

## Littler Mendelson Ranked #1 In Employment Litigation

*Friday, September 01, 2006* --- The largest law firm in the United States to focus exclusively on labor and employment law has been retained more than any other firm in employment lawsuits in the past year, though two other employment-only firms are in close pursuit, according to our survey of the 250+ largest U.S. law firms.

Littler Mendelson, P.C. took on more new employment law cases on the federal court level than any other firm, with 531 lawsuits.

Littler was followed as the law firm most frequently hired by Jackson Lewis LLP with 517 cases, and Ogletree, Deakins, Nash, Smoak and Stewart P.C. with 502 cases.

To determine our rankings, we scoured the dockets for every new employment lawsuit filed in the U.S. district and circuit courts between July 1, 2005 and June 30, 2006.

Of the 281 largest law firms in the U.S. based on number of attorneys, we counted the number of new cases that each firm was involved in, whether representing the plaintiff or the defendant.

Since each case is weighed equally, the survey reflects how often a law firm is retained for federal employment lawsuits, but not necessarily its track record of wins and losses.

Below are the top employment and labor firms in our survey of the 250+ largest firms, measured by new cases taken on between July 1, 2005, and June 30, 2006:

1. Littler Mendelson: 531
2. Jackson Lewis: 517
3. Ogletree, Deakins, Nash, Smoak and Stewart: 502
4. Seyfarth Shaw: 336
5. Morgan, Lewis & Bockius: 259
6. Fisher & Phillips: 199
7. Wilson, Elser, Moskowitz, Edelman & Dicker: 172
8. Epstein Becker & Green: 134
9. Baker, Donelson, Bearman, Caldwell & Berkowitz: 125
10. Baker & Hostetler: 123

SOURCE: Employment Law360, federal court dockets

NOTE: For instructions on how to purchase the full survey results of all 250+

firms, please consult the bottom of this article.

According to our first survey of the top employment law firms in the U.S., employment litigation was concentrated among a few firms. Only 12 law firms handled more than a hundred employment law cases each, and the top three on our list all handled over 500 cases each.

There is a sharp drop-off after Ogletree Deakins with 502, to Seyfarth Shaw with 336, which drops off to Morgan Lewis with 259 cases, and then Fisher & Phillips with 199.

Four of the firms on our list—Littler Mendelson; Jackson Lewis; Ogletree, Deakins; and Fisher & Phillips—specialize in employment and labor law, indicating that the majority of the cases go to a concentrated and specialized few.

We also divided the lawsuits into four categories: Title VII, Americans with Disabilities Act, Labor and Unions, and ERISA.

In the Title VII arena, Littler Mendelson and Ogletree Deakins tied for first place, having each taken on 334 new Title VII cases in the past year.

Littler Mendelson also handled the most new ADA cases with 18, and the most labor and union cases with 125.

However, labor litigation boutique Wilson Elser by far topped all law firms in handling ERISA lawsuits, with 151 cases. In comparison, the law firm that handled the second-most new ERISA cases is Jackson Lewis with 93.

## LITTLER MENDELSON P.C.

Based in San Francisco, Littler Mendelson has around 500 attorneys spread in 36 U.S. offices and is still growing rapidly. The firm focuses exclusively on labor and employment law.

“The firm’s strengths are based on ... a passion to be the best in the world practicing in that space,” said Marko Mrkonich, the president and managing director of Littler.

According to court dockets, the firm is currently defending Caesars Entertainment Inc., T-Mobile USA Inc., Repro Media and Safeway Inc. The firm is also representing Wells Fargo and New Century Financial Corp. in separate cases.

The firm, founded in 1942, expanded nationwide out of its California base in the 1990s and hasn’t looked back.

“Virtually every practice area we have is growing,” Mrkonich said. “The most dramatic growth, perhaps, has been in our Class Action Avoidance and Defense group, although every other group—from traditional labor to ERISA,

from employment litigation to corporate compliance and to OFCCP—can make a similar claim.”

