

# Diversity, Equity & Inclusion

YEAR IN REVIEW



*Our differences are  
our greatest strength*

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# Diversity Through Authenticity



**At Sullivan & Cromwell**, we are committed to fostering a diverse, equitable and inclusive culture where every individual is supported and authenticity is celebrated. That is why there is no “typical S&C lawyer.” By encouraging our people to feel comfortable being themselves at work, we’re creating a vibrant community.

We recruit from the most diverse groups possible, knowing that great ideas and true innovation take root when people from different backgrounds and perspectives collaborate. Our clients are also incredibly diverse, and they are rightly asking their legal counsel to mirror them and their values—not tomorrow or next year, but now. We are aligned with them, and believe that by working together, we’ll all achieve the progress we seek.

As I write this, the COVID-19 pandemic continues to alter the ways in which we connect, live and work. It has also brought into focus the strength and resilience of the S&C community. It has given us glimpses into each other’s full, rich and varied lives that are often on display as we meet virtually. Now more than ever we’re relying on our robust support network, as partners are checking in on their teams, mentors are checking in on their mentees and peers are checking in on one another. And our pro bono practice has continued our longstanding commitment to help those who are most vulnerable.

Recent tragedies and civil unrest have forced us to confront that we have a long way to go to banish racism, discrimination and injustice from our nation. As I’ve said before in the context of the pandemic and prior crises, the only good that can come from these tragedies is if we learn and grow from them. In addition to feeling the pain, and reaching out to our colleagues and friends to express those feelings, we must take action to help enact broad and institutional change. Together, we seek equity. Together, we hold ourselves and each other accountable.

We seize this moment of clarity and reflection as an opportunity to focus on the deeper work we must do to achieve a more fair, just and equitable world. We know we have more work to do. We embark on this path to change with empathy, resilience and urgency. Our pledge to each other and to you is that we are ready to do the work necessary to learn and change. Progress is the only way forward.

Joseph C. Shenker  
Chair



## My Story

“ I am encouraged that, collectively, we are on the path to real progress.”

—Tracy Richelle High

**Authenticity matters.** What does it mean to bring your authentic, whole self to work? At S&C, it means bringing every part of ourselves to the office—whether virtual or in person. It means finding a community where whoever you are, you are embraced.

I am a daughter, a wife, a mother and a lawyer. And, I am a Black woman. I have a Black husband and a five-year-old Black son. My husband and I have been talking about race with our son since he was two years old. I do not have the words to describe the depth of anguish I feel to have to be the person who introduces the concept to my son that he will face fundamental unfairness that has nothing to do with who he is, and everything to do with the color of his skin. As his protector, to have to bring that ugly truth into my home, particularly given his young age, is heartbreaking.

As heartbreaking as it may be, it's my duty as a Black mother to provide him with armor, so that when he encounters these issues, his spirit isn't defeated; he may be shocked, but he will be prepared. I can't just give him armor though, I also have to teach him resiliency, and more importantly, the power of hope. This is something that most Black people have had to do for generations; my parents did it for me, and their parents did it for them.

For many of our Black colleagues, clients and friends, this is a reality that we and our loved ones live with every day. And now it seems the rest of the world is finally starting to come to grips with this truth that we have known for such a long time. Notwithstanding that it feels long overdue, I am encouraged that, collectively, we are on the path to real progress.

Reckoning with the realization that so many must deal with fundamental unfairness on a daily basis involves a myriad of nuanced, complicated and emotionally wrought issues. And all of us—including me—have more work to do to better understand those who do not appear on the surface to be like ourselves.

That's why being in an environment that doesn't make me choose which parts of myself to share is very important to me, and it was one of the reasons I chose S&C as the place where I would start my career.

More than 20 years later, S&C remains the place where I'm not simply tolerated, but I am completely accepted. When I show up to work each day, I'm confident that all of who I am will be respected. I am proud to be a part of a firm that truly values authenticity and fosters an inclusive environment where everyone can thrive.



