

Akin Gump
STRAUSS HAUER & FELD LLP



2015 ANNUAL REVIEW

INNOVATION



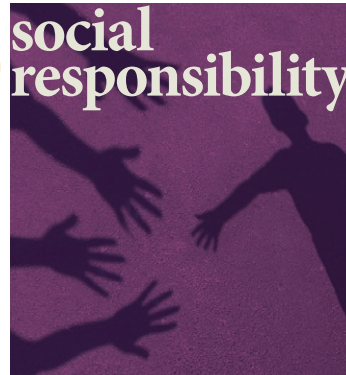
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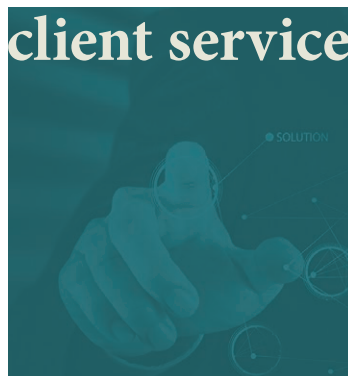
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Kim Koopersmith

Chairperson



Dear Clients, Alumni and Friends,

When you visit our website, you're greeted by four words atop our home page: Entrepreneurial spirit. Innovative solutions. The theme of this year's book is "innovation," which is at the heart of the entrepreneurial spirit of this firm and of the clients we are honored to serve.

For our part, we innovate both in the ways we do our work in order to be more efficient and effective and in the solutions we craft to our clients' most pressing issues. Most importantly, we thrive on partnering with our clients, who are also driving enormous innovation in their ventures. Together, in 2015, we helped them open new markets, develop new products, launch new services and reshape their

industries through vision and savvy—and we did so in ways that were creative and trailblazing.

In the pages that follow, you'll read how we've assisted them as they broke new ground by taking to the air, worked to protect customers from a new and unseen threat, and opened doors to new opportunities.

2015 also saw us defend a groundbreaking win in an EEOC suit challenging use of criminal and credit histories in hiring, advise the government of Japan in its negotiations to join the landmark Trans-Pacific Partnership agreement, fight to ensure that marriage equality is the law of the land in Texas, construct a first-ever argument that allowed our minority

shareholder client a critical voice in a multibillion-dollar restructuring and counsel a Russian airline in an unprecedented refinancing of its debt portfolio.

In short, we at Akin Gump draw on the knowledge and perspective accumulated over 70 years working alongside our clients, even as we look ahead in search of new and better ways to deliver a strategy, a solution, a success to each and every one of our clients.

Welcome to the 2015 Akin Gump Annual Review.



innovation

At Akin Gump, we pride ourselves on the **entrepreneurialism and innovation** that drive not only our business, but our work behind the scenes. From **deploying new in-house technologies** to **creating more efficient and effective processes**, **we innovate for our clients' benefit.**



By utilizing Akin Gump's in-house eDiscovery services, clients pay a third or less of what they would pay a vendor to handle the same project.

We have developed a method that allows us to include no-cost, technology-assisted review in all of our databases.



2015 marked the launch of a multiyear effort to reorganize and standardize firm research and records facilities.

These knowledge management upgrades in responsiveness, timeliness and thoroughness will represent considerable savings for the firm and clients.



In 2015, our trial services team created, opened and staffed a premier wide-format print production facility. Based out of our Houston office, this new service is scaled to handle the full volume required by all of our offices worldwide.

This allows us to offer clients the kind of information security and cost savings that is impossible to find in the general market.



Our international trade team and IT team worked in conjunction to develop a suite of software applications to automate one of our defense client's ITAR (International Traffic in Arms Regulations) agreements review process.

The industry-leading export control compliance system that resulted helps us save clients time and money.



Akin Gump's pioneering use of AGility practice management software allows partners to instantly access financial information to respond to clients' requests.

Matter status, resource allocation, fee and time metrics—all within easy reach, boosting efficiency and cutting costs.

What does innovation mean to you?

“Akin Gump’s health care practice lobby group has set an extremely high bar for consultants and consistently exceeds all expectations. They are always ahead of the game on health care issues in DC, and we know we can count on them to effectively advocate for CHRISTUS in a thorough and professional manner. Although they have other clients, they make us feel as if CHRISTUS is their only client.”

*Gabriela Saenz, J.D., CHRISTUS Health
Vice President - Advocacy & Public Policy*

“In 2015, U.S. Concrete significantly expanded its geographic scope and operational capacity through multiple strategic acquisitions. With Akin Gump’s assistance on six successful acquisitions, we have more than doubled our stock price in less than two years. Given our aggressive growth strategy, it is essential for us to have counsel that can see around corners, anticipate obstacles and address pitfalls. Akin Gump’s innovative, creative problem-solving approach has not only greatly contributed to our acquisition strategy but has smoothed the path for our successful integration efforts and contributed to the winning strategy for our company.”

Paul Jolas, General Counsel, U.S. Concrete, Inc.

“The financing structure was different from our other financings and allowed us to raise funds from a consortium of three development banks, each with their own environmental and social requirements, with additional funding from four commercial banks. Several of these lenders were new to LUKOIL and had to become familiar with our requirements. Akin was able to help us ensure that a complex financing structure would not interfere with our business or that of our partners on the Shah Deniz project, but nonetheless was satisfactory for the banks.”

