

Trainee Days

Spring 2011

As the Clocks Go Forward...

Hello and welcome to another edition of *Trainee Days*. Our team of trainee writers have brought you another great issue with first years **Kimberley Cottrell** and **Prina Patel** at the Editors' helm.

As the clocks go forward, signalling the start of British Summer Time (longer, lighter nights – hurrah), the London office mirrors that forward movement with further developments in our practice areas. I am delighted to report that a number of new partners have joined the firm bringing with them a wealth of new capabilities and work. Our focus after merger was to build out from the insurance and litigation practices. With IP, Competition and Private Equity/Venture Capital now a part of London, our impetus is to strengthen these areas further. **Emma Raleigh** interviews new Corporate Life Sciences partner **Niall McAlister** (see page 7), who joins the firm from CMS Cameron McKenna. Find out about Niall's life-sciences work and his views on the Thursday afternoon cake trolley (amongst other important issues)!

We've welcomed a number of other new partners in the last few months. **Ben Goodger** has joined the IP practice. Ben specialises in high technology and brings experience of the management of IP assets in China and Asia. **Rod Cowper** has joined the

litigation practice with 25 years experience of international arbitration in London and other offshore financial centres.

Eero Rautalahti joins the Business Law Department and brings a practice focused on advising investment banks and listed companies in the former Soviet Union and Northern Europe on mergers and acquisitions, joint ventures, IPOs, equity and debt offerings. In addition two new partners have joined our Insurance and Reinsurance Department. **Francis Mackie** has over 30 years experience in the London Market and International Arbitration arena, where he has run arbitrations in London, Bermuda, the US and Europe. **Damian Connolly** brings a particular focus on mergers and acquisitions in the insurance and reinsurance industry to the department. It's fantastic to see so

many new faces in the firm, I'm sure we'll be interviewing them all in future *Trainee Days*. This is all very positive for the trainees. As the range of work and expertise within the firm increases so do their learning opportunities!

Some more very positive news is that of



Inside this issue:

<i>Social Update:</i> Paintballing	2
Secondment to Harrods	3
<i>Sports Update:</i> 5-a-side Football	4
Giving a Presentation	4-5
<i>Social Update:</i> Trainee Winter Social	5
Pro Bono	6
<i>INTERVIEW WITH:</i> Niall McAlister	7
Protecting Against Leaks of Confidential Information	8-9
<i>Sports Update:</i> EAPD Netball Game: <i>Boys v Girls</i>	9
EAPD Continues Growth with Washington DC Merger	10
<i>INTERVIEW WITH:</i> Michael Rizzo	11
<i>Social Update:</i> Christmas Party	12

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Training contract deadline:
31 July 2011

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by Sarah Warnes
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We asked our trainees to tell you about their work highlights of recent months, you'll find them dotted throughout this issue.

WORK HIGHLIGHTS

“The highlight of my last few months has been having the chance to work on two very complex, multi-jurisdictional claims involving rather high-profile clients. The work I have been doing has been so varied, with the opportunity to work on a whole spectrum of litigious work from researching complicated areas of law, the latest developments, drafting complex legal documents and attending court. It certainly has been busy! The small size of the team ensures that work is always varied, but also means that my opinions are valued right from the start, which is different from a lot of law firms.”

Alex Townsley
1st Seat, Commercial
Litigation

the last new partner (last but by no means least). I am delighted to say that **Antonio Suarez-Martinez** (who joined the firm as a trainee back in September 2000 and qualified into the Commercial Litigation team in 2002) has been made up to Partner. Antonio has been a supervisor to our trainees for many years and continues in that role, offering his expert guidance to our new generation of would-be partners. Congratulations Antonio, well deserved!

In this issue you'll find all the usual updates on our socialising, pro bono and sporting activities (including the hotly contested *boys v girls* netball encounter) care of **Riecha Sharma, Will Slaiding** and **Chris Riach**. We also highlight one trainees' recent secondment, **Ajita Shah** gives the lowdown on her time at Harrods. We have another in our commercial awareness series, where we take a recent legal story and decipher its commercial implications. **Alex Townsley** and **Tom McKernan** tackle the *Wikileaks* furore.

We offer another look at the skills needed on assessment day, in trainee life and beyond as **Martin Henshall** offers some tips on *Giving a Presentation*. Finally **Chika Ochonogor** and

“Antonio has been a supervisor to our trainees for many years and continues in that role, offering his expert guidance to our new generation of would-be partners.”

Richard Tyler bring you another look at an office across the pond. In this issue they focus on Washington, following the news of their merger with Fleischman & Harding.

Trainee work highlights will be dotted throughout. We hope you enjoy reading the Spring 2011 issue.

Social Update

Paintballing

The cold and wet of November can often bring with it a certain dampening of the spirits, so the social committee took on the mantle of brushing away those autumn blues with an evening of paintball.

A motley crew of partners, associates, trainees and support staff marched down to London Bridge, keen to let battle commence.