Tracy Richelle High  
Diversity Committee Co-Chair,  
Litigation Partner

BY THE NUMBERS

**50%**

OF THE COMMITTEE—OUR HIGHEST GOVERNING BODY—IS POC, LGBTQ+ AND WOMEN

**33%**

OF THE FIRM'S ASSOCIATES ARE POC OR LGBTQ+

**21%**

OF OUR PARTNERS ARE WOMEN

**60%**

OF OUR MOST RECENTLY ELECTED PARTNER CLASS ARE WOMEN

**51%**

OF THE CLASS OF 2020 ARE WOMEN

**42%**

OF THE CLASS OF 2020 ARE POC OR LGBTQ+

MORE THAN  
**90%**

OF OUR LAWYERS FALL WITHIN OUR LITIGATION AND  
GENERAL PRACTICE GROUPS, WHICH ARE LED AND CO-LED,  
RESPECTIVELY, BY WOMEN PARTNERS

OUR LAWYERS SPEAK   
**42** LANGUAGES

**194**   
LAW SCHOOLS REPRESENTED

**100+**  
ON-CAMPUS PROGRAMS WITH LAW  
SCHOOL AFFINITY GROUPS

**10**  
OPENLY GAY PARTNERS, AND ONE  
OF THE HIGHEST PERCENTAGES OF  
LGBTQ+ PARTNERS AMONG LARGE  
NEW YORK CITY LAW FIRMS

OF THE  
**70**  
PARTNERS ELECTED TO THE  
PARTNERSHIP SINCE 2010,  
**44%**  
ARE POC, LGBTQ+ OR WOMEN

## MENTORSHIP

# A spark of interest sets a career in motion



**As a student at Stanford Law School,** Rachel Yu attended an informational session led by Nader Mousavi, co-head of the Firm’s Intellectual Property & Technology and Cybersecurity Groups.

“Watching that presentation,” says Rachel, “I remember thinking, ‘I want to be an IP lawyer.’”

Nader turned out to be extremely helpful during S&C’s recruitment process, encouraging Rachel to join as an associate in his practice group. His mentorship has been bolstered by other leaders in his practice areas, including partners John Evangelakos and Mehdi Ansari.

“These partners have been outstanding to work with and to learn from,” says Rachel, who is now a sixth-year associate. “They are always available to talk through my substantive and work-life questions. Early in my career, many work assignments initially felt very overwhelming. And one of the most important things I’ve learned from this group is how to develop a mindset to approach these problems as interesting and new legal challenges instead of unsolvable obstacles.”

“One of the most important things I’ve learned from this group is how to develop a mindset to approach these problems as interesting and new legal challenges instead of unsolvable obstacles.” —Rachel Yu

Rachel also met Marion Leydier, co-head of S&C's Insurance practice through one of the Firm's many programs designed to facilitate networking and informal mentoring. In 2016, the Women's Initiative Committee ("WIC") launched an Office Hours program to connect associates with women leaders at the Firm, which allowed Rachel and Marion to get to know each other on a more personal level.

"Even though we don't do a lot of substantive work together, Marion has been an amazing resource for gaining perspective as a woman at S&C," says Rachel. "I feel very supported and empowered after connecting with her."

"Working with Rachel and other associates has been a fulfilling experience for me," adds Marion. "As a partner, it's my responsibility to ensure that I'm providing support to associates in an environment that fosters their development, and recognizes and values them."

Rachel's relationships with her mentors have inspired her to mentor more junior associates at the Firm. She is now a member of the WIC,

the Asian Associates Network and the Stanford recruiting team.

"A lot of questions I get from young law students focus on the same questions I had," she says. "Will I fit in? Will my opinions be valued? When I take on mentees through our affinity groups, my goal is twofold: I want to educate them about the professional development opportunities at the Firm, but I also want to empower them to share their ideas and contribute to our Firm culture."

Rachel has found mentoring in informal situations to be equally rewarding. "Sometimes the opportunity will come up very organically when you're grabbing coffee with someone," she says. "You're hearing a story about their new puppy or their family, and that might transition to a conversation about work where you can share your experience and perspectives. I really look forward to these interactions. They help me understand new associates' perspectives and help me learn how to be a better manager as well."

“As a partner, it's my responsibility to ensure that I'm providing support to associates in an environment that fosters their development, and recognizes and values them.”

—Marion Leydier

# Affinity Networks

**Our affinity networks**—the Asian Associates Network, the LGBT Network, the Network of Black & Latinx Lawyers—and the Women’s Initiative Committee are an integral part of life at S&C.