*Oktay A Movsumov, Head of Project and Structured Finance,
Lukoil Oil Company*

“Akin Gump delivered significant victories for Fireman’s Fund Insurance Company in the first half of 2015 and did so using innovative approaches to discovery and practice management that substantially lowered the cost of their services over the life of the cases. Akin Gump partnered with Fireman’s Fund to build a strategic relationship with Novus Law that resulted in savings close to 30% on the matters they handled for us in 2014 and 2015. We appreciated their commitment to delivering high quality work product both efficiently and economically.”

*Deanna Johnston, former
Vice President of Litigation and
Coverage Counsel for Fireman’s Fund
Insurance Company*

strategic +INITIATIVES

CYBERSECURITY

GOVERNMENT, MEDIA AND BUSINESS AGREE: CYBERSECURITY IS THE #1 CONCERN FOR DIRECTORS AND GENERAL COUNSEL.

On a near-daily basis, headlines point to new breaches involving individuals' most sensitive personal and confidential business information. It is a cutting-edge, high-stakes, fast-evolving field featuring a constellation of federal and U.S. state agencies—and international data protection authorities.

This past year, Akin Gump's cybersecurity practice—a firmwide team of first-call lawyers from our litigation, corporate, investment management, health care, policy and regulation, labor and employment, and international trade practices—advised clients in this shifting landscape of emergent law while navigating their legal, business and political pitfalls.

CLIENT SUCCESS STORIES

Honig's Whistle Stop is an online retailer that supplies referees and other sports officials. In 2015, it experienced a data breach that affected consumers across the United States and around the world. Honig's turned to Akin Gump, and we assisted with the forensic investigation, customer notification and call center management, state regulatory negotiations, discussions with the Payment Card Industry Data Security Standard Council and payment card issuers, and public relations communications. We also notified state attorneys general and successfully avoided regulatory enforcement actions.





A snapshot of 2015 shows our practitioners working with clients to address—or, more importantly, mitigate—cybersecurity threats in six key areas:

Investigations

Following numerous data breaches in the financial services, health care, retail and defense sectors, Akin Gump has led fact-finding efforts for clients; coordinated with management teams, in-house counsel and external technical experts; and prepared required breach notifications and for potential litigation.



Litigation

Hand in glove, our privacy and class action practices collaborated to lead privacy and data security litigation. When data breaches occurred, we counseled clients on how to mitigate liability from privacy and data protection issues and defended them in litigation, regulatory and congressional investigations.



Policy

Companies and organizations looked to shape important public policy and public/private partnership issues, such as standards and protections for cybersecurity information-sharing, legislation, best practices, cross-border data transfer and safe harbor. We worked with them, as we did with trade associations, to educate their members and to analyze the cybersecurity issues affecting them.



M&A Diligence

Mergers, acquisitions, restructurings and other transactions are now critical areas for cybersecurity analysis. We identified vulnerabilities and potential liabilities stemming from undisclosed incidents or breaches and counseled acquirers to ensure that they engage on cyber and IT issues immediately after investment.



Comprehensive Compliance Framework

We worked with a diverse mix of domestic and international clients to develop and test incident response plans and advise on risk management and compliance issues relating to current security standards across regulators. We also advised on third-party vendor agreements to address privacy and data security risks and provided guidance on related vendor diligence efforts.



Board Advisory Work

Cybersecurity is an enterprise risk management issue that must be evaluated to meet fiduciary duty standards. We drafted board-level compliance oversight programs for recently acquired portfolio companies, working with the new board members to manage privacy and cybersecurity risks.



As our client, a global asset management firm, proceeded with its funds' acquisition of the owner and operator of eight hospital systems, we served as cybersecurity, privacy and HIPAA counsel performing due diligence and pre-merger analysis. We conducted deep-dive privacy and cybersecurity diligence of a hospital system built through the recent acquisition of separate hospitals and helped our client evaluate the costs and risks associated with acquiring and managing those systems. We also participated in the drafting and negotiation of the relevant reps and warranties with the hospital system and continue to work with our client and the hospital system to address privacy and cybersecurity risks.

strategic +INITIATIVES CUBA



One year after the United States and Cuba began the historic process of normalization of relations, much progress has been made, but much remains to be done. Decades of mistrust will take years to unwind.

At the same time that the United States and Cuba have undertaken the process of normalization of relations, the Cuban economy is undergoing major structural changes. Raul Castro is committed to irreversible change, but he also is loath to make a mistake as he opens Cuba up to more foreign investment. And one change we are not likely to see any time soon is the government giving up ownership of the most strategic sectors of the economy.

When it comes to understanding and exploring historic new opportunities for trade with, and investment in, Cuba, Akin Gump offers its clients a deep understanding of where Cuba has been and where it is headed in the months and years to come. Our team has worked successfully with key Cuban government ministries and import agencies since meaningful trade opportunities first opened up between the United States and Cuba more than 15 years ago, successfully negotiating face to face with Fidel Castro and other senior Cuban officials on some of the first commercial contracts for sales of U.S. agricultural products.

Building on that experience, Akin Gump formally launched a cross-practice, multi-office Cuba practice in 2015. Harnessing our existing Cuba capabilities in the midst of the evolving political and policy landscapes in Washington and Havana, the firm has built out a team that is prepared to help our clients address the practical legal and policy issues defining business opportunities in Cuba that are now available thanks to improved bilateral relations. This includes immediate opportunities for companies in the hospitality, transportation, communications, health care, agriculture, mining, financial services, building supplies and renewable energy sectors, among others.

“For those clients that want to take part in this historic moment, where Cuba is repositioning itself in the world economy just as the United States is dismantling its embargo, now is the time to get in. Both sides will proceed with caution, but Cuba can’t afford to wait, and U.S. competitors around the world know it,”

shared Anya Landau French, a leading Cuba expert who joined Akin Gump last fall.



