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Law Firm Stands Out for Its Work, Not Its Gender Makeup

By PETER LATTMAN

As Harvard Law School classmates in the mid-1980s, Susan E. Brune and Hillary Richard dreamed about one day starting their own law firm.

About a decade later, they followed through on that fantasy, hanging up a shingle in Lower Manhattan. They soon hired a third lawyer, Nina M. Beattie; and then another, Laurie J. Edelstein; and then another, Dorothy C. Mitchell; and then another, Theresa M. Trzaskoma.

They never intended to build an all-female firm. "That wasn't the plan," Ms. Brune said. "It just happened, and then it became kind of a thing."

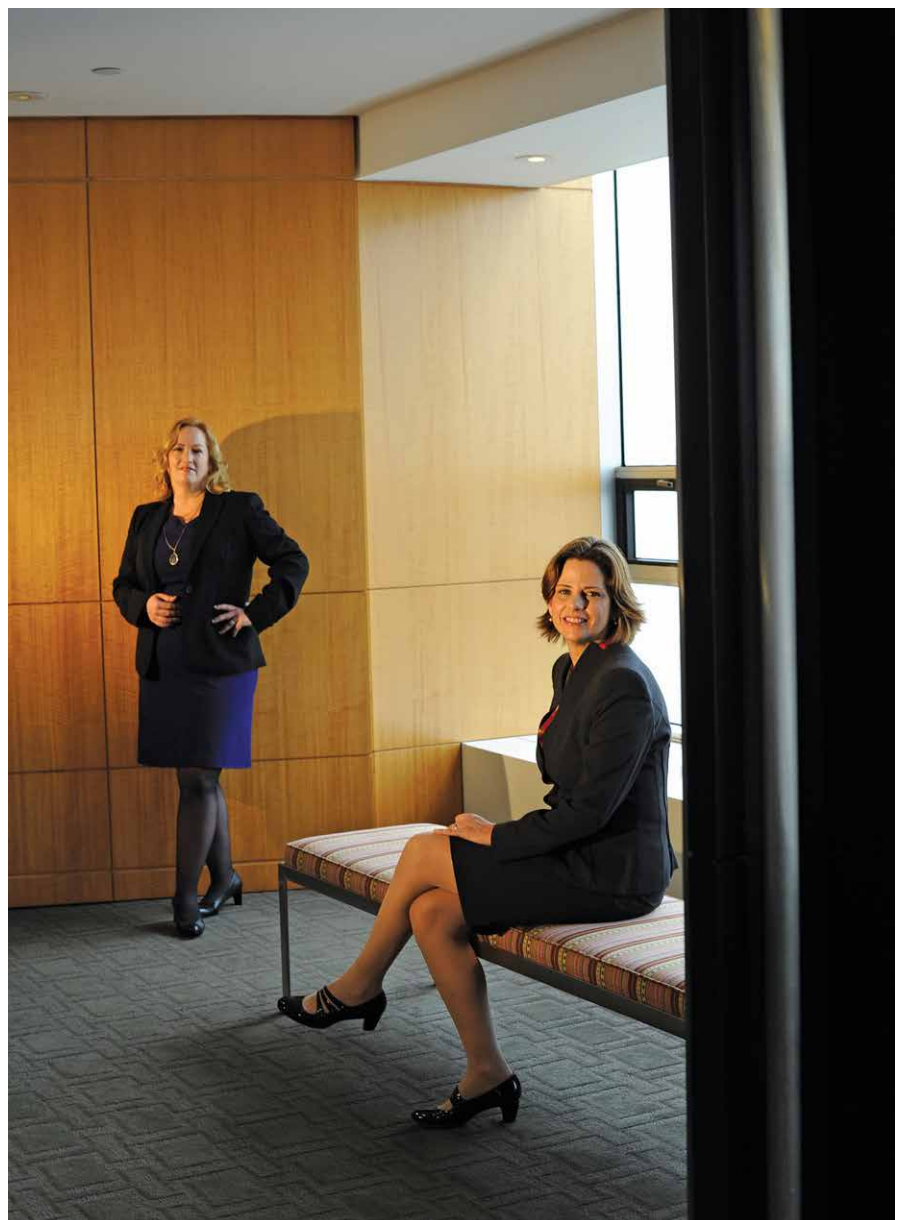
It's still kind of a thing. Today, 13 of the 19 lawyers at Brune & Richard are women. Six of its nine partners are women. Across 220 of the country's largest law firms, women represent 19 percent of all partners, according to a recent National Law Journal study.

Lawyers at Brune & Richard (pronounced Brew-knee & Ri-SHARD) insist that there is nothing especially distinct about the firm's femaleness. A top-flight New York litigation boutique, the firm handles corporate disputes for big clients like Prudential Insurance and Pacific Gas and Electric. On its white-collar defense docket, it represents finance executives ensnared in the rate-rigging investigation and the municipal bond kickback scandal.

"I have no choice but to practice law as a woman," said Ms. Brune, 51, a white-collar defense lawyer and mother of three.

Ms. Richard, 53, a commercial litigator also with three children, put it more bluntly. "Clients don't hire us because of our sex," she said. "They hire us because we win."

Brune & Richard's founders pursued different paths after Harvard, where they were classmates with Michelle Obama. Ms. Brune became a prosecutor, joining the United States attorney's office in Manhattan, and Ms. Richard rose to partner at a small litigation firm, Rabinowitz, Boudin, Standard, Krinsky & Lieberman.



