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New Akin Gump Group Rallies Around Changing Retail Industry

BY LIZZY MCLELLAN

Plenty of law firms break down practice silos to organize industry-focused groups for hot and emerging sectors. But Akin Gump Strauss Hauer & Feld has created a group to target an industry being rocked by dramatic change, and even frequent failure: retail.

The firm is launching a cross-practice retail-focused initiative, to be led by Philadelphia litigation partners Meredith Slawe and Kate Deal, Los Angeles labor and employment partner Gregory Knopp and Dallas corporate partner Garrett DeVries.

In addition to linking lawyers from various practice groups to provide client service, the firm is also partnering with the Retail Litigation Center, as a founding member of the organization's new defense division, and plans on providing educational opportunities to Akin Gump retail lawyers to keep them abreast of developments in the industry.

Slawe and Deal, who both joined Akin Gump from Drinker Biddle & Reath last year with several



Kate Deal and Meredith Slawe, Akin Gump Strauss Hauer & Feld.

other class action lawyers, spoke with The Legal about the new initiative. As the retail industry grapples with changing consumer demands and technology like artificial intelligence and augmented reality, they said they're preparing to guide it through the accompanying legal and business challenges.

Answers have been edited for length.

What are you looking to create with this retail-focused group?

Kate Deal: This retail initiative is an interdisciplinary, cross-practice group, bringing together over 100 lawyers. It includes lawyers who focus on class action litigation, regulatory compliance,

labor and employment, cybersecurity and privacy issues, international trade, public policy, restructuring, internal investigations and corporate transactions, among other things.

Meredith Slawe: [For the educational component] we will be having guest speakers come in every month from different corners of the retail industry. ... The goal there is not only to stay [up-to-date] in our respective practices and learn from each other in terms of what we do ... but also to understand the pressures they deal with and the changes that are going on, as this industry is incredibly dynamic.

Why did the firm form this group? How did it relate to your move to the firm last year?

MS: When we were considering Akin we identified the breadth and depth of Akin's retail services capabilities. ... One of our thoughts coming in the door was we could harness all of this experience.

Coming in the door there was a such a strong energy and commitment to working in this space. All we did is put some structure behind it and think outside the box.

What are some of the changes and challenges you're currently seeing in the retail industry?

MS: A few years ago there was a lot of talk in the industry that physical retail was a thing of the past and you had to focus strictly on your e-commerce platform. That's no longer common thinking ... to be competitive in the retail space you have to be good at both. At every point you can touch a consumer ... there should be consistency and seamlessness in the experience.

Retailers are putting first the customer experience. Store spaces have transformed ... technology has really taken on such a heightened role. With that technology comes a host of privacy challenges and other regulatory challenges that retailers are navigating at the same time. We see lawyers out there literally shopping for lawsuits against highly regulated retailers.

Things are happening every single day. There's turnover, there are stores closing, there are exciting launches. It's a challenging time without question, but it's incredibly exciting.

What's the benefit on honing in on a challenged industry, like retail?

KD: One of the benefits of taking this industry approach with a cross-practice and interdisciplinary group is you really start to understand your retail clients. You understand the pressures they're under, not just from a legal perspective, but the business environment in which they're operating.

By immersing yourself in the world they live in, and the issues they have to grapple with ... you really are better able to partner with them, understand them and really provide them with practical, useful and business-focused advice.

What opportunities might arise from that for a law firm?

MS: We're really planning to partner with the Retail Litigation Center in the Defense Division. That's helping retailers see around the corner to identify emerging areas of risk and help get ahead of those areas before they result in live litigation.

[At Akin Gump] Kate and I are part of the class action litigation practice. We really truly value the ability to help our clients thwart litigation, and take some often simple measures and

proactive measures to avoid that exposure. Class action risk is so front and center... there are law firms that just mine claims one after the other. It's an unfortunate reality within the litigation landscape these days ... but we're really pleased to partner with our clients.

On the flip side, do you expect to have to pivot the makeup of this group down the road?

MS: In our view I think it's the more the merrier. There are people who practice almost exclusively in the retail space and people ... who practice across industries. Our view is if you have an energy to learn, if you have an interest in the industry ... we can have 200 or all 900 lawyers at Akin Gump in the retail initiative if there's that interest.

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