One example of the insight we offer clients: our practitioners have made dozens of trips to Cuba with clients, congressional delegations and U.S.-based think tanks. Last fall, partner Scott Parven and senior policy advisor Anya Landau French traveled to Cuba with the U.S. Chamber of Commerce's U.S.-Cuba Business Council. Akin Gump was the only law firm alongside executives from many Fortune 500 companies, and

Parven—who sits on the Council's board of directors and serves as chair of its legislative working group—continues to play an integral role in the Council. Also in 2015, partner Wynn Segall traveled to Havana for meetings with senior Cuban officials as an advisor to a congressional delegation of 10 Senate chiefs of staff on a fact-finding mission with the Center for Democracy in the Americas.

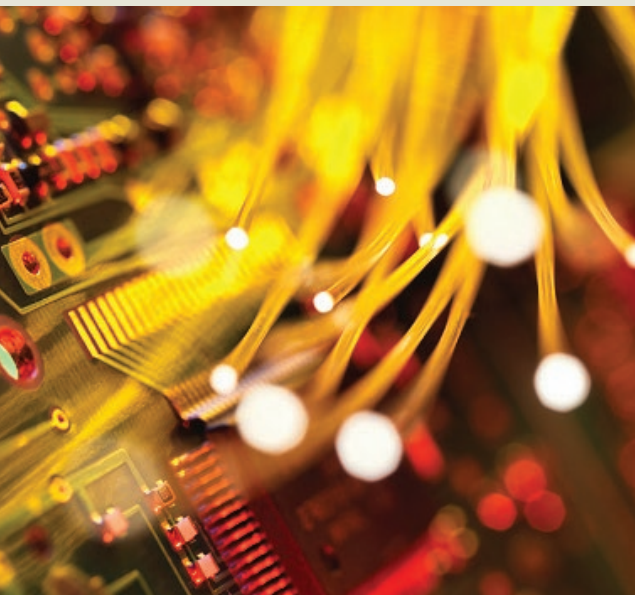
**GIVEN THE FIRM'S YEARS OF EXPERIENCE NAVIGATING
DIFFICULT POLITICAL SITUATIONS IN EMERGING MARKETS,**

**We built a practice in anticipation of
our clients' needs that is prepared to
strategically counsel clients through
changes in U.S.-Cuba relations.**



strategic
+INITIATIVES

emerging TECHNOLOGIES



Every day, more and more of the ways in which we shop, travel, work and relax are being shaped by the digital economy. Sectors, disciplines and tools that seemingly spring to life fully formed offer consumers and businesses increasingly sophisticated ways of transacting their business and conducting their day-to-day activities.

We are proud to number among our clients some of the visionaries that are helping to shape the business landscape of today and tomorrow. Working in the technology, robotics and digital economy industries on products ranging from unmanned aerial systems to the sharing economy to e-commerce, these clients operate in a continuously emerging and developing sector that is often misunderstood by policymakers and regulators.

“We work with companies in this space to present

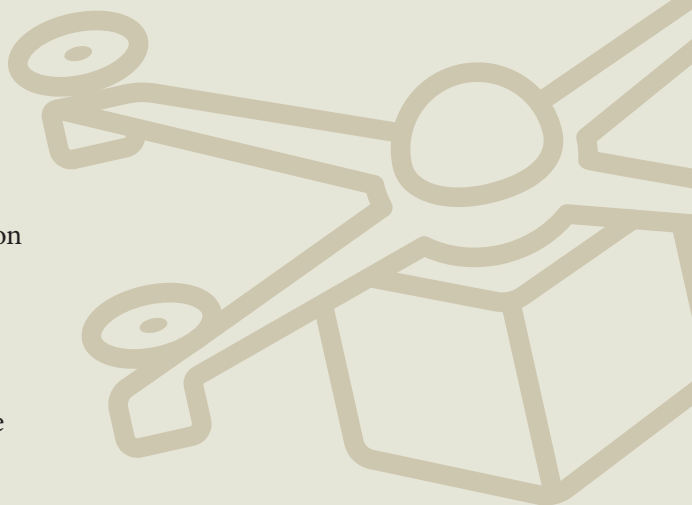
innovative opportunities to maximize revenue

generation,” shared senior policy advisor Michael Drobac. “We currently represent clients from across the entire Internet ecosystem and are helping them transfer to new platforms for distribution of content and services

in the digital economy,” he added.

ONE NOTABLE EXAMPLE: THE FIRM WAS A PIONEER IN RECOGNIZING THE VAST POTENTIAL OF THE UNMANNED AERIAL SYSTEMS (UAS) TECHNOLOGY.

Companies of all sizes from a wide range of industries are leveraging UAS and unmanned aerial vehicles (UAVs) to create efficiencies, boosting business and creating jobs. To accelerate the implementation of policies that will ensure the timely integration of UAS into the global economy, the firm helped found and now counsels the Small UAV Coalition and the European Small UAV Coalition. Together, these coalitions comprise more than 20 companies, including, among others, PrecisionHawk, Amazon Prime Air, GoogleX, Intel and Verizon. In many cases, our work for these companies is expanding beyond the directives of the respective UAV coalitions as the industry continues to grow.





IN THE E-COMMERCE SPACE

WE ARE HELPING companies, such as Amazon and online travel facilitators TripAdvisor and Expedia, **VAULT THE REGULATORY AND POLICY HURDLES** facing the burgeoning global digital economy.

