

New York Law Journal

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LITIGATION
DEPARTMENT
OF THE
YEAR

The NYLJ honors the top department in general litigation, two general litigation finalists as well as top specialty practice departments in the fields of class action, finance, insurance, intellectual property, labor and employment, products liability and real estate. The winning litigation teams each include New York lawyers who had a significant impact on the work submitted to us.



LITIGATION DEPARTMENT OF THE YEAR:
PRODUCTS LIABILITY





SULLIVAN & CROMWELL

Q&A **What were some of the department's most satisfying successes of the past year and why? It has been a tremendous year for S&C litigators on many fronts.**

On the Volkswagen diesel-emissions matters, building on our landmark multi-billion-dollar settlements in 2016 and 2017, we have continued to successfully assist VW in managing the litigation side of this crisis. For instance, we won a pivotal test case brought by the State of Wyoming, wiping out potentially billions of dollars of environmental claims on the grounds of preemption.

That victory led to follow-on victories in suits filed by the states of Alabama, Illinois and Missouri, as well as a number of counties. We also won a significant victory in a putative securities-fraud class action brought by a plaintiff seeking to represent investors who had bought \$8.3 billion in bonds. In addition, S&C has achieved a number of favorable pre-trial rulings in MDL opt-out litigations across the country, including a series of rulings on the eve of trial resulting in full dismissal.

We've also achieved significant successes for Fiat Chrysler, which sought our expertise in handling the legal fallout resulting from claims asserted by the EPA and private class action plaintiffs that Fiat had also equipped its vehicles with defeat devices to evade emissions standards. We successfully persuaded the judge overseeing the MDL to rule that consum-

LAW FIRM PROFILE		
	\$1,400.79M GROSS REVENUE LAST YEAR	\$1,360M IN 2016
	#15 2018 AM LAW 200 RANKING	#15 IN 2017
	\$4.27M PROFIT PER EQUITY PARTNER	\$1.73M RPL
	812 ATTORNEYS	
164 EQUITY PARTNERS	0 NON EQUITY	565 ASSOCIATES

ers could not recover the full purchase price of the vehicles, but instead at most the amount they allegedly overpaid— a significant win that dramatically reduced Fiat's exposure.

A prospective client in crisis calls and asks why your team should be retained. What is your answer? S&C is known for its generalist approach, which is particularly well-suited to dealing with corporate crises. We have had great success by providing clients with attorneys who possess the skills to consider not only the legal and business implications of a given matter but also the ability to operate fluidly in various areas of law.

Our aim on every case we work is to put the best minds possible on the job. This allows us to guide our clients through any crisis, and it has the added benefit of allowing us to provide clients with small, dedicated, full-service teams.

What traits do you respect most in opposing firms and lawyers? We find that the best results arise from matters on which lawyers on all sides take a collaborative approach, preferring to solve problems rather than just fight one another. Mutual respect and dedication to the law are the paramount virtues for any lawyer to bring into a litigation situation.

What sorts of trends are you seeing in litigation, and what do you think will be the most important development in the law/legal business that will impact litigation in the next 10 years? Mass torts continue to see an increased share of the focus. We have also seen a continued trend of regulators, private plaintiffs, and judges working together to achieve comprehensive, collaborative resolutions, including through early appointments of special settlement masters.

SULLIVAN & CROMWELL TEAM

From left, partners Robert J. Giuffra Jr., Sharon L. Nelles, Darrell S. Cafasso and William B. Monahan

We hope that this ongoing trend of collaboration will drive all parties to focus on results, rather than needlessly drawn-out litigations.

What is the firm doing to ensure that future generations of litigators are ready to take the helm? We continue to focus on prioritizing internal training and hands-on experience. We focus on making sure our associates and young partners get as much experience as possible, beginning on their first day at work.

With the opt-outs from the Volkswagen MDL settlements, we are excited to continue S&C's tradition of providing associates with hands-on experiences, including through depositions and oral arguments, as we also did with great success in the BlackBerry arbitration last year.