Office friendships were stretched to breaking point as colleagues found themselves facing each other across (red and yellow) enemy lines. Each team had only one goal – advance to the centre of the battlefield, capture the flag and bring it safely back to home territory. All without getting shot with the fiendishly painful pellets of paint. Spurred on by military advice such as “anything you do can get you shot... including doing

nothing” and “when in doubt, empty the magazine”, both teams engaged fully in four closely fought battles.

Self styled ‘social commando’ Paolo Cerroni led the Yellow team with high hopes of victory, but was ultimately thwarted by the resilience of the Reds who fought valiantly to capture the flags on three out of the four rounds.

by Riecha Sharma
1st Year Trainee

Secondment to Harrods

by Ajita Shah
2nd Year Trainee

EAPD trainees returning from Harrods secondments are always gushing in their praise for the placement. When I was told I'd be spending my third seat in Knightsbridge, I had no doubt I would enjoy the next six months. But that didn't stop an initial, niggling feeling of nervousness at leaving the cosy, comfortable environment of EAPD after a very happy first year there.

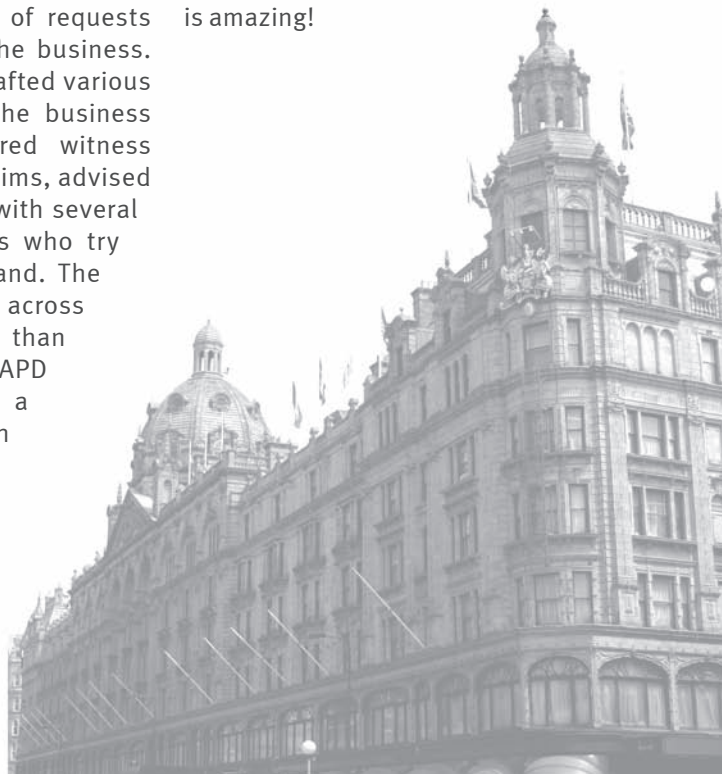
My fears were heightened on Induction Day, when I turned up wearing a bright purple top, flat shoes and no blazer (not having received the email telling me the dress code was 'formal') and was at once surrounded by 200 black-suited, high-heeled and highly glamorous inductees. Once I adjusted to the dress code (black, black and a little more black – did you know it's the new black?), I opened my eyes and realised just how lucky I was to be working in such an iconic building and business at a time of such change. Harrods' former Chairman, Mr Al-Fayed, sold the business in May 2010 to the Qatari royal family and, while it is acknowledged that Harrods' combination of glamour, service and heritage will never change, smaller changes are starting to be felt within the business.

The Harrods legal department is friendly, informal and very busy. It is currently made up of six people, located on the top floor of the store and never short of requests for advice from all areas of the business. During my time here, I have drafted various agreements for use around the business (some from scratch), prepared witness statements for employment claims, advised on customer issues and dealt with several of those nefarious individuals who try to cash in on the Harrods brand. The range of matters that comes across my desk here is much wider than I would ordinarily see at EAPD but the majority are also of a more manageable size, which means I am often able to take ownership of a matter myself, simply checking in with my supervisors for their comments and advice when needed. This is great for building confidence

and trainees are definitely encouraged to 'run' with a matter for as long as they feel comfortable.

It's been very educational seeing the way a business like this is run from the inside. While the legal department is obviously tasked with understanding and explaining 'the law' to the rest of the business, it is ultimately a support department to the business' main retail function and the team is therefore always keenly aware of the commercial as well as the legal side of a piece of advice. The importance of this awareness of a client's commercial background and concerns is definitely something I will take back to EAPD with me.

As I near the end of my six months, I am very happy to join a long line of EAPD trainees and gush wholeheartedly about the Harrods experience. The work has been great, the people are lovely, the hours are sociable and the discount is amazing!



WORK HIGHLIGHTS

“ The highlight of the past few months has been working on a deal involving the sale of part of a client's business. The deal was highly confidential and saw our client and the buyer negotiating on some of the key documents very early on, even before due diligence had taken place. I was able to see the wrangling first hand and watch the agreements develop right up until contracts were exchanged in January. We are now preparing the execution form documents and I hope to be involved in the closing of the deal before moving on to my next seat.