Each network is designed to facilitate the professional development and advancement of its members. We offer candid discussion forums, host panel discussions and provide mentorship opportunities. Members organize career development, networking and social activities and help recruit law students. Most importantly, our affinity networks ensure all of our lawyers have a voice in shaping an inclusive culture that reflects our shared values.

## ASIAN ASSOCIATES NETWORK

The Asian Associates Network (“AAN”) facilitates the professional development and advancement of our Asian lawyers. The AAN offers its members a forum where they can meet other lawyers of East Asian, Pacific Island, Southeast Asian, South Asian and Asian-American backgrounds and maintains a two-to-one mentoring program, matching two senior members of the group with new associates joining the network each fall.



## LGBT NETWORK

In addition to providing a social and professional community for LGBTQ+ individuals within the Firm, the LGBT Network spearheads the Firm’s support of LGBTQ+ organizations and other contributions to LGBTQ+ causes, and facilitates S&C’s involvement in pro bono legal representations on civil rights issues of importance to the LGBTQ+ community, including issues related to marriage and adoption. The network also maintains a one-to-one mentoring program, matching one senior member of the group with each new associate joining the network in the fall.



The support the networks provide is constantly evolving and is influenced by feedback from associates about their experiences at the Firm and in the legal community.

Our affinity networks and the Women’s Initiative Committee have created signature programs to further their missions and strengthen the support they provide members. Throughout the year, the networks organize educational programs and host social and networking events, which offer opportunities to connect with lawyers across the Firm.

**NETWORK OF BLACK & LATINX LAWYERS**

The Network of Black & Latinx Lawyers (“NOBLL”) is designed to provide members with resources and opportunities to help fulfill their professional goals. NOBLL offers programs focused on professional development, pro bono and community development and student outreach. NOBLL maintains a one-to-one mentoring program, matching more senior members of the network with each new associate joining the network in the fall.



**WOMEN’S INITIATIVE COMMITTEE**

The Women’s Initiative Committee (“WIC”) supports the Firm’s efforts to retain and advance lawyers who identify as women by providing professional development, networking and mentoring opportunities. The WIC believes providing multiple and varied opportunities for professional development, as well as mentoring, is key to associate retention and advancement.



## SUPPORTING OUR PEOPLE

# Opportunities for Development and Growth

**S&C has long honored a commitment** to increasing diversity in the profession.

We deliver on this commitment with an extensive focus on programming for POC and LGBTQ+ associates by providing opportunities for our lawyers to develop relationships with mentors, work in a culture that values them for who they are and receive the finest training. We host or sponsor more than 150 programs each year that address professional development, work-life balance and also provide social and networking opportunities.

This year, we're highlighting two initiatives designed to drive tangible results.



### Partnership with the Associate Leadership Institute

We were an original signatory of the New York City Bar Association's 1991 "Statement of Goals of New York Law Firms and Corporate Legal Departments for Increasing Minority Representation and Retention" and 1998 "Restatement and Reaffirmation of Goals for the Hiring, Retention and Promotion of Attorneys of Color and the Retention and Promotion of Women."

As part of our efforts, we partner with the New York City Bar Association to send our POC and LGBTQ+ associates to the association's Diversity Associate Leadership Institute. The Institute provides a series of intensive development training programs over several months for fourth- through eighth-year associates, with sessions including keynote speakers, intensive training modules and networking opportunities.

“The Associate Leadership Institute was a fantastic opportunity to network outside the Firm with other colleagues in New York City and to learn from leaders in the legal community how to best advance our careers as developing young lawyers. I am very grateful to have had the opportunity to participate in the program and will carry the lessons learned forward with me in my career development.”

—Julia Kim  
Associate, Mergers & Acquisitions

### Partner-Led Discussion Series

As part of our efforts to advance POC and LGBTQ+ lawyers' opportunities for professional development, networking and mentoring, the Firm in 2019 created the Partner-Led Discussion series to further support members of our affinity networks: the Asian Associates Network, the LGBT Network and the Network of Black & Latinx Lawyers.

The discussions cover a broad array of substantive practice and professional development topics, providing a casual environment for POC and LGBTQ+ lawyers to learn from our partners and share perspectives.

Managing partners of practice groups regularly participate in these sessions, providing strategic advice and guidance on ways for associates to take charge of their careers and pursue long-term personal and professional goals.

