

Chicago

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They are the gladiators of the courtroom, blue-suited warriors whose weapons are their legal acumen, their verbal derring-do, and their bulldog tenacity. Meet 30 men and women you don't want to see in court—unless they're on your side

30 TOUGH LAWYERS

BY JAMES YLISELA JR.

PHOTOGRAPHY BY JIM PURDUM



ONE TARGETED A MAN RUNNING FOR GOVERNOR. Another used images of Smurfs to humiliate his client's accusers. Still another dismantled experts testifying for Vice-President Gore with the Presidency on the line. These three are among the toughest lawyers in Chicago—a select collection of legal talent who have won hundreds of millions of dollars in judgments, sprung countless people accused of crimes, put away crooks and murderers, and litigated some of the most pressing issues of the day.

When we set out to find the toughest lawyers in town, we were looking for men and women who were smart, innovative, skilled, and relentless advocates for their clients. After talking to scores of lawyers, we came away with a few other ideas about what it means to be tough. One element is preparation. Many of our sources told us that what often passes for tough-

ness is an almost obsessive knowledge of the facts and arguments—a level of command that could overwhelm an opponent. Another element was focus—the ability to zero in on the key issues and not be diverted, in court or in negotiations.

One thing that doesn't make a tough lawyer, our sources said, is a mean streak. Being harsh and cold is almost always counterproductive. "You won't get anywhere if you're a bully or a jerk," says Jerold Solovy, the litigation veteran from Jenner & Block.

We came away with a few other observations about toughness. Most of the men and women on our list make a good buck, though a few of them get by in cramped offices, their desks and floors piled high with legal files and transcripts. For these lawyers, the toughness often comes from fighting for the same principles for decades.

Some of the lawyers on our list hardly know what it means to lose. Others fail more often than they succeed, taking on cases that are difficult, if not impossible, to win. For example, three of our lawyers—Ed Genson, Terry Gillespie, and Bill Hooks—defended former U.S. representative Mel Reynolds in his various criminal trials. All three lost. And then there's Dan

Webb, arguably one of the top trial lawyers in the country, who also holds the distinction of having lost the largest punitive damage verdict in U.S. history, the \$145-billion judgment against Philip Morris. All four men say they'd do it again.

In compiling our list, we talked to lawyers and judges, as well as journalists, professors, and other observers of Chicago's legal scene. We tilted toward litigators and people who end up in court, because that's where toughness usually is most readily apparent.

Any collection of this sort is bound to be somewhat arbitrary, and in Chicago any list of 30 names could be supplanted by another. An alternative list might include people such as Fred H. Bartlit, a legendary litigator who has mentored some of the best lawyers in town, including two profiled here: Emily Nicklin and Philip Beck. New U.S. attorney Patrick Fitzgerald comes to town with a reputation as a topflight prosecutor. Another tough lawyer, Susan Getzendanner, has been doing and saying pretty much what she pleases since her days on the federal bench. "I try to dominate the courtroom,

and some people don't like that," she says. And few lawyers have been tougher than former Illinois Appellate Court justice R. Eugene Pincham.

But we think the men and women listed below (in no particular order) make up an all-star team of the fiercest legal talent in town. And if you don't believe us, just try crossing one of them in court.

PHILIP S. BECK, 50
Bartlit Beck Herman
Palenchar & Scott
 Civil litigation

IN NOVEMBER 2000, PHIL BECK WAS HAVING Thanksgiving dinner at his sister's home when the call came from his law partner Fred H. Bartlit, summoning him to Florida to handle George W. Bush's side of the vote recount case. Beck left the next day, and "eight days later we went to trial," he says.

For all that was at stake, Beck and his opponent, David Boies, even found time for dinner and drinks together. "People who try a lot of cases don't have false bravado and don't do a lot of posturing and jerking around," Beck

says. "People who don't go to trial do that."

Beck is one of the "best cross-examiners I've ever known," says Bartlit, recalling his partner's methodical dismantling of expert witnesses for Vice-President Al Gore in Florida. But, Bartlit adds, "Phil hasn't lost his virginity—he's still the kid who grew up in Homewood. He still has the ability to trust people, and when he talks to juries, he's talking to them the same way he talks to everyone else."

Last year, Beck was appointed by the Justice Department to represent the government in determining the remedies for Microsoft's violation of antitrust laws. As Beck prepared for trial in November, the government and Microsoft settled, and Beck is now shepherding the deal toward final approval by the court. Most cases probably shouldn't go to trial, he says. But when they do, a lawyer needs "the ability and the courage to pick the areas where he can score the most points.

"Good lawyering counts for a lot," Beck adds, "but it's no guarantee of success."