Another highlight of recent months has been working with a partner to prepare an expert report that he had been asked to provide for a matter going before a tax tribunal. I was the only other person working on the report and the timing was very tight. When a number of my documents were appended to the final report I realised how much responsibility I had been given and felt that I had really been able to contribute, which was pretty rewarding. ”

Frances Wachter
3rd Seat, Business Law

Sport Update

5-a-side Football

Captain Rich Tyler led a spirited campaign in what ultimately proved to be a disappointing season for the EAPD 5-a-side football team as we were relegated from the Premiership of the London Legal 5-a-side League in the final game of the season. Nonetheless, an enjoyable season was had by all, culminating in a team night out on Brick Lane. Newly qualified associate Jonny McDonald was crowned ‘EAPD Player of the Season’.

In a recent development, the decision was made that the conditions at the League’s Caledonian Road venue were not conducive to the free-flowing ‘total’ football that the EAPD team had sought to play; as such, the team has now joined a new league... onto bigger and better things!

by Will Slaiding
1st Year Trainee

Giving a Presentation

“The human brain starts working the moment you are born and never stops until you stand up to speak in public.” **George Jessel**

I am sure that many people would readily admit that giving a presentation to a group of people makes them nervous and is something they try to avoid. However, the ability to present well is a very desirable skill that recruiters will look for in potential solicitors. Applicants on EAPD’s training contract assessment day engage in a group activity where the ability to present an argument clearly will help you make a good impression. As trainees at EAPD we are each expected to present a round at the annual EAPD Quiz and may be expected to present at departmental seminars. Fortunately, EAPD provides its trainees with ample training to improve their skill in this area. Here are a few of the top tips I have been given so far:

- **PRIMACY AND RECENCY**

People tend to remember how you begin and how you finish so it is important to make these parts of any presentation

as strong as possible. Before you begin, pause, smile and try to transform any nervous energy into enthusiasm. Your introduction should explain what you are going to talk about. A simple way to do this is to break your presentation down into headings: *“I’ll begin by talking about X, before moving on to Y...”* This should also help ease you into the presentation;



WORK HIGHLIGHTS

“ I have been very fortunate in this seat to see a deal all the way through to close. The deal involved the sale of a global sporting website and as it progressed, it proved to be pretty complex with involvement across numerous jurisdictions. I was given a great deal of responsibility and I was involved in every aspect of the transaction with tasks ranging from liaising with our client, lawyers on the other side and foreign counsel through to managing the closing process. ”

Emma Raleigh
3rd Seat, Business Law

WORK HIGHLIGHTS

“ As I reach the end of my first seat, the majority of my time of late has been occupied by two civil recovery claims relating to corrupt sales of public land in the Caribbean. We have recently completed disclosure and successfully resisted an appeal against an interlocutory ruling. I’ve also been busy helping put together a fraud claim against the former director of our client’s Indonesian subsidiary. The level of responsibility I’ve had has been fantastic and it’s been exciting to work on matters with an international dimension. ”

Tom McKernan
1st Seat, Commercial Litigation

by the time you have finished the list a minute or two will have passed and the worst of any nerves will have begun to dissipate. Your ending should summarise as succinctly as possible the message you want to leave with your audience.

- **CONTROL**

One of the main causes of anxiety is a lack of control over a situation. You can help reduce any nerves by making sure you know your chosen topic inside out. There are likely to be times when you simply do not understand a question. Do not try to waffle an answer; ask the person asking the question to clarify their meaning. There is nothing wrong with *“I’m sorry I don’t think I understand the question”* or you could try to relay your understanding of the question back to them: *“What I think you are asking is whether...”* Finally, if you simply do not know the answer say so!

- **THE POWER STANCE**

Begin with your feet planted shoulder width apart and your hands together in

front of you; this will remove any visual distractions such as nervously shifting from side to side or rolling up paper and allows the audience to concentrate on what you are actually saying. Try to stand up straight as this will allow you to take deep breaths. It is easy to underestimate how important breathing can be in modulating both the speed and volume of your speaking. A deep breath creates a natural pause and can help to prevent the drop off in volume that many people exhibit at the end of their sentences.

- **PRACTICE**

If possible conduct a trial run in the room you will be presenting in. This will allow you to test any technical equipment, work out the best place to position yourself and help you determine the appropriate level of volume with which to speak. Time your presentation. You need to get this right: the audience will expect you to be thorough but they are likely to begin to tire if you overrun and it may even become necessary to stop you mid-sent...

by Martin Henshall
1st Year Trainee

“ During my secondment to the Financial Services Authority I have been a member of the FSA’s in-house legal team defending a judicial review application brought by the British Bankers Association. I was involved in drafting instructions to counsel and was given a high degree of responsibility when dealing directly with the clients in the policy team. During my seat the matter reached the hearing stage, held over four days at the Administrative Court in the Royal Courts of Justice. ”

