

MoloLamken LLP

SARA MARGOLIS, ASSOCIATE—LITIGATION

Sara Margolis's practice focuses on complex civil litigation, white collar matters, and appellate litigation. Prior to joining MoloLamken, Ms. Margolis served as a law clerk to the Honorable Vincent L. Briccetti of the United States District Court for the Southern District of New York. She also worked as an associate in the New York office of Cravath, Swaine & Moore LLP, where she represented a pharmaceutical company in a multi-district securities class-action, a movie studio in a contract dispute, and an international company in a shareholder derivative suit. Ms. Margolis received her B.A. from Middlebury College, and her J.D. from Columbia Law School. Prior to law school, Ms. Margolis worked at the Biotechnology Industry Organization, where she developed policy and advocated on behalf of biotechnology companies

Please provide an overview of what, substantively, your practice entails.

MoloLamken is a law firm focused exclusively on representing clients in complex litigation. We handle civil as well as criminal and regulatory matters across the United States. Our clients are across the globe. At MoloLamken, we believe that complex litigation is most effectively handled by smaller teams comprised of smart, highly experienced lawyers focused on results rather than process.

What types of clients do you represent?

MoloLamken represents individuals and companies in a broad range of industries on a diverse range of legal matters. For example, we represent hedge funds, private equity firms, Fortune 100 companies, executives, government officials, entrepreneurs, and inventors. We currently represent two foreign sovereigns, and former NFL players who object to the current settlement of their concussion-related claims.

What types of deals and/or cases do you work on?

We work on complex litigation on both the plaintiff's side and the defense side. At the trial level, I have worked on mortgage backed securities actions brought on behalf of multiple trusts and affected certificate holders, an intellectual property dispute regarding the real time transfer of data, and a criminal trial involving alleged Medicare and Medicaid fraud. I also recently became involved in a dispute over an ancient artifact owned by a Chinese client. At the appellate level, I worked on a matter involving the scope of liability for executive officials relating to counter-terrorism efforts. Clients may come to MoloLamken for the appellate stage of

their case after an unfavorable result at trial; I have worked on evaluating appellate claims and determining whether MoloLamken should enter the case as appellate counsel.

How did you decide to practice in your area?

Since the very start of law school, I knew I wanted to focus on complex trial level work. My clerkship with a district court judge only reaffirmed this decision. At the basis of every lawsuit is simply a story. I love engaging with the characters involved in the story to establish the factual record, and I love developing the themes that will convince a judge or jury that my client should prevail. However, I also enjoy writing very much, which is why I wanted the opportunity to do appellate work. At MoloLamken, I have the flexibility to work on a mix of trial and appellate level work. This helps me strengthen all the skills I need to be a litigator, and it keeps me engaged every day.

What is a typical day or week like in your practice area?

Because I work on cases in all stages of their lifecycles—from before a lawsuit has been filed to an appeal to the Supreme Court—there is substantial variety in my day-to-day schedule. No two days are ever the same. On any given day, I might be developing high-level case strategy, drafting a motion, preparing for a deposition, working with experts, preparing for trial, or working on an appellate brief. I also often communicate with clients and potential clients, and opposing counsel. MoloLamken has a very open and collaborative environment, so I often talk with other MoloLamken lawyers, across all three of our offices, to ensure I am capitalizing on everyone's knowledge and expertise. We also often hold whiteboard brainstorming sessions—the walls of our offices

themselves are whiteboards!—so we can pass ideas along to each other.

What is the best thing about your practice area?

I love how fast-paced my practice is. Clients come to MoloLamken with “bet-the-company,” cutting-edge legal matters, and they expect excellent results. The matters I work on are often in the news and have important implications for the economic, political, and social fabric of our country and the world. MoloLamken is unique in allowing its associates to participate in every level of the work we do, from client contact to taking depositions to drafting entire briefs. All MoloLamken lawyers have a lot of responsibility for shaping case strategy and executing that strategy, so it makes for a very dynamic practice.

What is the most challenging aspect of your practice area?

The matters we work on are so cutting edge and complex that we often encounter issues of first impression. This requires high level thought and analysis, and outside-the-box thinking. My practice requires me to be much more creative than I would have anticipated. But these challenges help make the work exciting and fulfilling, and keep me on my toes every day.

What training, classes, experience, or skills development would you recommend to someone hoping to enter your practice area?

Advocates, and especially litigators, rely on their communication skills every day. Aspiring litigators should jump at the chance to hone their oral and written communication skills. Oral communication skills can be practiced through volunteering to make presentations or speeches, or, as a law student, simply talking in class. Written communication skills are obviously practiced through writing, although it is important to remember writing as an advocate is quite different than writing as an academic. I would also encourage law students to pursue clerkships in order to see litigation from the judge's perspective. My clerkship gave me invaluable insight into how judges make decisions, and which types of arguments are most persuasive.

What misconceptions exist about your practice area? What do you wish you had known before joining your practice area?

One of the biggest misconceptions about litigation is that there are often “Perry Mason” (or “Elle Woods”) moments in the courtroom where a case is won by getting a witness to admit they are lying or outsmarting opposing counsel. Building a case is much more incremental than this; it requires developing theories and themes over time through discovery, doggedly pursuing these themes, and then ultimately presenting them to a judge or jury in the most compelling fashion. The little moments add up, over time, to your case; it is very unlikely one big moment will make or break the case.

What is unique about your practice area at your firm?

MoloLamken provides unique opportunities for associates to get involved in all areas of practice, from arguing motions to examining witnesses at trial to drafting appellate briefs. MoloLamken's philosophy is that associates learn by doing. Since starting at the firm, I have gone up against lawyers three times my senior at depositions, and I am scheduled to examine an expert witness at trial. At MoloLamken, we work on cutting-edge legal matters, and actually appear in court and go to trial. These experiences are key to my development, and I know I would not be experiencing such rapid professional growth at many—if any—other firms.

What activities do you enjoy when you are not in the office, and how do you make time for them?

I enjoy a lot of activities outside the office! I enjoy spending time with my family and friends, following New York sports teams, and playing with my dog. MoloLamken has a fantastic attitude towards time in the office. We are very busy and hardworking, but once our work is done, there is no pressure to stay in the office. We all have families and outside interests, and we know our clients are better served by healthy and well-rounded lawyers.

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