

Illinois Powerhouse: Jenner & Block

By **Hannah Meisel**

Law360, Springfield (October 6, 2017, 2:00 PM EDT) -- Jenner & Block harnessed its wealth of experience in the past year to guide big transactions like the \$965 million sale of Chicago's NES Rentals while racking up litigation wins in areas as varied as daily fantasy sports betting and gene-editing technology.

For the 305 attorneys at Jenner's Chicago office — the founding office for the 103-year-old firm — a deep bench of experience in the particulars of a number of industries has paid off, helping win the firm a spot on Law360's 2017 Regional Powerhouse list for Illinois.

"I think it's fair to say that clients increasingly look to law firms that have specific experience in an industry," said Joe Gromacki, chair of the firm's corporate group. "And that's why we've focused on some of the industry areas that we have."

When companies "go to law firms in the general price structure of Jenner & Block," he said, "they're really looking for lawyers who can handle their most sophisticated work and their biggest crises, their most strategically important transactions, etc."

Over the past year, Gromacki and his corporate law team oversaw several such deals, from a \$1 billion common stock offering for Rosemont-based US Foods in January to the \$965 million sale of Chicago general equipment rental company NES Rentals to United Rentals in Channahon, which was completed in April.

Aviation has long been a particular focus for Jenner's Chicago office, and the country's third-largest air carrier, United Airlines, has long been a client.

Craig Martin, the firm's litigation group chair, led one of the airline's largest cases last year, resulting in both a victory for the company and internal changes.

Martin led a team of 88 attorneys to resolve a high-profile case for United, in which federal authorities said the airline reinstated a money-losing flight route to curry favor with a former New Jersey official looking for more convenient trips to a vacation house.

David Samson, a former New Jersey attorney general and ex-chairman of the Port Authority of New York



and New Jersey, admitted to unlawfully using his agency position to pressure United to reinstate the flight when he pled guilty to a federal bribery charge in July 2016.

As a result of the U.S. attorney's investigation and subsequent litigation, three senior executives were separated from United, but Martin was able to resolve the case with a nonprosecution agreement and a \$2.25 million penalty. The company later agreed to pay \$2.4 million in a deal with the U.S. Securities and Exchange Commission.

In Martin's book, resolving the case with a nonprosecution agreement was a win-win.

"You may be the person who's leading the charge ... but you're leading these incredible lawyers who have been practicing 10-15 years," Martin told Law360. "We're able to tap into basically a great wealth of knowledge and information within the firm and great lawyers."

Despite the 24/7 nature of those large-scale investigations — daily status calls in the early morning or evening plus team meetings on weekends — Martin said it's his top commitment to make the experience for clients "seamless" and to keep clients apprised of developments.

In its Chicago office and throughout the rest of the firm, 440 attorneys are involved with litigation — 80 percent of the total firm.

Jenner's Chicago-based patent litigators won a victory before the U.S. Patent Trial and Appeal Board in February over a dispute regarding who owns the patent for groundbreaking gene-editing technology CRISPR.

Jenner attorneys secured a victory in front of the PTAB for The Broad Institute of MIT and Harvard, which argued that its patents on the use of CRISPR to edit animal and human cells do not overlap with the patent applications of a research team from the University of California, Berkeley and the University of Vienna.

Jenner has also waded into the burgeoning industry of daily fantasy sports betting, representing the popular website FanDuel in its case against Illinois Attorney General Lisa Madigan to obtain clarification that FanDuel's operations are legal and do not fall under Illinois' criminal prohibition against gambling. Though the case isn't over, after 18 months, Jenner has secured a victory for FanDuel in a dispute over venue.

Jenner's history, especially in the Chicago office, is never far from the mind the firm's leaders. Managing partner Terry Truax told Law360 he was recruited to Jenner & Block out of law school at the University of North Carolina at Chapel Hill because the dean of UNC's law school had worked with founding partner Albert Jenner, "a quintessential Illinoisan, if I can call him that," Truax said.

As a "lifer" at Jenner, Truax said its commitment to the community is just as important as its commitment to clients. He pointed to a letter he'd just received from Cook County Public Defender Amy Campanelli regarding a case pending in front of the Illinois Supreme Court that the firm is handling pro bono.

"She said to us in very complimentary, laudatory comments around how impressive it is that a private firm of our scale gets really down into weeds to take on these matters of public interest," Truax said. "That's frankly part of our DNA at Jenner."

The firm's payroll includes an impressive roster of talent, like former Illinois Supreme Court Justice Ben Miller, former Chicago Bar Association President Terri Mascherin and former Northern District of Illinois U.S. attorneys Tony Valukas and Tom Sullivan.

When picturing the future for Jenner, Truax doesn't mention numbers or any other traditional metrics. Instead, he says, it's about quality.

"What is our vision for Chicago five years from now? It's to continue to compete in this very, very competitive, dynamic, ever-changing marketplace," Truax said. "But to compete in a way that is true to who we are."

--Editing by Jeremy Barker.