Constantinos Smith
3rd Seat, Secondment to FSA

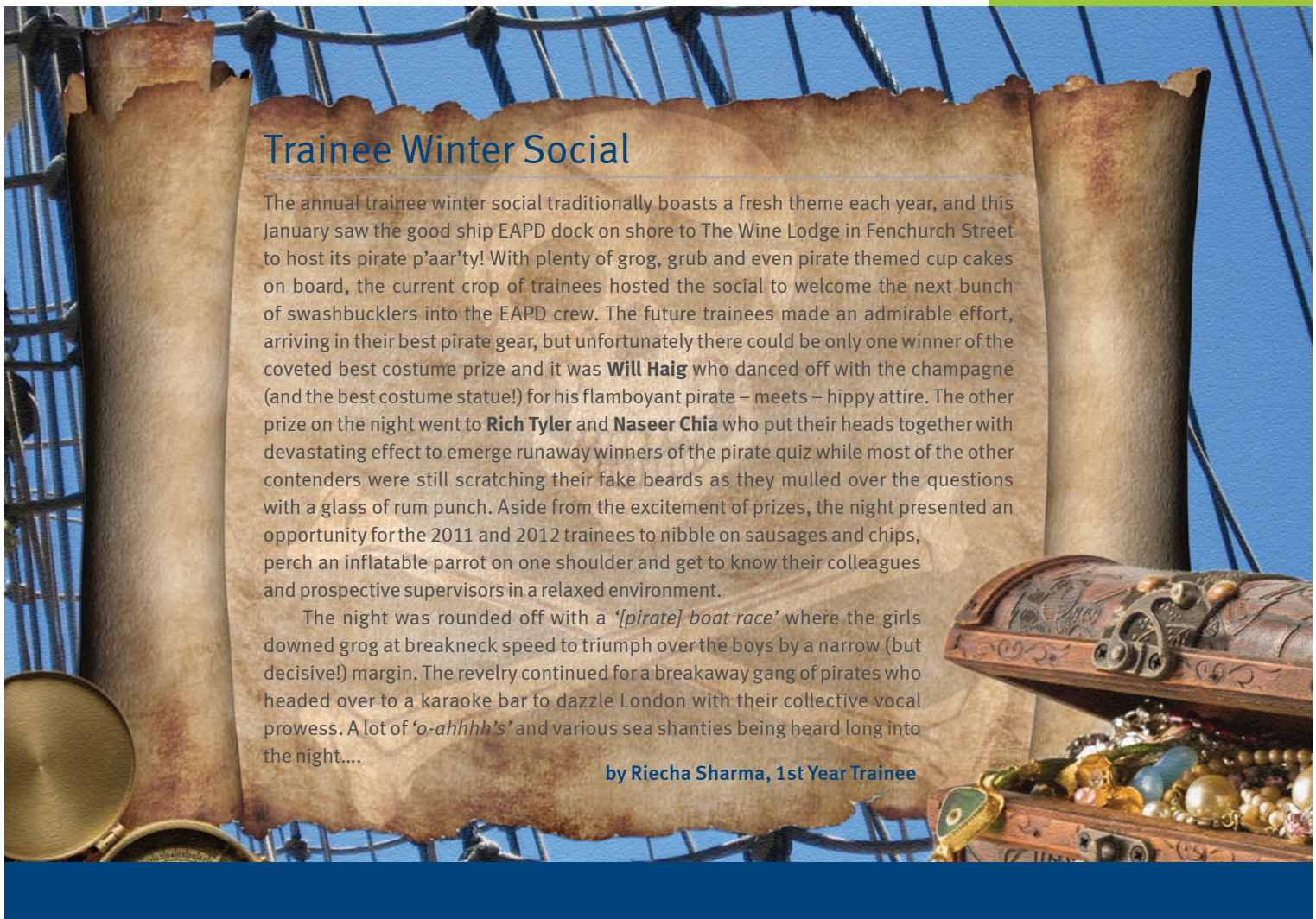
WORK HIGHLIGHTS

Trainee Winter Social

The annual trainee winter social traditionally boasts a fresh theme each year, and this January saw the good ship EAPD dock on shore to The Wine Lodge in Fenchurch Street to host its pirate p’aar’ty! With plenty of grog, grub and even pirate themed cup cakes on board, the current crop of trainees hosted the social to welcome the next bunch of swashbucklers into the EAPD crew. The future trainees made an admirable effort, arriving in their best pirate gear, but unfortunately there could be only one winner of the coveted best costume prize and it was **Will Haig** who danced off with the champagne (and the best costume statue!) for his flamboyant pirate – meets – hippy attire. The other prize on the night went to **Rich Tyler** and **Naseer Chia** who put their heads together with devastating effect to emerge runaway winners of the pirate quiz while most of the other contenders were still scratching their fake beards as they mulled over the questions with a glass of rum punch. Aside from the excitement of prizes, the night presented an opportunity for the 2011 and 2012 trainees to nibble on sausages and chips, perch an inflatable parrot on one shoulder and get to know their colleagues and prospective supervisors in a relaxed environment.

