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TOP 100 2021

RONALD L. OLSON

MUNGER, TOLLES & OLSON LLP
LOS ANGELES
CORPORATE AND LITIGATION

— TOP 100 —



Olson advises major companies in significant corporate deals and litigation. But until Microsoft Inc. co-founder Bill Gates called, matrimonial matters were off Olson's radar.

"This is the first time I've gotten into a divorce case after 53 years. It's a different kind of matter for me," he said of the multibillion-dollar breakup of Gates' marriage, announced in May. *In re the marriage of: Petitioner: Melinda French*

Gates and Respondent: William H. Gates III, 21-3-02273-1 SEA (King Co. Wash. Super. Ct., filed May 3, 2021).

Olson spread credit for work on the case. Complexities involved the assets of the world's fourth richest person, said to be at least \$134.1 billion, and the effect of the split on The Bill and Melinda Gates Foundation and of Bill Gates' Cascade Investment LLC.

"We brought in some very able Seattle help, it's a no-fault state," he said, referring to Stoel Rives LLP trusts and estates partner Wendy S. Goffe and family law specialist Ted D. Billbe.

Olson represents McDonald's Corp. in its effort to claw back most of a reported \$56 million in cash, bonuses, benefits and stock options it granted former CEO Stephen J. Easterbrook when it fired him in 2019 for having a romantic relationship with a subordinate. The company later learned that Easterbrook had, contrary to assurances he gave at the time of his termination, concealed improprieties with other subordinates. Citing its late founder Ray Kroc's statement that the basis for its business "is that we are ethical, truthful and dependable," the burger chain sued to reclaim its money. *McDonald's Corp. v. Easterbrook, 2020-0658 (Del. Chancery Ct., filed Aug. 10, 2020).*

"The court rejected Easterbrook's motion to dismiss, and we are in discovery," Olson said of a February ruling by Delaware Chancery Judge Joseph Slight III. Meanwhile, McDonalds' share-holders sued members of the company's board of directors in April, alleging that the board's failure to fully investigate Easterbrook's misconduct led to the "windfall" severance package McDonalds now seeks to recover. *Teamsters Local 237 Additional Security Fund v. Hernandez, 2021-0324 (Del. Chancery Ct., filed April 20, 2021).*

Olson's motion to dismiss that case will be argued in October, he said.

In March 2021 the U.S. Supreme Court denied review and let stand Olson's win at the 9th U.S. Circuit Court of Appeals for Tokyo Electric Power Co. Holdings against claims by U.S. Navy sailors that they developed cancer due to radiation released in the tsunami-driven nuclear plant incident in Fukushima, Japan, in 2011. The suits were dismissed in U.S. courts on lack of personal jurisdiction and international comity grounds. *Cooper v. TEPCO, 20-730 (S. Ct., pet. denied, March 29, 2021).*

"We're pleased to have gotten to an end point in that litigation," Olson said.

— John Roemer