Elsewhere, our clients represent critical components of the Internet ecosystem, including ICANN, the international domain registration entity that serves as the world's Internet architect, and massive open online courses (MOOCs), such as Fresh Air Educators.

We represent both Digital Content Next, the trade association representing online digital content publishers that reach 100 percent of the U.S. online population, and MAXIMUS, the premier provider of government technology solutions.

Much of our work is done from our Washington, D.C., office, where we advocate for clients in a town that often puts up challenges to emerging technology and Internet companies due to a lack of political or regulatory frameworks to integrate new technologies into existing law or even due to a lack of understanding—a concern that extends from the federal through to state and local levels.

To redress this situation, **WE CREATE POSITIVE NARRATIVES FOR OUR CLIENTS' PRODUCTS, BOTH IN THE MARKETPLACE AND AMONG POLICYMAKERS AND REGULATORS;** educate decision-makers at the local, state and federal level; and advocate for these new technologies and their appropriate framework on Capitol Hill and also across federal agencies.

3D

PRINTING

One of the more exciting and newer initiatives in which **AKIN GUMP IS LEADING POLICY DEVELOPMENT EFFORTS IS ADDITIVE MANUFACTURING, OR 3D PRINTING.** Accordingly, we have created a new coalition of industry stakeholders to address the regulatory challenges facing this rapidly developing technology to help law- and policy-makers understand its potential and craft policies to expedite, rather than curtail, its growth.

Our clients are **SHAPING THE FUTURE.**
WE MAKE SURE THEY HAVE THE **FREEDOM TO PUT THEIR IDEAS TO WORK.**

client service



● SOLUTION

"The great thing about Akin is that **they are the most client-focused firm out there**, and they are fantastic lawyers!"

Chambers USA: America's Leading Lawyers for Business, 2015

"I've worked with the great and the good—**when I sat down with Akin, it was the best**. They have a can-do attitude, and are very practical, hard-working and hands-on. **They really understand what a client wants.**"

Chambers UK: A Client's Guide to UK Legal Profession, 2015

"I don't have to push at all: the **answers precede the possible questions and the lawyers lead us, which is very refreshing.**"

Chambers Global: The World's Leading Lawyers for Business, 2015

"**They listened to our issues** and understood immediately what was involved, they **advanced ideas and possibilities** that we were not aware of, and **they took our own ideas and suggestions seriously.**"

Chambers USA: America's Leading Lawyers for Business, 2015

+LABOR AND EMPLOYMENT

EEOC v. Freeman

CHALLENGE

Freeman Companies was facing an Equal Employment Opportunity Commission (EEOC) class action that alleged that Freeman's use of criminal history and credit information in hiring had a disparate impact on minority and male applicants. The EEOC's statistical expert produced a report that purported to prove the existence of this disparate impact.

SOLUTION

Akin Gump achieved summary judgment in the District Court of Maryland by persuading the court that (1) the EEOC was required to, but did not, break Freeman's multifaceted, multistep background check policy into discrete parts to identify a specific part that created racial or gender hiring disparities; and (2) the errors in the report prepared by the EEOC's expert eliminated its value as evidence of disparate impact. After Freeman's victory in the district court, the EEOC continued to challenge Freeman in an appeal to the U.S. Court of Appeals for the 4th Circuit. Akin Gump persisted in its defense and reiterated the unprofessionalism of the EEOC's statistical analysis. The 4th Circuit upheld the district court's dismissal of the case against Freeman. Following this headline-grabbing victory, Akin Gump successfully recovered nearly \$1 million in attorneys' fees from the EEOC because of the EEOC's reliance on flawed evidence.

Law 360 – Practice Group of the Year

For the third time in the past six years, *Law360* selected our firm's labor and employment practice for this honor.

+LABOR AND EMPLOYMENT

Michels Corporation v. Central States, et al.

CHALLENGE

In an effort to minimize its liabilities, the Pipe Line Contractors Association (PLCA) sought to exit from the Teamsters Central States multiemployer pension fund, which was underfunded and imminently insolvent, before Congress allowed elimination of accrued benefits in December 2014. PLCA has contributed to the fund for many years on behalf of its Teamster-represented employees, but, under federal pension law, when an employer exits the fund, it is assessed its proportionate share of the underfunding. At issue in the case was the timing of the PLCA members' exit. In an initial setback to our client, the district court granted summary judgment to Central States.

SOLUTION

Upon appeal, Akin Gump demonstrated that the PLCA companies had properly exited the fund in 2011 due to the provisions contained in a 2011 extension to their collective bargaining agreement. The 7th Circuit overturned the district court's grant of summary judgment—a decision that reduced the group's total liability to Central States by an estimated \$100 million.



+LITIGATION – APPELLATE

USA-India Export-Import, Inc. v. Coca-Cola Refreshments USA, Inc.

CHALLENGE

Plaintiffs argued that Coca-Cola broke the law by charging a 5-cent fee (in addition to the 5-cent statutory refund) on every bottled beverage it sold in New York, and they demanded millions of dollars in refunds and statutory damages.

SOLUTION

In January 2015, Akin Gump secured a major win in New York Supreme Court on behalf of firm client Coca-Cola, defeating a putative class of New York restaurants and convenience stores that asserted violations of New York’s “bottle bill” and state consumer protection laws. New York’s “bottle bill,” like similar laws in 10 states and Guam, requires consumers to pay a refundable 5-10-cent deposit when purchasing a bottle beverage. Plaintiffs claimed that Coca-Cola violated various New York statutes by charging an additional fee that, they alleged, misleadingly duplicated the refundable deposit amount.