The night was rounded off with a *‘[pirate] boat race’* where the girls downed grog at breakneck speed to triumph over the boys by a narrow (but decisive!) margin. The revelry continued for a breakaway gang of pirates who headed over to a karaoke bar to dazzle London with their collective vocal prowess. A lot of *‘o-ahhhh’s’* and various sea shanties being heard long into the night....

by Riecha Sharma, 1st Year Trainee



by Chris Riach
1st Year Trainee



WORK HIGHLIGHTS

“ For me the best part of working in the IP department is managing the anti-counterfeiting portfolio and in particular dealing with enquiries from various national customs authorities who have intercepted suspected infringing goods. You have to respond within ten working days which is not a lot when you have to liaise with clients on the other side of the world. Also, even though the law in all the EU member states should be the same, each state applies it slightly differently. When I receive an enquiry from a country I have never dealt with before, it is quite interesting getting to grips with the quirks in their system. Finally you get to use your language skills. So I have been liaising with the authorities in France and Spain in French and Spanish. ”

Chika Ochonogor
3rd Seat, IP

Pro-bono Update

LawWorks

LawWorks is a charity that aims to provide free legal help to individuals and community groups, when they are unable to pay for it, by connecting them to law firms who are able to assist.

Since becoming involved in the LawWorks programme, EAPD has helped a wide variety of clients over a range of issues.

Having recently finished assisting a charity with an employment dispute, here are some of the reasons why I would strongly recommend taking on a pro bono matter when the opportunity arises:

- **CLIENT CONTACT**
For the duration of the matter, I was the first point of contact at the firm for the client. Whilst a little daunting at first, I enjoyed this extra level of responsibility and was able to experience first hand the extent of the client's appreciation of our efforts.
- **PRACTICAL RESEARCHING AND ADVISING**
Being my first seat, I found working on a pro bono matter invaluable experience in shifting my research from “academic” to “commercially practical”. It was important to find the right answers, but also consider the client's particular needs and circumstances

when choosing one course of action over another. Having so much contact with the client, I was able to get a real sense of their objectives and tailor my work accordingly.

- **USING PROFESSIONAL CONDUCT TRAINING IN PRACTICE**

Surprisingly, I found myself very grateful for having received so much training on Professional Conduct on the LPC and in the PSC courses undertaken so far. As a consequence of the large amount of responsibility for case management given to trainees, I found I faced several conduct issues, but was able to identify them and involve my supervisor whenever I found matters exceeding my competence.

- **WORKING WITH COUNSEL**

Due to the contentious nature of the work, I was required to instruct a barrister and accompany him to an Employment Tribunal hearing. For the first time, I was glad of the hours I had spent carefully paginating the bundles as they were pored over by counsel and the tribunal panel.

For further information go to:
<http://www.lawworks.org.uk>

Fair Trials International

Fair Trials International (FTI) works for fair trials according to international standards of justice and defends the rights of those facing charges in a country other than their own.

Trainees at EAPD are encouraged to get involved in the groups that EAPD sends to assist on a Thursday evening. Recently, FTI

announced that Patrick Maluzzo, a British backpacker who had been imprisoned in India, had been transferred back to the UK. EAPD volunteers had worked on this important matter alongside many others.

For further information go to:
<http://www.fairtrials.net>

Number/Reading Partners

Trainees form a key part of the team that visit a Bethnal Green school to assist small groups of children with reading and numeracy.

I have recently spent my first day as a number partner to a group of 6-7 year olds. Perhaps they could tell I was new to this, as they dominated the lesson from beginning to end.

The chosen game combined bingo, times tables and connect four and despite my best

efforts to keep up, the kids had finished three games before I had worked out the objective. I decided that I was better suited to the Bob Holness, question-master role, as at least that way I had all the answers.

If the amount of laughing was anything to go by, the kids seemed to enjoy themselves too, although I am now worried they weren't laughing with me...

INTERVIEW WITH...

Niall McAlister – Business Law Partner in London



Niall McAlister joined as a partner in the firm's Business Law Department in January 2011, enhancing EAPD's already strong capabilities in its Life Science practice group. Niall has a wide experience of mergers and acquisitions, joint ventures and private equity and venture capital transactions. He has acted for a number of clients in the life sciences, insurance and reinsurance and financial services sectors. **Emma Raleigh** interviews Niall about how he's finding life so far at EAPD, his practice and his career to date.

Q1 Having only been here two months, tell us about your first impressions of EAPD?

My first impressions are really positive. Nice offices, everyone has been very welcoming and the atmosphere in the London office is very relaxed and friendly (and I love the Thursday afternoon cake trolley. The excitement of waiting to see the latest calorie-laden masterpiece is close to unbearable!). I've also had the chance to visit Boston, New York and West Palm Beach (now there's a place for a secondment) and had a warm welcome at each of them. In terms of the work, my focus is in lifesciences and the expertise we have in the firm (especially Boston, but also Southampton) is jaw-droppingly impressive. I think I've made a very good decision.