“It always proves to be an illuminating experience whenever partners are able to have candid discussions with associates about career development. These discussions are informative to our members and increase collaboration among partners and the affinity networks.”

—Ana González  
Associate, Financial Services



## Paying It Forward

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**Following on from Pride month in June** and this year's 50th anniversary of the Stonewall riots, we speak to David Braff. Aside from being a highly successful litigator at Sullivan & Cromwell and previously heading up the litigation department, David has also been at the forefront of many significant civil rights cases for LGBTQ+ equality.

He has also been out for the majority of his professional life—not an easy decision in the early 1980s when he began practicing law—and as a result has become a role model for future generations of LGBTQ+ attorneys.

**Diversity and the Bar:** What first made you want to become a lawyer?

**David Braff (DB):** I was certainly not one of those people who always knew they wanted to be a lawyer. I grew up in the suburbs of Cleveland, but went to college at Cleveland State University, which was a diverse urban college. My experience at CSU opened my eyes to the challenges

many people faced in getting an education: many students worked full time to put themselves through college. That experience, together with my coursework, which focused on local politics and social issues, led me to consider what I could do to make a difference in the community. I saw becoming a lawyer as a way of becoming involved in civil rights and other community issues.

**D&tB:** What were the key steps in first achieving success as a lawyer and what was most useful to you in these?

**DB:** When I arrived at Sullivan & Cromwell I was assigned to work on a jury trial representing a bank, and really loved the experience. Very early on, I also decided to balance my practice with pro bono work of the sort that was my original motivation for going to law school. So together with others, I took on a pro bono case representing the Gay Veterans Association in a case against the American Legion, which ran New York City's Veterans Day parade and which refused to allow the gay veterans to march alongside the rest of the veterans. This was the first in a series of LGBTQ+ discrimination parade cases. Later, I and others also represented the Gay Teachers Association in a case against the City of New York in a successful challenge to the City's refusal to provide domestic partnership benefits to gay teachers. I and others also represented gay service members in the first challenge to the

'don't ask, don't tell' legislation prohibiting gay service members from serving openly.

These were very high profile cases. The Gay Veterans case was front page news - we were even invited onto the Geraldo Rivera show! And the 'Don't Ask Don't Tell' case was obviously an extremely important case that garnered a lot of attention.

For me, the first such case I worked on was a particular challenge, as well as an opportunity, on a personal and professional level, to test the waters as I came out at work and with my family. I started at the firm with a lot of insecurity about being out on Wall Street, and when I took on the first case I anticipated a negative response. But, the opposite happened: the firm was incredibly supportive and both partners and associates backed me every step of the way. At the time I remember being amazed at the way the firm came together. This experience had a big impact on the way I thought about practicing law: it taught me the value of teamwork, collegiality and collaboration. The lesson was simple. I came to a Wall Street law firm with a bit of an inferiority complex, having not gone to an Ivy League college or law school and being openly gay at a time when that was unusual on Wall Street. But what became clear to me was that what mattered was not my background, but the quality

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—David Braff

# Paying It Forward Continued

of my work and the relationships I forged with colleagues and clients.

**D&tB:** Is there one failure or challenge that you now can see was helpful in shaping your career?

**DB:** We lost the Gay Veterans case, so I guess that was a failure of sorts, but it paved the way for more successful future challenges in similar cases. That case was in front of Judge Constance Baker Motley, one of the great early civil rights lawyers, so that was a fantastic experience.

I did find it a challenge to balance the personal and professional aspects of my life, particularly regarding being out at work. But using my pro bono work as a vehicle to be out at work made it more comfortable for me: it wasn't about me, it was about issues of broader importance. These experiences allowed me to begin to shape a personal answer to the question of how to be genuine at work, and fit in professionally. The firm's unqualified support made it much easier than I anticipated it would be.

**D&tB:** Authenticity is something that many diverse leaders speak about. For LGBTQ+ leaders there's an added factor in the choice to be out at work or not, which historically may not have been an easy decision. Can you speak about how authenticity has assisted you, as a leader, and how you think this has impacted the culture at Sullivan & Cromwell and lawyers you have worked with?