After two rounds of dismissal briefing on plaintiffs’ original and amended complaint, the trial court granted complete dismissal of the suit based on the Georgia forum-selection clause in the parties’ contracts. In doing so, the court specifically rejected plaintiffs’ public-policy argument that the New York claims should be allowed to proceed in New York and, instead, accepted Coca-Cola’s arguments across the board. The plaintiffs declined to appeal the decision and also declined to bring a new suit in Georgia, meaning that the dismissal signaled the end of litigation.

A few months later, in a separate bottle-bill-related suit against Coca-Cola and other beverage companies, Akin Gump secured a federal constitutional victory under the Dormant Commerce Clause in the California Court of Appeal.

+LITIGATION

Marblegate Asset Management, L.L.C. et al v. Education Management Corporation et al.

CHALLENGE

Education Management Corp (EDMC) attempted to force a \$1.5 billion out-of-court restructuring without the consent of our clients Marblegate Asset Management LLC and Magnolia Road Capital L.P., bondholders that owned \$20 million in EDMC debt. The out-of-court restructuring was designed to present minority holders, such as our client, with an ultimatum—endorse the proposed restructuring or risk forfeiting the entire value held in their notes.

SOLUTION

Employing an innovative strategy, Akin Gump argued that EDMC’s reorganization attempt violated Section 316(b) of the Trust Indenture Act of 1939 (TIA), a rarely litigated area of law. Although the court refused to preliminarily enjoin EDMC’s proposed restructuring, it expressly found that our clients were likely to succeed on their claim that EDMC’s proposed restructuring—including an intercompany sale that was intended to leave our client with no assets to recover against—would have violated the TIA. Magnolia settled, and EDMC modified the restructuring to temporarily comply with the TIA, but Marblegate continued the litigation to ensure that its bondholder rights remained protected. In June, the court issued a final ruling in favor of Marblegate, expressly agreeing with Akin Gump’s interpretation of the legislative history of the TIA and with our arguments that the statute was intended to guard against restructurings precisely like this one. Also significant is the speed with which the case was prosecuted—Akin Gump conducted extensive discovery and prepared for trial in just three weeks. *The National Law Journal* recognized this victory in its annual feature of winning litigators and their successful strategies.

+LITIGATION

De Leon, et al. v. Rick Perry, Governor of the State of Texas, et al.

CHALLENGE

Our clients, two same-sex couples living in Texas, wanted the right to marry the person they loved and to have the marriage recognized as lawful in their home state.

SOLUTION

The firm obtained a federal court order enjoining state officials from enforcing restrictions on same-sex marriage on grounds that they violated the 14th Amendment to the U.S. Constitution. After Texas appealed, Akin Gump forcefully argued for these clients before the 5th Circuit, skillfully demolishing the state's "responsible procreation" argument and stressing both the legal reasoning for, and humane perspective of, striking down Texas' same-sex marriage bans. Once the U.S. Supreme Court ruled in the same-sex marriage case *Obergefell v. Hodges*, the district court's decision became final. Akin Gump also submitted amicus briefs on behalf of marriage historians in numerous federal appeals courts, including the Supreme Court, which cited the amicus brief we filed in *Obergefell*.

+INTERNATIONAL ARBITRATION

Lukoil Overseas West Project Ltd v. Tiptop Energy (BVI) Corp and Sinopec International Petroleum Exploration and Production Corp.

CHALLENGE

Akin Gump acted for LUKOIL in relation to a \$1.2 billion LCIA arbitration arising from the sale of a 50 percent stake in Caspian Investments Resources Ltd, a BVI corporation that owns substantial oil and gas assets in Kazakhstan. The dispute arose from the completion mechanism for the transaction and included complex issues of Chinese overseas investment law.

SOLUTION

Resolution of the dispute involved navigating, on the client's behalf, complex issues of Chinese overseas investment law and English M&A law and practice. A successful settlement was announced in August 2015 as part of a wider deal resurrecting the previously abandoned M&A transaction and was widely reported in the international press.



Global Arbitration Review – GAR 100

For the fourth consecutive year, the firm was included in this distinguished guide to the top law firms with international arbitration capabilities.

+LITIGATION – INTERNATIONAL

Artan Investments Limited and Others v. The Bank of East Asia, Limited and Others

CHALLENGE

Proceedings against Bank of East Asia, Limited (BEA) and 18 of its directors were filed in response to BEA's announcement of a very significant placement of BEA shares with Sumitomo Mitsui Banking Corporation. Our client, an international investment firm, was suspicious that the placement had been instigated by BEA for an improper purpose. As a first step, we commenced proceedings seeking preaction disclosure of information concerning, among other things, the decision-making process behind the placement.

SOLUTION

In June 2015, the High Court of Hong Kong upheld our client's concerns and confirmed that, in light of suspected corporate governance failings, an investigation of the process by which BEA's directors approved the placement was a proper purpose for applying for preaction disclosure. The case has attracted significant attention given BEA's status as the largest of Hong Kong's few remaining family-controlled banks, the focus on minority shareholder interests, and the relative novelty in Hong Kong of "shareholder activism" and preaction discovery in this context.



GIR 30 – Top International Investigations Law Firms

The firm was included among the top 30 firms in the world for handling internal and government-led investigations.