Q2 For those of us with limited experience in the life sciences sector, tell us a bit about the work you do?

Lifesciences covers a range of businesses – from medical research charities at one end of the spectrum (eg Wellcome Trust, Cancer Research UK), to (usually) small biotech companies developing one or a few therapies, to big multinational companies making and selling pharmaceuticals (eg GSK, Pfizer) and medical devices (eg Smith & Nephew). My work is unusual in that I act in all these sub-sectors (not many lawyers cover both charity and commercial), but the focus of what I do is really what a transactional corporate lawyer does: M&A, joint ventures, venture capital and

private equity, primarily.

Q3 What was it that originally drew you to business law?

I knew pretty early on that I didn't want to be a litigator and it was too uncool even to show an interest in real estate... I ended up choosing between business and banking. No two business deals are the same, which appeals to my curiosity, whereas no two bilateral loan agreements are different, it wasn't a difficult choice. That and the fact that the business group was much more sociable.

Q4 What are the skills that you think make a good business lawyer?

On the basis of the previous answer, intellectual curiosity and an ability to drink heavily! But seriously, extensive legal knowledge, clear and concise written work, commercial focus, getting on with people... Pretty much the same as everything else really.

Q5 What has been your most memorable experience as a lawyer to date?

The most satisfying work I have done was drafting the constitution of the Wellcome Trust, the UK's largest charity. It is, as the name says, a trust, created in Sir Henry Wellcome's will in the 1930's. It decided that it needed an accessible modern document, so I spent more than four years (off and on) drafting it, negotiating with the Charity Commission and getting feedback from the Trust's governors (some of the most eminent scientists in the world – attending their meetings was, as Sir Alex Ferguson says, squeaky bum time).

The most memorable experience, however, was (of course) meeting my wife.

Q6 Any horror stories from your trainee days?

My second training seat was in real estate and, in short order, two of my supervisors/room-mates resigned (and the third got pregnant – not guilty). For my third seat I was given a prime seat in insolvency as recompense (the three partner team was rated the best in the City) and after a month they all resigned to go to A&O (it was a big deal at the time). At the subsequent Banking department Christmas party my gift was a range of personal hygiene products...

Q7 Do you have any wisdom you would like to impart to a potential future trainee?

Shower regularly! And when you qualify, choose the work that interests you 'cos that's what you're going to spend the rest of your career doing.

Q8 What would you have done if you hadn't become a lawyer?

I really haven't a clue. Which is of course why I became a lawyer.

Q9 What do you do with your time when you're not working?

The usual "taxi driver to my teenage kids" sort of stuff. I also play (when not injured), coach and sometimes umpire hockey. A bit of bad cricket and golf. My wife introduced me to Killer Sudoku a few months ago, so I waste a lot of time on those (but hopefully keeping the grey cells in full working order too). And I read. How dull that all sounds...

by Tom McKernan and
Alex Townsley
1st Year Trainees

Protecting Against Leaks of Confidential Information



“Companies should focus on coordinating and improving privacy and information security policies.”

Regardless of your stance on the ethical justifications put forward by the supporters and the founder of Wikileaks to support its actions, there can be no doubt that its impact is beginning to be felt in the private sector. Following the media storm caused by the publication of thousands of US diplomatic cables, the next focus of Wikileaks’ ‘whistleblowing’ campaign appears to be private entities. Julian Assange has indicated that he intends to publish further explosive material that may even “*take down a bank or two*”.

In addition, in a recent very public handover, Mr Assange was provided with two discs of information, purportedly containing lists of internationally-recognisable customers of Bank Julius Baer’s offshore services, many of whom, it is alleged, are tax avoiders. With Julius Baer and even the US Government apparently helpless to stop public leaks of confidential documents, private companies are increasingly looking to their legal advisors for guidance on how best to prevent and/or mitigate the dissemination of confidential information.

The reality is that most leaks are generally attributable to an employee. So preventative measures are key, including, if commercially sensible, putting secure systems in place that retain the confidential data with only limited access by certain employees. Most businesses are also protected against disclosure of their confidential information under laws against breach of confidence. But businesses should ensure

that adequate non-disclosure and confidentiality clauses are contained in their employment contracts. This ensures with certainty that companies have the ability to obtain injunctive relief, such as delivery up of confidential information, if required.

Once the information has been published, widely disseminated and reported by the media, the English Courts are highly reluctant to grant an injunction restraining publication. For example, in *Mosley v News Group Newspapers Ltd* (2008), the Court felt that an injunction would have no practical effect after the damaging material had been published on a newspaper website (this was also the rationale used for ultimately refusing an injunction against Wikileaks in the 2008 US action by Bank Julius Baer). The only exception to this was in *Barclays Bank Plc v Guardian News and Media Limited* (2009), where the Court held that limited publication (in this case for just four hours on the newspaper’s website) would not defeat the confidential nature of the information, and in such circumstances an injunction could be granted. Companies should also note that injunctive relief may also be unavailable if the information released relates to a criminal offence committed by the business, and so the person breaching confidence is effectively acting as a ‘whistle-blower’.

