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LAW FIRM BUSINESS

SMALL FIRM FOCUS

Individual Expertise, Collective Focus

Horvitz & Levy cultivates a collaborative environment, drawing on its individual lawyers' expertise to handle appellate work at the state and federal level — including a first U.S. Supreme Court appearance.

By Laura Ernde

Daily Journal Staff Writer

ENCINO — In February, champagne was flowing in Horvitz & Levy's conference room. For the first time in the appellate boutique's 53-year history, the U.S. Supreme Court agreed to hear one of the firm's cases.

It's a big deal for the lawyers. The highest court in the land only accepts about 1 percent of requests.

The firm built its business by handling state court appeals, although Horvitz also frequently appears in the 9th U.S. Circuit Court of Appeals and other federal appellate courts across the nation. The firm regularly contributes friend-of-the-court briefs to the U.S. Supreme Court.

The issue Horvitz & Levy is taking to the U.S. Supreme Court is whether workers injured on offshore oil drilling platforms may get federal workers' compensation benefits. *Pacific Operators Offshore LLP v. Valladolid*, 10-507.

Three different federal appellate courts have produced conflicting opinions, said partner Peder K. Batalden, whose area of expertise is the federal courts.

Batalden isn't the only attorney at the firm who has developed a niche



Robert Levins / Daily Journal

From left; Lisa Perrochet, David M. Axelrad, Bradley S. Pauley and Jeremy B. Rosen, in Horvitz & Levy's office in Encino.

within the already specialized realm of appellate law.

Partner Jeremy B. Rosen is a guru in the state's anti-SLAPP (strategic lawsuit against public participation) statute, while partner Curt Cutting drafts blogs about all things punitive damages at www.calpunitives.com.

But when it comes to serving clients, the firm takes a more holistic approach.

The attorneys draw on each other's

collective experience when they're writing legal briefs and preparing for oral argument.

Drafts get circulated via email and discussed in the hallways or over lunch.

The firm is able to foster a collaborative culture by structuring its business so the attorneys aren't in competition with each other. Under the firm's lockstep compensation plan, attorneys don't get credit for bringing in busi-

ness, so they don't have an incentive to hold onto a case.

All the attorneys have an incentive to keep the firm's reputation intact and, therefore, clients coming through the door.

"Everybody's looking out to make sure nobody's falling on their face," partner Lisa Perrochet said.

For its cases, the firm relies on referrals from trial attorneys as well as repeat business from existing clients.

Partner H. Thomas Watson is in charge of assigning the cases that come in based on expertise and workflow, which is different from most firms where the case gets credited to the attorney who brought in the work.

Associates become partners as long as they meet objectives that aren't related to rainmaking. Of the firm's 31 lawyers, 19 are equity partners.

The lawyers generally come in with ample experience under their belts.

Most have had some combination of federal clerkships and law firm work.

"These are all people who are established — at the top of their field," said partner Barry R. Levy.

The structure allows the firm to cultivate new attorneys to carry on the work as the older attorneys, including founder Ellis J. Horvitz, scale back their hours. Horvitz was a former research attorney for state Supreme Court Justice Phil S. Gibson before he started the state's first appellate boutique.

Most of the firm's work is in the state appellate courts, and the stakes can be huge.

One happy client, Korean automaker Daewoo, rewarded the firm with a brand-new car. For about 15 years, employees were able to borrow the car when they needed to — a nice perk.

The firm scored a victory last year on behalf of their colleagues at big law firms around the state, convincing the 2nd District Court of Appeal to endorse the use of so-called ethical walls within firms to minimize the conflicts that arise when attorneys hop from firm to firm. *Kirk v. First American Title Insurance Co.*, 2010 DJDAR 5212.

Horvitz & Levy occupies one floor in a high-rise building on Ventura Boulevard in Encino. Although they still have a library, its size has shrunk and many of the books have been relegated to the hallways because of the shift toward electronic research.

Because most of the work involves reading and writing, appellate law can be isolating. So the lawyers create their own outlets for fun, including group lunch outings and the ever-popular Halloween coloring contest.

Perrochet seems to be the ring-leader of office entertainment. She nicknamed her staid partner David M. Axelrad "Bondini" because he knows a lot about the state's appeals bond statute.

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