+INTERNATIONAL TRADE

Frozen Warmwater Shrimp

CHALLENGE

Akin Gump represented the National Fisheries Institute, which is a trade association that represents seafood importers, and Ecuador's National Chamber of Aquaculture, which represents shrimp producers and exporters in Ecuador, in a yearlong International Trade Commission (ITC) investigation in 2013 of whether the governments of seven countries, including Ecuador, provided unfair and illegal subsidies to their shrimp industries. The case was filed by a coalition of 35 shrimp processors located on the Gulf Coast. Had the case succeeded, additional import duties, called "countervailing duties," would have been imposed on shrimp imported from China, Ecuador, India, Malaysia and Vietnam. However, the ITC found, by a 4-2 vote, that imports from the targeted countries had not caused any harm to the U.S. shrimp industry. The case was widely followed in international trade circles—imported shrimp is a \$3+ billion business in the United States and accounts for 90 percent of all domestic shrimp consumption—and is regarded as an upset victory.

SOLUTION

On April 3, 2015, we obtained a decision from the U.S. Court of International Trade in *Coalition of Gulf Shrimp Industries v. United States* that affirmed the negative final determination of the ITC in the countervailing duty investigation concerning frozen warmwater shrimp from China, Ecuador, India, Malaysia and Vietnam. The plaintiffs have decided not to file an appeal. As a result, additional duties costing importers hundreds of millions of dollars were not imposed.

+INTELLECTUAL PROPERTY

EON Corp. IP Holdings LLC v. Sensus USA, Inc., et al.

CHALLENGE

Akin Gump was retained to defend HTC in a patent infringement lawsuit filed in the Eastern District of Texas by EON Corp. IP Holdings LLC against the entire mobile phone industry, including wireless carriers, handset and router manufacturers, and network providers. The technology at issue related to using a Wi-Fi network as a backup means of transmitting data to and from a mobile phone when the cellular network is not available. EON had secured a favorable jury verdict in a previous wave of cases, resulting in more than 50 companies agreeing to take a license to its patents. EON sought damages of more than \$50 million from HTC.

SOLUTION

We were successful in getting the case transferred from East Texas to the Northern District of California. After the court held a *Markman* hearing in May 2013, it construed several critical claim terms in our client's favor, and, as a result, the court granted summary judgment of noninfringement thereafter. In March 2015, the Federal Circuit affirmed the district court's summary judgment of noninfringement.

+INTELLECTUAL PROPERTY

Money Suite Company v. MetLife Inc.

CHALLENGE

Akin Gump defended MetLife in a patent case, before Chief Judge Gregory Sleet of the District of Delaware, involving 887 claims of U.S. Patent No. 6,684,189. The allegedly infringing products and technology were MetLife's websites for financial product quotations and services—the heart of MetLife's business. The plaintiff, Money Suite, also sued numerous other insurance companies, and we led the joint defense group's strategy for winning the case.

SOLUTION

After consultation with our client, we identified several significant patentability weaknesses in the asserted patent. We filed a motion to dismiss on the theory that all 887 claims of the asserted patent were invalid under the Patent Act. We were successful in getting the case stayed pending the Supreme Court's review in *Alice Corp. Pty. Ltd. v. CLS Bank International*, resulting in substantial cost savings for our client and the rest of the industry. Chief Judge Sleet then granted our motion to dismiss and invalidated all 887 claims of the patent. In doing so, the court agreed with our argument that the alleged invention of the asserted patent was nothing more than a fundamental economic or conventional business practice.

+HEALTH

Golden Living and Aegis Therapies

CHALLENGE

On April 7, 2015, the United States District Court for the Southern District of Georgia granted our client Aegis Therapies, one of the country's largest providers of rehabilitation therapy, and our client Golden Living, which owns and operates several hundred skilled nursing facilities (SNFs), summary judgment in a False Claims Act (FCA) lawsuit filed by the United States.

The government alleged that Aegis knowingly provided medically unnecessary therapy to Medicare Part A beneficiaries residing in a Golden Living SNF because the beneficiaries did not achieve "significant improvement." As proof, the government contended that the therapy defendant had a benchmark of billing therapy services at the highest level, 75-80 percent, of all cases.

SOLUTION

The court rejected the government's medical necessity claims, holding that the FCA "requires proof of an objective falsehood to show falsity" and finding that the government's allegations "do not create a material issue of fact for an FCA action." The court also rejected the government's contention that the use of utilization goals was fraudulent.

The case is significant in two respects. First, in the hotly contested area of the government filing FCA actions based upon medical necessity, it demonstrates that the government must prove that the health care provider's clinical judgment is objectively false. Second, the case flatly rejects the notion that a company establishing utilization goals and seeking to be profitable, by itself, creates an FCA violation.

Law 360 – Practice Group of the Year

For the fourth consecutive year, *Law360* selected our health practice for this honor.



+ANTITRUST

AT&T

CHALLENGE

In connection with its acquisition of DIRECTV, AT&T wanted to conduct premerger integration planning to allow for a more efficient postclose integration while avoiding potential issues related to "gun-jumping."

SOLUTION

A team of Akin Gump antitrust, communications and other lawyers served as lead antitrust counsel for the premerger integration planning effort. The merger, which boasts a total transaction value of \$67.1 billion, was completed July 24, 2015. It ranked among the largest deals announced in 2014, according to *Fortune* magazine—and is the largest of those deals to close. AT&T now is the largest pay-TV provider in the United States and the world, providing service to more than 26 million customers in the United States and more than 19 million customers in Latin America, including Mexico and the Caribbean. The team also advised AT&T in premerger integration planning for its \$4 billion acquisition of Leap Wireless/Cricket Wireless, which closed in 2014.