Wikileaks, for example, has set itself out to be an “*uncensorable*” website devoted to publicising information that they believe is in the public interest. Wikileaks achieve this by creating not just one website which can be taken down with a single injunction, but dozens of “*mirror*” sites in separate jurisdictions, with information stored on a cloud server which is accessible almost anywhere in the world using an internet connection. This makes obtaining an injunction against the whole network almost a practical impossibility.



Under the circumstances and given the practical difficulties that a company may face in obtaining injunctive relief, a proactive rather than reactive approach is encouraged. Preventative measures should be put in place. Companies should focus on coordinating and improving privacy and information security policies. They should also look at classifying information according to different levels of sensitivity and categorising information according to departments so

that employees can only access information needed for their jobs. Large companies should also ensure internal whistle-blowing hotlines are available, whereby employees can anonymously record their concerns, rather than feeling they have to place them in the public domain. Businesses particularly at risk of exposure should also consider having in place a rapid response team of legal and PR experts to act quickly to either prevent publication or manage the fall-out.



“ I have been assisting in a dispute between a captive insurer and its reinsurer regarding losses arising out of Hurricane Katrina. My recent work has revolved around our review of the other side’s Defence and preparing our Reply. I also attended a hearing on the reinsurer’s right to contractual inspection. I have had a good amount of contact with our clients and our counsel. I have also been involved in preparing the Respondent’s case in a complex cross border application for the enforcement of an Australian preference judgment. Unfortunately I will be moving seats the week before the case begins! ”

Martin Henshall
1st Seat,
Insurance Litigation

WORK HIGHLIGHTS

WORK HIGHLIGHTS

“ The highlight of the last six months has been my involvement in a 7 day arbitration hearing that took place in December. I was the main point of contact in the firm for any issues concerning the hearing bundles and solely responsible for the arrangement of our witnesses to give evidence both in the UK and US. It was great to have so much responsibility and to feel like an invaluable part of the team, as well as the opportunity to have a lot of direct contact with the client on a regular basis.”

Kimberly Cottrell
1st Seat,
Insurance Litigation

Sports Update

EAPD Netball Game: *Boys v Girls*

Undoubtedly the biggest sporting talking point at EAPD in recent months has been the netball game between EAPD’s ladies netball team and the men’s 5-a-side football team.

A disappointing season in the 5-a-side football league drove the men’s team to seek out challenges closer to home and they found one such challenge in a highly-anticipated clash with the recently formed ladies netball team. A date was fixed for a lunchtime battle of the court and the teams duly assembled on a cold day in January.

The men’s team initially struggled to grasp the rules of the game and the numerous fouls that ensued meant the match failed to gather any early momentum. However, as early tempers cooled (and the rules sunk in), the men’s team took the lead and then added to

the scoreline once more to put themselves in a strong position going into half-time. The ladies team did not lose hope however and approached the second half with renewed vigour and determination. Early in the second half, the girls were rewarded for their efforts when captain Kimberley Cottrell shot sharply for a hoop. However, a flurry of further hoops for the men’s team clinched their victory.

With victory secured, bragging rights went to the gents for now. However, needless to say, the ladies were immediately eager to set the record straight and demanded a rematch... watch this space.

by Will Slaiding
2nd Year Trainee

by Richard Tyler and
Chika Ochonogor
2nd Year Trainees

EAPD Continues Growth With Washington DC Merger

EAPD is in the middle of an expansion drive. Across the firm, we are expanding into new practice areas or strengthening our current practice areas by bringing in new partners. These are exciting times to be working at the firm, as the expansion brings new clients, new experiences and opportunities to develop new skill sets.

Since the last issue of Trainee Days was published in Autumn 2010, we have had four new partners join our London Office: **Rod Cowper** who specialises in complex commercial litigation and international arbitration; **Ben Goodger** who has joined the IP Group and who has over 20 years experience in strategic management of intellectual property; **Niall McAllister** who provides strategic counsel on corporate and financial matters to domestic and global companies in the life sciences sector; and the newest member of the growing Business Law Department, **Eero Rautalahti** who brings a wealth of experience in capital markets and finance.

We have also had two new partners join our associate office in Hong Kong, a new partner in our New York Office and another

in the West Palm Beach Office. However, it is in Washington that there has been the most dramatic change.

As a result of the merger with Fleischman & Harding, a cutting edge communications law firm based in Washington DC, EAPD has significantly expanded its capabilities in Washington. There are now more than double the number of EAPD attorneys in Washington. In the past, EAPD has represented a number of communication companies, which may now benefit from Fleischman & Harding's expertise in communications, legislation and regulation. Fleischman & Harding's clients, which include household names like Time Warner Cable, will benefit from the wider range of services offered by EAPD such as intellectual property, which is a natural complement to the communications practice.



WORK HIGHLIGHTS

“ In a high-value arbitration on which I have been working, our clients reached a settlement with the other side prior to the substantive hearing. This gave me the opportunity to experience the drafting and negotiation of a commutation agreement. I worked closely with the partners and clients to ensure that a written agreement was concluded that preserved our clients' commercial settlement whilst protecting their legal position to the greatest extent possible.”

