

California Powerhouse: Farella Braun & Martel LLP

By **Mike Curley**

Law360 (August 27, 2018, 6:03 PM EDT) -- Since its founding in 1962, Farella Braun & Martel LLP has grown from a San Francisco-based litigation boutique to a 126-lawyer-strong firm representing a diverse array of clients in real estate development, intellectual property and other transactional work, from BladeRoom Group Ltd. in a trade secrets dispute with Facebook and Emerson Electric to decades serving Napa Valley wineries large and small.

Its recent courtroom victories reflect the diversity of its client base, with the firm delivering a win for U.K.-based BladeRoom against Facebook Inc. and Emerson Electric Co. — gaining a confidential settlement with Facebook while a jury awarded BladeRoom a \$30 million judgment from Emerson after trial. In another case, the firm secured a win for Fetzer Vineyards after Sazerac Co. accused it of infringing on its Buffalo Trace trademarks.

These litigation successes have earned Farella Braun a spot on the list of Law360's California Powerhouses.

The firm's growth is exemplified by its developing cannabis practice, which the firm started in anticipation of marijuana's legalization throughout the state and the country after medical marijuana was legalized in California, San Francisco-based Chair Brian Donnelly said.

"It touches a lot of the areas we work on — there's a lot of environmental issues, there's a lot of real estate-related issues," Donnelly said. "We're certainly one of the firms that has been involved with that early on and we're hoping to use that position to grow as things sort themselves out on the regulatory front and that industry grows."

He said the market in the Bay Area is incredibly robust and challenging, and generates a lot of legal work. He said the firm's strength in the region is bolstered by targeted hiring.

"We're very confident. We're adding attorneys — we're not looking to grow for the sake of attorneys, but we're adding attorneys strategically," he said. "We really focus on attracting great talent, training them and retaining them, and we really feel that that's our only asset, the people we have, our attorneys and our staff. And if we do that right, we almost feel that it's inevitable that we're going to be providing great services to our clients."



One example of the firm's growth is its family wealth practice. Lara Gilman, who chairs that group, said the practice had just two attorneys when she joined the firm two decades ago and now has nearly 20. The firm committed resources to the practice area and many Bay Area families look to them for that service, she said.

"Having a firm where partners are encouraged to help each other out, where the financial incentives are aligned with helping each other out, has made it a terrific place to really service our clients well and I think that's really led to our success," she said.

With an office near Napa Valley, the firm has a substantial foothold in the wine industry. Katherine Philippakis, head of the St. Helena office and the wine practice, said that while the office opened 20 years ago, the practice goes back 50 years when Robert Mondavi, a client of the senior partner at the time, opened his winery.

Eventually, the firm gained enough clients that it made sense to open a new office there, and Farella Braun was one of the first larger San Francisco firms to open such an outpost, she said.

"We sort of straddle the fence between being a larger San Francisco firm with a full-service practice and a small, local Napa Valley-based firm," she said. "And that has always been an advantage for us, and something we enjoy."

Working in Napa Valley isn't just a job, she said, as the attorneys working out of the office are part of the local community, acting as a small firm but with the resources of San Francisco behind it — and it's growing as large companies and small startups come into the area, as well as foreign interests. French wineries, she said, have come into the state looking to diversify in the wake of uncertainty in the European Union.

"There's always a mix of bigger companies and a lot of smaller, privately owned wineries. It means usually we're dealing with the people who own the business," she said. "It's what they're really passionate about. That makes it rewarding, day to day, as a law practice in a way that not every area of the legal practice is."

Jeff Fisher, who heads the firm's intellectual property practice, said he sees the firm as "David versus Goliath" when it represents smaller companies like BladeRoom against giants like Facebook. The firm is involved in "cutting edge" intellectual property work, he said, with a wide variety of clients.

"One of the things that I think is so fun about practicing here is we really do have a good mix of very large clients that we do repeat work for and smaller and medium-sized clients, where sometimes there'll be one in-house lawyer, sometimes no in-house lawyers at all," he said. "We have a nice mix of plaintiff and defense side work as well."

Phil Peters, chair of the corporate department, echoed Fisher, saying the firm is in a unique position as one of the last standing mid-sized firms. The advantage, he said, is that the firm can offer clients highly responsive partners and very lean deal teams.

"I see this all the time in my practice, taking pride in facing off with deal teams at least twice as big as ours, or three times as big as ours, from white-shoe law firms on Wall Street in New York City," he said. "We often have two or three attorneys on an important conference call in a large deal; there might be eight or 10 on the other side. We think we can do in a lean fashion what other firms do by throwing

bodies at a deal."

He added the firm has a strong group of associates from elite law firms and tends to hire more experienced senior associates and partners. He added that he, himself, was a "refugee" from a firm that went down in 2008.

"What a difference it made to my law career to come here," he said, adding it's a better firm now than when he arrived, partly because the firm has expanded its transactional size.

He praised Donnelly's leadership, saying the firm is looking outward, not inward, and is "an exciting place to be." The people in the firm love their industries, he added, and are always up for learning new things to apply to their practice, both in California and with clients from New York and abroad.

"The practice really is nationwide," he said. "You'd say, 'That must be a great California firm that does deals in California,' and that we do, but it's not limited to that."

--Editing by Orlando Lorenzo and Jess Krochtengel.