**DB:** For me, it was always very important to not allow my sexual orientation be completely defining or a central issue, especially at work, but also not to ignore it when relevant. One of the hallmarks of practice at S&C is the daily collaboration with colleagues, and along with that a deep appreciation for the value that diversity in its broadest sense can have on the quality of the collaborative experience. From my experience, it's undeniable that clients are

the ultimate beneficiaries of diversity coming together in the practice of law—and that process of brainstorming together also is one of the great joys of practice.

**D&tB:** What, in your opinion, can and should law firms and legal departments be doing in regards to extending the pipeline for diverse entrants? What would be your top practical tip to achieve that?

**DB:** There's always been a lot of discussion about this and the law firm community has taken a lot of time figuring this out. Every firm is facing the same issue, so what I say is not going to sound like a unique idea. What's fundamental is to identify candidates we might otherwise miss out on as early as possible, as early as high school. We need to find ways to nurture relationships with promising candidates over a number of years. We need to make sure we are being proactive and not just going into law schools but also reaching more broadly into communities.

Today, talented diverse candidates have many choices and law firms need to build relationships with them so that they can get to know and like the firm's people.

It's all about the people; you can send out all the recruiting brochures you want, but if you're going to make a connection with people you have to know them, and they you.

**D&tB:** Are there particular challenges facing inclusion for LGBTQ+ employees that you feel employers need to be cognizant of?

**DB:** Visibility is certainly less of an issue than in the 1980s, when I started. That problem has been alleviated to a large degree. I think a challenge for organizations is that the LGBTQ+ community gets lumped together, so we need to make sure we are cognizant of differences where they exist. By way of example, there's certainly a lot of room

“Today, talented diverse candidates have many choices and law firms need to build relationships with them so that they can get to know and like the firm’s people.”

—David Braff

for improvement in the way the legal profession deals with the transgender community.

Having said that, to me the most important aspect of inclusion is the recognition of the importance that everyone, including members of the LGBTQ+ community, places on family. There are many moments in large law firm life that implicate family life and it’s important to make sure that traditional and non-traditional families are being remembered and included. In the early years of my career, the idea that an LGBTQ+ lawyer could have a family that mattered in the same way as other lawyers was not always understood. Today the concept of family has broadened, but the fundamental point hasn’t changed: we all care deeply about our families, no matter how it’s defined. There are constant opportunities to acknowledge this fundamental point, and in my experience that acknowledgment is deeply appreciated.

**D&tB:** Was there a particular individual or individuals whom you would say have been most influential in helping you achieve your success?

**DB:** One of the great privileges of working at Sullivan & Cromwell is working with so many talented people, with so many different practice styles. That’s been a critical part of my growth as a lawyer. That said, I would single out John

Warden as most influential as I came up through the ranks. John Warden was the head of the litigation group and on the firm’s management committee when I was a senior associate. He gave me enormous professional guidance and support, and he remains one of my and my husband’s closest friends. And ultimately when I took over as managing partner of the litigation group, I like to think that I brought to the job some of what John taught me about collegiality and the importance of supporting younger lawyers.

**D&tB:** Finally, with hindsight, what would be the one piece of advice you’d give your younger self?

**DB:** I spent a lot of the eighties and early nineties worrying that a Wall Street law firm would be full of obstacles to an openly gay lawyer without an Ivy League education. My advice to my younger self would be to relax, work hard and do your best, and achievement will follow!

# Partnering with one of Nike's Champions for Diversity



**Dressed in black jeans**, a black blazer and, of course, Nike sneakers, Ann Miller took the stage to speak to members of S&C's affinity networks, women lawyers and lawyers on the Nike legal team. An S&C alum, Ann is now Vice President, Corporate Secretary and Chief Ethics & Compliance Officer at Nike, Inc.

"I dressed up for all of you," she joked, before speaking candidly and often with humor to the packed room about her time as an S&C associate and her career at Nike. Ann also spoke at length about her experience as a member of the LGBTQ+ community and why diversity and inclusion are imperative to a successful workplace. At a networking event following the presentation, the lawyers swarmed around her, full of questions. She stayed until everyone had an answer.

"At S&C, among our greatest resources are our accomplished and friendly alumni," said one partner in attendance. "Ann's presentation made me both appreciate my time here and look forward to the future."

When we talk about building successful careers at S&C, our priority is providing training that will help set our lawyers on a path to accomplishing their goals. For some, that means working toward leadership positions at the Firm; for others, that means preparing for the day when their dream

in-house job becomes available. We support our lawyers by providing a dedicated program of growth opportunities, whatever their route.