JENNIFER S. ALTMAN FOR THE NEW YORK TIMES

Hillary Richard, left, and Susan E. Brune founded a top-flight New York litigation boutique.



LOUIS LANZANO/ASSOCIATED PRESS

ON THE MAP In 2009, Nina M. Beattie, left, and Susan E. Brune of Brune & Richard successfully defended Matthew M. Tannin, a former Bear Stearns executive accused of misleading investors in two hedge funds.

While on maternity leave and at a crossroads in her prosecutorial career, Ms. Brune sought out Ms. Richard for advice. Over lunch, Ms. Richard said she was starting a firm. She urged Ms. Brune to join and sketched on a napkin what she thought they could accomplish. A few months later in 1998, Brune & Richard was born. Ms. Brune's name came first; Ms. Richard got the better office.

"Susan and Hillary were 'leaning in' long before Sheryl Sandberg raised these issues," said Michele Hirshman, Ms. Brune's supervisor at the United States attorney's office, referring to the best-selling book by Ms. Sandberg, "Lean In," which has stoked a national conversation about women in the workplace.

Ms. Hirshman, now a partner at Paul, Weiss, Rifkind, Wharton & Garrison, added: "At the time when other women might have leaned back and settled into more comfortable jobs, they did something different and bold."

Ms. Brune and Ms. Richard cited "Lean In" when discussing their careers and noted that they had husbands who were their full partners in child-rearing and all other aspects of their domestic lives. (Ms. Brune's husband, Carl H. Loewenson Jr., is a partner at Morrison Foerster; Ms. Richard's, Peter McCabe, is the resident dramaturge at the Here arts center in SoHo.)

David B. Wilkins, director of the Program on the Legal Profession at Harvard Law School, said a firm like Brune & Richard, where so many women lawyers thrive, is an outlier. Since the mid 1980s,

he said, women have composed roughly 40 percent of entering associates at large law firms, but their attrition rate far exceeds that of male lawyers.

"The problem is that the typical legal career is that it's not just built for a man, it's built for a man with a wife that doesn't work," said Professor Wilkins. "There's a deepening crisis in the legal profession about the retention and promotion of women."

Early on, Ms. Brune and Ms. Richard drummed up business through referrals from big firms and by forging relationships with in-house legal departments. A relationship with Bear Stearns led to the firm's most prominent representation — its successful defense of Matthew M. Tannin, one of two former Bear Stearns executives acquitted in 2009 on charges they misled investors in their mortgage-backed securities hedge funds. The case was built on e-mails that prosecutors said proved Mr. Tannin and his partner, Ralph R. Cioffi, knew the funds were collapsing while they were reassuring clients of its soundness.

The monthlong jury trial was the first major prosecution of Wall Street executives stemming from the housing collapse. Some legal experts say they believe the loss made the Justice Department more circumspect about filing criminal cases against executives at the nation's largest banks.

Mr. Tannin, who agreed to a two-year ban from the securities industry as part of a civil settlement with regulators, is

still represented by Brune & Richard in several lawsuits connected to the failed fund. He began working with Ms. Brune, along with Ms. Beattie and MaryAnn Sung, in mid-2007.

"From the very beginning, Susan did not mince words," said Mr. Tannin, now an executive in a payment-processing business. "She said, 'You are in a bad situation. This is not going to end for a very long time. We will win, but it will not be quick. It will be a long battle, but we're all here to battle with you.'"

Many of Brune & Richard's lawyers are recruited from the country's most eminent firms. But they point out that Brune & Richard is not a "lifestyle firm," meaning they work just as hard as big-firm lawyers.

Jessica R. Holloway came to Brune & Richard in 2010 after six years at Cravath, Swaine & Moore. Ms. Holloway said that while the female factor was not a driving force in her joining, it had been a boon to have so many women as role models.

"So much of the time, the important decisions are being made by women, all of the key legal arguments are being delivered by women, and they aren't shying away from that work or deferring to anyone else," Ms. Holloway said.

Brune & Richard's male lawyers play down the gender imbalance. Charles A. Michael, who started his career at Sullivan & Cromwell, said it was far more significant that he could try complex, high-stakes cases in a small-firm environment. As a young associate at Sullivan, Mr. Michael had weekly lunches with his law school classmate Rishi Bhandari, the second male lawyer at Brune & Richard. Unlike many of his peers, Mr. Bhandari was already in the courtroom.

"Here he was just out of law school and giving a closing argument," Mr. Michael said. (Mr. Bhandari has since started his own firm.)

As far as the "women thing," Mr. Michael draws a nuanced distinction. "We have a pro-family culture, but it's not a women's culture."

By "pro-family," Mr. Michael means that he doesn't have to apologize for leaving the office to relieve the sitter and put his children to bed. "I'll say 'Hillary, I'm on duty tonight and will be back online at 8,' " he said. "I don't have to be sheepish about it."

Brune & Richard's first male lawyer, Laurent Sacharoff, joined in 2005 from the Legal Aid Society. Now a law professor at the University of Arkansas, he says the firm should not be judged on its gender makeup but — to use legal lingo — on the merits.

"It's a great firm with smart, hard-hitting lawyers," Mr. Sacharoff said. "Why not just leave it at that?"