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The Upstart

Thomas F. Zuber, who at 37 years old looks even younger than his age, is a large reason that seasoned attorneys are willing to leave behind big firm life to join the small but quickly growing Los Angeles boutique Zuber & Taillieu.

Industry Watch

Managing Partner's Entrepreneurial Enthusiasm Inspires Excitement in Recruits

By **Rebecca U. Cho**
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Laura Castner, of counsel at Greenberg Traurig, made the move. So did partner Patrick Del Duca from Manatt, Phelps & Phillips. And last month, Gerold Libby, a partner from Holland & Knight, joined. All three attorneys left behind a big firm life to throw in their chips with the small but quickly growing Los Angeles boutique, Zuber & Taillieu.

The firm's leader, Thomas F. Zuber, who at 37 years old and looks even younger than his age, was a large reason for the transition.

"He has an energy that rubs off on people," said Libby, a corporate attorney with a focus on cross-border transactions.

Libby said he was skeptical about jumping to a small firm, especially one filled with many partners in their 30s, but the intelligence and intensity of the lawyers he met persuaded him to move.

So how has the youthful Zuber and crew managed to consistently entice laterals from much larger firms? Since the firm's founding in 2003, it has grown from three to 22 attorneys, including 11 partners. Zuber said he sells the excitement that comes from building a law firm together. As a result, the firm has appealed to top lawyers with an entrepreneurial bend, he said.

"[I told them] 'You're going to build something that reflects a bit of you. You can help us to steer this thing,'" Zuber said. "That's going to appeal to some people and not appeal to some. There's the notion that things are not as predictable as at a large law firm because we're growing. That thing that is unattractive to somebody can be attractive to another type of person and it's that second type of person we're looking for."



ROBERT LEVINS / Daily Journal

Thomas F. Zuber Traded a big firm for boutique. His Westwood firm, Zuber & Taillieu, now has a growing list of like-minded attorneys and a growing roster of domestic and international clients.

Zuber is no stranger to big-firm life. After graduating from Columbia Law School in 1999, he worked as an associate at White & Case in New York, where he practiced patent litigation. Upon accepting a job at O'Melveny & Myers, he moved to Los Angeles.

"I always knew that I would live in New York or L.A.," Zuber said. "For me, I just have to be at the center of things."

While originally entertaining the idea of becoming a neurosurgeon, Zuber chose to become a lawyer because of his fascination with the power of words. He became interested in intellectual property law while in law school.

Zuber, his voice reflecting the inflections of his New Jersey roots, pointed outside on a recent afternoon in his Westwood offices to explain the attraction of patent law.

"The building out there, that building

exists whether or not a lawyer says it does," Zuber said. "IP rights don't exist in that way unless a lawyer says it does. So that challenge of making something concrete out of nothing is very appealing to me."

He knew early on that he would one day build a law firm. After meeting Olivier Taillieu, with whom he worked as a patent litigator at O'Melveny, Zuber left to form the firm, along with his brother, Jeffrey Zuber. The three set up shop in Westwood.

"I like the idea of creating things. Here, we're creating a business, my partners and I. That's what gets me up in the morning," he said.

Less than two years later, Josh Lawler, a close friend and a Los Angeles attorney at Skadden, Arps, Slate, Meagher & Flom, joined them in the venture. He brought his

expertise in entertainment, corporate and securities law.

Zuber's goals for the firm are large and have been unchanged since the beginning. He wants to grow Zuber & Taillieu into a national firm while preserving a collegial culture by adding one lawyer at a time.

While still known largely as an intellectual property boutique, the firm has added capabilities over the years in corporate, entertainment, employment and tax law, among others.

Unusual for a small firm, Zuber & Taillieu also has clients in other countries. The list includes HAAN Corporation, a South Korean appliance manufacturer, and ROAL Electronics, based in Italy.

"These are smart people," said Lyndon Parker, a legal recruiter with Mestel & Co. "Knowing how small they are, their ability to garner that business is an amazing thing."

The youth of the firm's attorneys were a hindrance at first, Zuber said. He had a hard time convincing prospective clients to let go of their current outside counsel and get on board with the boutique. But now, after six years of steady growth, clients no longer have trouble believing in the firm's potential, he said.

He said from the beginning he and the other founding partners made a decision to foster a cooperative culture, one in which attorneys would share, rather than guard, their clients. That decision has been important to the firm's attraction to laterals as well as to clients, he said.

"The client relationship is respected and

that relationship is enforced. There's total security about it. People feel free to share the client relationship for that reason," Zuber said. "Clients perceive that they're getting the best advice from the most relevant person owning the most relevant expertise to the issue at hand."

Del Duca, who left Manatt to join Zuber last year, said the managing partner has a knack for building practice groups. In strengthening the firm's international client list, he has hired lawyers with multi-jurisdictional experience and staff with the cultural and language skills to back up the lawyers.

"He has a very good sense of relationships between human dynamics, client needs and building a sustainable platform to carry forward a practice," Del Duca said. "When he encounters a new area, he makes sure to wrap his mind completely around it."

Libby said the firm recently sent him to South Korea where he met with six firm's clients. He said he moved to the firm in part because he saw in Zuber a talented managing partner.

"I was in Korea, came back with 45 business cards, and sent him a memo. He came back full of ideas of how to integrate these names into our practice and communications," Libby said. "He lives for this."

The recession has made the firm more appealing to in-house counsel, Zuber said. Existing clients who in the past have hired Zuber & Taillieu for a narrow area of work are now open to expanding the breadth of practice areas for which they will hire the

firm, he said.

Lee Cheng, general counsel of Newegg, the second largest online-only retailer after Amazon, recently hired Zuber & Taillieu to handle a litigation matter in the Central District of California. Newegg sued Kohl's in May for trademark infringement.

"I'm working with them because they fit the profile of firms I hire for non bet-the-company matters," Cheng said. "They have highly skilled big-firm partner level laterals. They have the experience and they don't have the overhead."

The firm's list of clients has added increasingly larger names over the years, now including chemical company DuPont, Spike Lee's production company 40 Acres & A Mule Filmworks, and supermarket chain The Kroger Co.

The job has become an all-consuming one, with Zuber often working 70 hours a week and staying late into the night. The little time he has outside of building the firm, Zuber said, he expends on a deep interest in politics. He received a master's in public policy from Harvard. In July 2008, Zuber and friend Christopher O'Brien, the general counsel of California Pizza Kitchen, hosted a fundraiser for Barack Obama, raising about \$200,000.

But back at the office, Zuber said, he doesn't view managing the firm as work.

"Josh [Lawler] described this place to someone else and I've co-opted it. He said, 'I work a lot here, but it doesn't feel like I'm going to work. It feels like I'm going to hang out with friends,'" Zuber said. "I think that describes my feelings precisely."