

Featured in *Practice Perspectives: Vault's Guide to Legal Practice Areas*

MoloLamken LLP

JORDAN RICE, ASSOCIATE

Jordan Rice's practice focuses on complex civil litigation, white collar matters, and appellate litigation. Prior to joining MoloLamken, Jordan served as a law clerk to Judge Amy J. St. Eve on the United States District Court for the Northern District of Illinois and to Judge Albert Diaz on the United States Court of Appeals for the Fourth Circuit. Jordan received his A.B. from Duke University and his J.D. from Stanford Law School, where he was an editor of the *Stanford Law Review* and a member of OUTLaw. Before law school, he was a legal assistant at Google, Inc., where he responded to subpoenas, court orders, and search warrants from domestic law enforcement agencies.

Describe your practice area and what it entails.

MoloLamken is focused on representing clients in complex litigation. Beyond that focus, MoloLamken does not have practice groups. We take on civil, criminal, and regulatory cases and represent clients on both sides of the "v." The subject matter of our cases is diverse, spanning business litigation, white collar defense, plaintiff-side class actions, intellectual property, bankruptcy, securities, and asset recovery, among other areas. We handle trials and appeals across the country and are growing an international arbitration practice. We also conduct internal investigations for clients around the world.

What types of clients do you represent?

As a boutique, MoloLamken has fewer conflicts than law firms with hundreds of attorneys. That affords the firm the ability to represent a wide variety of clients, including foreign sovereigns, Fortune 500 companies, hedge funds, private equity firms, corporate directors and officers, government officials, and other law firms. We also represent plaintiffs in class actions and individuals in criminal matters.

What types of cases/deals do you work on?

We like to say we are advocates first and subject-matter specialists second, so my practice has spanned a broad variety of substantive areas. Recently, at the appellate level, I worked on an opposition to a petition for certiorari in defense of our client's nearly \$450-million patent-infringement verdict. I also drafted an appellate brief in a case where our

client asserted professional negligence claims against its former auditor. At the trial level, I represent the largest energy infrastructure company in North America in a series of contract disputes against more than 20 companies. I also represent former executives in a habeas petition asserting Brady claims and claims of prosecutorial interference.

How did you choose this practice area?

As a law clerk, I enjoyed the diversity of cases that arrived on my judges' dockets, the level of responsibility that came with each case, and the close-knit environment of chambers. I wanted my experience in private practice to reflect the things I liked most about clerking. I did not want to be limited to one area of the law, to have to choose between appellate and trial work, or to work at a firm focused on only one industry. With these goals in mind, MoloLamken was an obvious choice. It was the only boutique I considered where I could truly be a generalist and work on a mix of trial and appellate matters.

What is a typical day like and/or what are some common tasks you perform?

One of the things that I like most about MoloLamken is that my work varies substantially day to day. On some days, my cases will take me out of the office for witness prep, a hearing in court, or strategy meetings with clients. Other days, I may focus primarily on drafting a brief or discovery responses, turning away from that work for intermittent meetings and client calls scheduled throughout the day. Because MoloLamken staffs cases across its three offices, I

am in frequent contact via phone, email, and video conference with my colleagues in New York and Washington, DC. Often, I'll spend part of the day catching up with my colleagues about their weekends, bouncing ideas off of them for a case, or joining them for lunch or a happy hour.

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

For law school students, I recommend gaining practical litigation experience. Participate in clinics and complete an externship for a judge with a record of giving externs substantive assignments. These are great ways to see how the theoretical concepts you learn in your classes are applied in practice. Students should also seek out professors who litigate cases in addition to their more traditional academic duties. Most law schools have a handful of professors who take on cases, and many of those professors are looking for students to provide valuable research and litigation support. For practicing lawyers looking to transition to a litigation boutique, do as much as you can to gain substantive experience. Try to get assigned to cases with small case teams where you will be given more responsibility, and take on pro bono matters where you can take ownership of the case.

What is the most challenging aspect of practicing in this area?

The most difficult thing about practicing at a litigation boutique is encountering tasks and issues that are entirely unfamiliar early in your career. MoloLamken staffs cases efficiently, and a new attorney may be the sole associate assigned to a matter. That makes for a steep learning curve, which can feel overwhelming. But confronting new challenges every day is also part of the fun of practicing at a boutique, and it provides ample opportunity to quickly develop as a lawyer. Additionally, I am always able to rely on the experience and insight of my colleagues as I confront unfamiliar issues.

What do you like best about your practice area?

The variety of cases is the best thing about MoloLamken's broad litigation practice. I have worked on civil and criminal

cases at the trial court, on appeal, and before the Supreme Court. The subject matter of those cases has been diverse, involving securities fraud, an Appointments Clause challenge to the constitutionality of a government agency, patent disputes, a habeas petition, bankruptcy, and antitrust, among other areas of the law. And the cases have involved parties and courts across the U.S. and around the world. The diversity of MoloLamken's cases has kept the work fresh.

What are some typical career paths for lawyers in this practice area?

One major difference between MoloLamken and other law firms—particularly larger ones with a higher associate-to-partner ratio—is that MoloLamken hires associates with the expectation that they can one day become partners. Since I started at the firm, all of the attorneys who have joined the partnership were promoted from the ranks of associates. The remaining partners at MoloLamken started the firm, joined during MoloLamken's first few years of existence, or came directly from the U.S. Attorney's Office. The firm has grown by developing young attorneys in-house rather than hiring partners for their books of business. So during my time at MoloLamken, the typical path for associates has been to become partners at the firm.

How is practicing litigation in a boutique different from practicing in a large law firm?

The biggest difference in practicing at a litigation boutique like MoloLamken as compared to larger law firms is the size of each case team. Most case teams at MoloLamken consist of no more than three or four attorneys, and many case teams are made up of just one partner and one associate. This is true even though we are up against some of the largest firms in the world on matters involving billions of dollars. I am, for example, the only associate in an appellate matter against a major accounting firm and a trial-court matter involving more than 20 parties, many of which are among the largest companies in the world. Because case teams are smaller, associates must take on greater responsibility at boutiques than at larger law firms. Another difference is the breadth of our practice. Associates need not select a practice group or even choose between trial-court or appellate litigation.