The firm also recently created a global migration practice to provide support to international clients in moving employees around the globe.

“We expect to see the continuing growth of our global practice, both as it relates to movement of people around the globe and the substantive labor and employment legal issues that movement creates,” Mrkonich said.

With hundreds of attorneys focused on employment law, Littler Mendelson has the luxury of having expertise in just about every area possible.

“We have built a platform based on legal expertise,” Mrkonich said. “Our purpose is to make sure the client has what it needs, whether that is the best class action strategist in the nation, or the best traditional labor lawyer in Atlanta, or the lawyer most familiar with customs in the hospitality industry.”

“If it is an unusual problem, we have seen it before; if it is a common issue, we can benchmark it better than anyone else,” Mrkonich said.

The firm represents both small business and Fortune 500 companies, on the defense side.

“We are also fortunate to have an incredibly energetic group of lawyers, interested in developing business and then providing the high quality of representation needed to maintain and retain it,” Mrkonich said. “We are not dependent on any one lawyer or one client.”

The firm is currently involved in a new project, the Open Compliance and Ethics Group, which was created in order to help define the standards for compliance in employment law.

“In essence, we are helping to answer the tricky compliance question of ‘In compliance with what?’ by defining what an employer seeking to do more than bare legal minimums might do,” Mrkonich said.

## JACKSON LEWIS LLP

In close pursuit of the top spot with 517 new cases comes Jackson Lewis, a firm that focuses on representing management in employment, labor, benefits and immigration law.

Founded in 1958, the firm has 378 attorneys in 24 offices across the U.S.

The firm places particular emphasis on preparing companies to deal with employment issues. The Workplace Law Institute of Jackson Lewis offers programs to teach companies just that.

According to court dockets, the firm is currently defending IBM Corporation

and Tri-State Employment Services Inc., and representing the plaintiffs against The Solutia Inc. Employees' Pension Plan in separate ERISA litigations, which is a specialty of the firm.

Jackson Lewis is also defending Macy's Department Stores, Inc. in an unpaid wages case, Medical Resources LLC in an overtime compensation case, FedEx Ground Package System Inc. in a diversity contract dispute, and Nextel Communications in a civil rights case.

In a current case, Conzo v. City of New York, the firm is defending the city against 1,478 current and former emergency medical technicians, paramedics and related personnel in the New York City Fire Department who are alleging violations of the Fair Labor Standards Act.

The firm is also representing the public health network Cambridge Health Alliance in a lawsuit alleging that Brazilian workers in its Brockton site were paid less than minimum wage, denied overtime, and subjected to illegal pay deductions.

OGLETREE, DEAKINS, NASH, SMOAK AND STEWART P.C.

A close third with 502 new cases in the past year is Ogletree, Deakins, which also happens to be the nation's third largest labor and employment law firm with 25 offices across the country.

According to the firm, it has been selected by more than half of the Fortune 50 corporations in the United States to represent them, focusing solely on representing management.

In new employment cases filed this year, the firm is representing El Paso CGP Company and Motorola in separate ERISA cases; Tyco International Ltd. in a contract dispute; and FedEx Ground Package System Inc., Old Navy LLC and MCI Inc. in discrimination cases.

Ogletree Deakins is tied with Littler for the most amount of Title VII cases, is third in Americans with Disabilities Act cases, fourth in labor and union disputes, and fourth in ERISA litigation.

--By Lindsay Fortado, [lindsay.fortado@portfoliomediamedia.com](mailto:lindsay.fortado@portfoliomediamedia.com)

--Research by Eng Kian Ooi and Cat Fredenburgh

## HOW TO PURCHASE THE SURVEY

Curious to see if your firm made the top 250? Want to know how you stack up against your competition? A copy of the full survey results is available for \$290.

The PDF document contains a copy of the article and the full ranking of U.S. firms with 150 or more lawyers.

To order a copy, please contact our customer service department  
- by email: [customerservice@portfoliomediamedia.com](mailto:customerservice@portfoliomediamedia.com)  
- by phone: +1-212-537-6331