Will Slaiding
1st Seat, Insurance Litigation

WORK HIGHLIGHTS

“ Working in the Competition Department has made me appreciate just how important it is for a lawyer to be commercially astute. Our clients range from software companies and security providers to online retail sellers and national newspapers. Competition issues arise in every industry and it is important to be able to get to grips with the industry workings quickly before understanding how the competition regulation affects the way the industry operates.”

Prina Patel
1st Seat, Commercial Litigation / Competition

INTERVIEW WITH...

Michael Rizzo — Associate in Washington DC Office



We caught up with Michael Rizzo, a trademarks and copyright associate in EAPD's IP Group to find out all about the merger and life in DC.

Q1 What was your route into law?

I started as an intern in college at a very small law firm that did family law and from there I worked as a trademarks paralegal. I then went to law school. It was always my goal to work in a trademark practice.

Q2 Why did you choose IP in particular as a practice area?

The skills required for an IP lawyer match my skills. IP borders on marketing, branding and business. I liked the cross-over between the legal and business sides of IP so it was a good fit.

Q3 What skills do you need as an IP lawyer?

You have to listen very well, and want to learn about your client. Our issues are very entangled into what the client is doing, what kind of products they are making, and what their competitors are doing. We have clients in every industry so you are constantly learning about car parts or chemicals or consumer products.

Q4 Of all your clients' products, which is your favourite?

I would say Crunk Energy Drink. Crunk Energy Drink is made by Solvi Brands LLC and they are really the first client with whom I got to work independently. I like real consumer products like theirs and it is a fun product so it is my favourite.

Q5 How has the merger changed life in the office so far?

It hasn't yet. In mid-March we will be moving into Fleischman & Harding's offices. They have very nice offices, not very far from our office space. The firm is currently orientating the Fleischman & Harding attorneys and integrating them into EAPD systems before we go over there.

Q6 It may feel a little bit like the EAPD attorneys are the "new guys"?

Yes. It will have a little bit of that feel but the people in charge of the merger are aware of this sort of issue so they are really taking care to manage it in a way where the EAPD attorneys do not feel like the "new guys" and Fleischman & Harding's attorneys do not feel like they are being invaded. I think it is being handled in a very thoughtful way.

"You have to listen very well, and want to learn about your client. ."

Q7 In what way do you think the merger will round out EAPD's IP practice in Washington?

There is definitely some obvious overlap between the sort of regulatory work that Fleischman & Harding do and the work we do in the IP Group. Certainly just by the size and sophistication of Fleischman & Harding's clients, those clients will naturally have IP needs. Also, the work that Fleischman do with broadcasters and liaising with the US Federal Communications Commission is likely to raise copyright and trademark issues.

Q8 Have you ever done any work in the past for any communication companies?

No I haven't done much work for those types of clients. However, in addition to consumer goods, I think this area is interesting. My brother works in the entertainment field. He

is a writer for television. So I have some background and interest in that kind of work.

Q9 What is your personal feeling about the merger? Do you feel slightly overwhelmed by it?

My initial feelings, which have stayed with me, are that the merger is a very positive thing for the firm. On a personal level you have to acknowledge that there are challenges with every merger, and knowing that the merger is a good thing for the firm gives you the enthusiasm and energy to overcome whatever challenges there are, and do your part to make the merger work.

Q10 Have you met the Fleischman & Harding attorneys yet?

A couple of EAPD partners, one from Boston and the other from Providence, organised a lunch with three more EAPD associates and the Fleischman & Harding attorneys. We had a nice lunch and we found that we have a lot of common ground.

Q11 What is the best and the worst things about working in Washington?

The best thing about working in Washington is it is a very manageable city and a very nice city to live in. It is pretty easy to get to work and there are a lot of young professionals in this town so it is quite a social and friendly place. The worst part about working in DC is the presidential motorcades. They can really mess up your commute!

by Richard Tyler
2nd Year Trainee

Social Update:

Christmas Party

EAPD's 2010 Christmas party was held in the wonderful surrounds of the Conservatory and Garden Room at the Barbican Centre.

The party kicked off with a delicious three-course meal, interspersed with the excitement of 'Secret Santa' presents and the revelations that emerged from the 'EAPD Guess Who?' game. Notable highlights were the trainee who strutted the catwalk in Paris Fashion Week and the IP associate who had a brush with Bollywood!

After dinner, the dance floor opened up to the brave (or just mildly intoxicated) as the music took centre stage. The free bar and shots of white port and vodka (inevitably, and unfortunately, combined together) ensured some dazzling dance moves before the party moved on to the Bedouin Bar in nearby Farringdon, lasting well into the small hours.

by Riecha Sharma
1st Year Trainee



We hope you have enjoyed this issue of Trainee Days. If you have any comments or ideas for our next issue please contact trainee_recruitment@eapdlaw.com

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