it apart from competitors. "Our ability to offer a team of lawyers who can speak the industry language gives the client confidence we're more than just a law firm that can charge them hours," says Sherman.

Past court wins against stiff competition also give clients confidence. In 2004 Seyfarth faced Lerach Coughlin Stoia Geller Rudman & Robbins in a class action in which plaintiffs alleged race discrimination at Sun Microsystems, Inc. After presenting its defense to the plaintiffs in a summary judgment motion, Seyfarth convinced the powerful plaintiffs firm to abandon its class claims.

Seyfarth also regularly faced the Equal Employment Opportunity Commission in Chicago, considered by many practitioners to be the most aggressive office in the country. In 2004 Seyfarth represented Caterpillar, Inc., at trial against the EEOC, which represented three African American employees who alleged racial harassment. Their complaint was based in part on controversial—some would say explosive—artifacts placed in a Caterpillar facility, including two nooses that had been left near the workstations of three African American workers. The trial lasted five days and ended with the jury finding entirely for Caterpillar. Doesn't take industry knowledge of agriculture equipment to understand results like that.

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PRACTICE GROUP SIZE

Partners: **128**
Associates: **136**
Other: **19**

PRACTICE GROUP AS PERCENT OF FIRM

Partners: **41%**
Associates: **51%**

ESTIMATED PERCENT OF FIRM REVENUE 2005

48%

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