China Business Law Journal

CHINA BUSINESS LAW AWARDS

For the second consecutive year, the firm was recognized at these awards in the category of international trade. *CBLJ* spotlighted our work with Jiangxi Copper, China's largest copper producer, as the company embarked on its first overseas acquisition. It also singled out our work on Giant Interactive's \$3 billion take-private, reported as the second-largest, PE-backed privatization of a U.S.-listed Chinese company.

+INTERNATIONAL TRADE

Air Bashkortostan

CHALLENGE

In 2008, Air Bashkortostan, a Russian airline, leased four aircraft manufactured by a U.S. company to Eram Air, an Iranian airline. Although the leasing arrangement comported with Russian law, Air Bashkortostan did not know that the re-export of these aircraft to Iran was contrary to U.S. export control and sanctions laws. When the U.S. manufacturer subsequently learned of this arrangement and informed Air Bashkortostan that the export required a license from the U.S. Department of Commerce, Bureau of Industry and Security (BIS) and/or the Treasury Department's Office of Foreign Assets Control (OFAC), the airline engaged Akin Gump to help address the export control and sanctions issues.

SOLUTION

Akin Gump helped Air Bashkortostan resolve this Iran sanctions compliance matter without triggering an enforcement action. Our team reviewed the lease arrangement, provided the client with an analysis of the regulatory implications of the transaction, and drafted voluntary disclosures to BIS and OFAC of apparent violations of the relevant U.S. export controls and economic sanctions.

While the disclosures were pending before BIS and OFAC, our team assisted Air Bashkortostan in obtaining an authorization from BIS to have both the U.S. aircraft manufacturer and the U.S. engine manufacturer perform required maintenance and service on the aircraft and its engines. Two and one-half years after receiving the disclosure, OFAC closed its case on the sanctions aspect of the lease by issuing Air Bashkortostan a Cautionary Letter without making a finding that a violation had occurred or seeking to impose a civil penalty. Six years after Air Bashkortostan filed the disclosures, and almost two years after the airline was closed down following a lengthy bankruptcy proceeding, BIS entered into a settlement agreement with Air Bashkortostan, assessing a \$350,000 civil penalty, which was suspended for one year from the date of the order and thereafter waived, providing that the airline commits no further violations.

+PUBLIC LAW AND POLICY

Tribal Client

CHALLENGE

Our client was involved in a long-standing and contentious Internal Revenue Service (IRS) tax audit in which it was represented by another law firm and likely heading to litigation with the IRS. The payments in question amounted to almost \$70 million per year, which would have resulted in very substantial tax payments being due, not just for the past 10 years, but into the future as well. Further, the potential tax liability for the tribal nation mounted into the hundreds of millions for the past and more for the future. Our client needed a team that would challenge both the legal environment and the culturally insensitive government policies surrounding the audit, as well as elevate dialogue with the tribal nation to higher-level officials at the IRS and members of Congress on a government-to-government basis.

SOLUTION

Leveraging the Tribal General Welfare Exclusion Act, a 2014 Akin Gump advocacy effort, which amended the Internal Revenue Code to clarify that benefits provided by tribal nations to their citizens for the welfare of their communities are excludable from an individual's gross income, Akin Gump applied the new law and developed appropriate arguments unique to the tribal nation's customs and traditions, and its relationship with the United States. After only four months, the head of the IRS Tribal Organizations Office agreed to close 95 percent of the audit—a feat not accomplished by any other tribal nation with similar IRS audits still pending last year. The remaining portion was closed less than half a year later. No other tribal audit was successfully concluded like this one.

+PUBLIC LAW AND POLICY

Embassy of Japan in the United States

CHALLENGE

In coordination and consultation with Akin Gump, the government of Japan negotiated with the United States and 10 other countries on the highly politicized Trans Pacific Partnership Agreement (TPP). The TPP would slash or eliminate 18,000 tariffs on goods flowing among the United States, Japan, Malaysia, Vietnam, New Zealand and seven other countries and would facilitate the free flow of goods, services and investment to the mutual benefit of hundreds of millions of people. Despite the benefits of the TPP, many challenges arose within the individual countries and in Washington, D.C., and political and legal obstacles were complex.

SOLUTION

Akin Gump's public law and policy team and international trade team, which are known for their ability to problem-solve the most difficult political situations, played a critical behind-the-scenes role for Japan in advising on the political and legal ramifications of the bilateral deal between Japan and the United States that was announced by President Obama and Japanese Prime Minister Shinzo Abe in October 2015. Our policy team led an initiative in Congress to build a Japan Caucus in the House of Representatives and prepare U.S. legislators for the successful resolution of the U.S.-Japan bilateral deal, which plays an important part in the overall TPP agreement. Akin Gump even helped secure the prime minister an appearance before a joint session of Congress, the first such joint session speech in 50 years, which further underscored the important alliance between Japan and the United States.

+PUBLIC LAW AND POLICY

Leading Clinical Laboratory

CHALLENGE

One of the nation's leading clinical laboratories, which performs cutting-edge, sophisticated blood tests to determine a person's health risk, came to Akin Gump because a number of Medicare's administrative contractors (MACs), known for negatively targeting specialty laboratories, sought to deny coverage of the laboratory's tests under Medicare. As a result, the client would receive no reimbursement from its most significant payer for performing these tests, and Medicare beneficiaries across the country would no longer have access to this life-enhancing technology.

SOLUTION

By leveraging existing relationships with MACs' leadership and strong congressional support, the Akin Gump team reversed these negative coverage policies—a process that often takes several months, or even years—and secured a business-critical victory for the client. Thanks to the all-out effort of the Akin Gump team, this serious threat to the continued viability of this laboratory's business model was successfully eliminated in less than 30 days.

