

Don Verrilli Is Creating a D.C. Powerhouse for a California Law Firm

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This month marks one year since former U.S. Solicitor General Don Verrilli launched an east coast outpost for Munger Tolles & Olson in Washington.

So far growth has been exponential: The office has tripled in size from three to nine lawyers, and is poised to quadruple when three more lawyers join later this year. In all, the office is slated to have 12 lawyers, including six former Supreme Court clerks, and is already working on high-profile cases before the U.S. Supreme Court, corporate investigations and significant regulatory matters.

Opening in Washington heralds a change for Los Angeles-based Munger, which had resisted an industry wide trend toward creating a national and even international footprint. But firm leaders deny that the east coast office – **its first new one in more than 25 years and only office outside California** – signals any new growth plan or departure from strategy, claiming it only illustrates how modern technology enables lawyers to collaborate from faraway.

“We could go to 40 or 50 lawyers in a heartbeat here, just based on the quality of resumes we’re getting,” said Verrilli, “but we’ve been able to be very selective, and build out slowly and carefully.”



Don Verrilli, in 2008, after arguing at the U.S. Supreme Court against the use of a 3-drug cocktail to execute death row inmates. Photo: Paul J. Richards/AFP/Getty Images.

The Washington office will include seven women and five men. Four of the lawyers have argued Supreme Court cases. Six previously worked in the Solicitor General's office or the Department of Justice.

Only three lawyers joined the firm as partners, although Verrilli said he expects that the ratio of partners to non-partners likely will move closer to the firm-wide ratio of around 1:1 within a year.

Verrilli predicted the office will eventually reach 40 or 50 lawyers, perhaps within five years – which would put it on par with the San Francisco office that opened in 1991. Los Angeles, where the firm was founded in 1962, by Charles Munger, now vice-president of Berkshire Hathaway, among others, remains the largest office with around 145 lawyers.

"I think it grew faster than we even anticipated," said Brad Brian, Munger's co-managing partner, "which I think we're happy about."

Practicing at the Supreme Court

Brian said opening in Washington was not a premeditated decision: Verrilli proposed the idea after leaving the Solicitor General's office, where **he had developed a national reputation** by personally arguing many cases at the Supreme Court, including one about the Affordable Care Act and also patent cases.

"I don't think there's any doubt that opening a D.C. office with Don Verrilli as the head of it increases our profile for Supreme Court cases," said Brian. "That is one area we'd like to enhance, but it's not the only one."

Indeed, the firm has long prided itself on recruiting former Supreme Court clerks, and now has 15 lawyers with such experience, and two more joining later this year – more than a third of whom will be located on the east coast.

Ginger Anders, who worked with Verrilli at his former law firm, Jenner & Block, and then at the Solicitor General's Office, has clerked for two sitting Supreme Court justices: Ruth Bader-Ginsburg and Sonia Sotomayor, the latter of whom was on the 2nd Circuit at the time of the clerkship. Anders has also argued 18 cases before the Supreme Court, but accepted a position at Munger in Washington as an of counsel.

Anders heard about the firm because two of her former co-clerks joined it, and was intrigued by the idea of helping launch an office and representing high-quality clients. At Munger, she represents the U.C. Berkeley in its patent dispute with MIT over who invented CRISPR, a gene editing technology, described as **"the discovery of the century"** in a Bloomberg Businessweek article.

Other lawyers in Munger's Washington office represent the Financial Oversight and Management Board for Puerto Rico in litigation challenging the selection of its members under the U.S. Constitution's appointments clause; and a Supreme Court challenge of a Mississippi statute, HB 1523, that allows businesses, governments and others to refuse

service on the basis of certain religious beliefs, including denying marriage certificates to same-sex couples.

“There’s definitely an appellate specialty, but that’s not all we’re doing,” said Verrilli, who added that the office’s lawyers are working on investigations and regulatory work, oftentimes with firm lawyers located in California.

How Munger Sees Itself

“We view ourselves as elite problem solvers,” said Brian, adding “Cravath is one of three firms in the country I’d compare us to.”

The other two firms were Wachtell Lipton Rosen & Katz and Williams & Connolly, both of which hover around 250 lawyers making them roughly the same size as Munger, even though they each only have one office, in New York and Washington, respectively.

Cravath, Swaine & Moore has around 600 lawyers, mostly based in New York, although it also has a London office.

By contrast, Munger now has the most locations with its new bicoastal profile.

Brian said he was surprised by the growth and ease of setting up the Washington office: Videoconferencing, and the fact that the firm represents clients around the country, has made integrating the lawyers on the east coast into the firm much simpler, he said.

“We decided decades ago that we weren’t a firm that was going to open offices all around the world,” said Brian. “We didn’t want to grow exponentially – it’s hard to maintain the consistency of quality if you grow that fast.”