Ann set her sights on Nike early in her career, and S&C provided the opportunities and experiences to prepare her for success. Along the way, she formed relationships with leaders at S&C that continue to this day. Ann, now 13 years into her career with Nike, hired S&C as counsel not long after joining the company, and we have welcomed the opportunity to partner with her.

In addition to her core legal duties, Ann is also active in Nike's PRIDE Network. She was instrumental in Nike's endorsement and signing of several business coalition amicus briefs opposing the Defense of Marriage Act and supporting marriage equality. Ann also works globally to push for more inclusive communities across Nike's international offices, while finding ways to respect and honor local cultures.

During her S&C presentation, Ann emphasized the importance of clients and law firms coming together to improve their diversity efforts. "This is a mutually beneficial situation," said Ann. "When we work on this opportunity as partners, we have the ability to share what we're learning with each other. We are better at being open to growing in the spirit of continuous improvement."

# Voting in the Time of COVID

“Being forced to risk health and safety to vote is unconstitutional.” — Beth Newton

**“People have a right to vote without being scared for their health,”** says Kai Lucid, a litigation associate working on a lawsuit to preserve the right to vote in North Carolina.

North Carolina requires a witness signature for absentee ballot validation. But for those like Barbara Hart, 73 and with a history of breast and lung cancer, this requirement could have fatal consequences. To try and protect herself and her community, Barbara has been self-isolating since March. She takes great pride in her civic duty and was planning to vote in the November 2020 election by absentee ballot to limit her exposure, but is concerned that the witness requirements could unnecessarily put her in danger.

In response, the ACLU of North Carolina and Sullivan & Cromwell filed a state court lawsuit challenging absentee ballot witness requirements, which necessitate in-person encounters and widen one’s circle of exposure. The complaint maintains that this witness requirement violates citizens’ right to vote under the state constitution. (In the past, S&C has also worked on a voting rights case in South Carolina and has hosted the election protection hotline during the 2016 and 2020 elections.)

“Requiring that voters be in close proximity of others in the midst of a global health crisis that hinges on social distancing is not just illogical, it is potentially fatal for local communities,” expresses partner Garrard Beeney, one of the lead litigators on the case.

North Carolina is one of 12 states requiring a signature. Several of these states recently suspended their requirements all together, citing that they inhibit the right to vote.

“With COVID-19 infection rates increasing in North Carolina and across the country, the government has an obligation to ensure safe voting conditions for local citizens,” says Beth Newton, a partner in our litigation group leading S&C’s response with Garrard. “Being forced to risk health and safety to vote is unconstitutional.”

## A MESSAGE FROM ALL OF US

# Our Unwavering Commitment

**At Sullivan & Cromwell**, we are united in the battle to tear down systems of oppression.

To ensure that diversity, equity and inclusion stay at the forefront of everything we do, we are strengthening our commitment to local communities. The Sullivan & Cromwell Foundation has raised more than \$1.2 million for U.S. civil rights and legal defense organizations promoting social justice and equality. Recently, S&C partnered with the ACLU of Louisiana to launch “Justice Lab: Putting Racist Policing on Trial,” to help create a civil litigation model in Louisiana’s courts that can be used in other states to challenge discriminatory practices used by law enforcement. We also joined with 30 other law firms to urge New York State Governor Andrew M. Cuomo to repeal Section 50-a of the New York State Civil Rights Law in order to allow public disclosure of disciplinary police records. The repeal is an important step towards increasing systemic accountability and creating a more equitable and transparent criminal justice system. And, through our participation in the Law Firm Antiracism Alliance—a collaboration of over 125 law firms across the U.S.—we will aim to uplift communities and individuals oppressed by racism using the law as a vehicle for change to promote racial equity.

The past year has been tumultuous as the world (re)learns how to connect and empathize with each other. Through it all, our people have remained our greatest strength. Each individual is a vital thread in the fabric of our Firm: connected and interwoven, and without which, we would be incomplete.

In these pages, we shared some of our stories with you. We hope you’ve come away with a sense of how we support each other and work together, as well as our unwavering commitment to creating a culture in which everyone belongs.

We look forward to welcoming you to our community.

The S&C Community



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