+PUBLIC LAW AND POLICY

Wind Developer

CHALLENGE

Our client was developing a \$190 million wind farm that required U.S. Department of Energy (DOE) Western Area Power Administration (WAPA) authorization to tie into its transmission grid. The project stalled for more than two years, because a Native American tribe raised significant concerns to the White House, DOE, the Advisory Council on Historic Preservation and others regarding the wind turbines' potential to impact resources of cultural and religious significance. Protracted negotiations between federal officials and the tribe failed. Facing the loss of millions of dollars tied to a power purchase agreement, a potential buyer for the project and dozens of turbines, our client needed a team with Washington, D.C., relationships that understood how and where tribal issues, historic preservation laws, the wind industry and the federal decision-making process intersect, in order to secure the approvals needed to begin construction.

SOLUTION

Akin Gump quickly engaged with WAPA and federal and state regulators and developed a strategy: the client and our lawyers would meet directly with the tribe to understand its concerns, craft a resolution and advance the project as quickly as possible. After two months of near-daily calls, meetings and correspondence, we identified a path that would allow our client to begin construction, observed by tribal monitors, while providing the tribe with project site access to observe and provide input on the handling of any cultural resources that were identified. The tribe withdrew its objections, and our client promptly received its federal approvals to interconnect and transmit energy. Akin Gump achieved in three months what the parties had been working on for more than two years.

+MERGERS AND ACQUISITIONS

Ferrellgas Partners, L.P.

\$837.5 MILLION

acquisition of Bridger Logistics, LLC

PJSC LUKOIL

\$1.87 BILLION

sale of its 50 percent share in Caspian Investments Resources Ltd. to China-based Sinopec

Bank of America Merrill Lynch

\$1.9 BILLION

going-private transaction of Shanda Games Limited

Energy Transfer Partners, L.P.

\$1.94 BILLION

drop-down with Sunoco LP of 100 percent of Susser Holdings Corp.

Capmark Financial Group

\$410 MILLION

acquisition of Orchard Brands Corporation

Great Wolf Resorts, Inc.

sale to an affiliate of Centerbridge Partners, L.P.

NewcrestImage, LLC

sale, through an affiliate, of the AC Hotel New Orleans Bourbon/French Quarter Area from Cotton Exchange Investment Properties, LLC, an affiliate of Pacific Hospitality Group

Joe's Jeans

\$80 MILLION

sale of the Joe's Jeans business, and merger of the remaining Hudson Jeans business with the Robert Graham business

Financial Times – Europe Innovative Lawyers

The firm was commended for its counsel to global telecoms operator VimpelCom Ltd in the sale by its Egyptian-listed subsidiary Global Telecom Holding of its 51 percent stake in Orascom Telecom Algérie to the Fonds National d'Investissement for a purchase consideration of \$2.643 billion plus dividends and proceeds, due to be distributed immediately prior to closing, of \$1.862 billion.



+SECURITIES

Laredo Petroleum, Inc.

\$1.1 BILLION

underwritten public offerings of common stock and senior notes

Genesis Energy, L.P.

\$400 MILLION

public offering of 6 percent senior unsecured notes due 2023

Harman International Industries

\$780 MILLION

aggregate underwritten public offerings of €350M of guaranteed 2.000 percent senior notes due 2022 and of \$400 million aggregate principal amount of 4.150 percent senior notes due 2025

Gulfport Energy

\$1.369 BILLION

aggregate, including a \$522 million offering of 10.925 million shares of common stock, a \$497 million offering of 11.5 million shares of common stock and an offering of \$350 million 6.625 percent senior notes due 2023

FirstEnergy Corp.

\$250 MILLION

Rule 144A/Regulation S offering of 4.3 percent unsecured senior notes due 2026 of Jersey Central Power & Light Company, a wholly owned subsidiary of FirstEnergy Corp.

Affinion Group Holdings

completion of a comprehensive recapitalization transaction, including private debt for equity exchange offers and a \$110 million private rights offering for debt and equity

WMI Holdings Corp.

\$600 MILLION

Rule 144A private sale of Series B Convertible Preferred Stock, including \$200 million shares sold to KKR, to be used to fund acquisitions

Diamondback Energy

\$663 MILLION

three equity offerings aggregating 9.5 million shares of common stock

**ADVISED ON
MORE THAN \$181
BILLION
IN TRANSACTIONS
IN 2015**

+FINANCING

SK E&S LNG

as customer in a

\$12.5 BILLION

LNG project under a 20-year liquefaction tolling agreement with an affiliate of Freeport LNG Expansion, L.P. on a series of matters relating to the financing of Train 3

PJSC LUKOIL

\$1 BILLION

project financing of the further development of the Shah Deniz gas field in the South Caspian Sea in Azerbaijan

Lukinter Finance B.V.

as borrower in a novation and amendment agreement in respect of a

\$1 BILLION

term credit facility

SunPower Corp.

financing of a utility-scale solar project in Colorado

Fossil Group, Inc.

as borrower in an approximately

\$1.3 BILLION

credit facility

East West Bank

as administrative agent of a credit facility to Bona Film Group for the latter's

\$235 MILLION

investment in a slate of Hollywood movies from 20th Century Fox

Progressive Waste Solutions Ltd.

as borrower in a

\$2.35 BILLION

term and revolving credit facility

Playboy Enterprises, Inc.

\$45 MILLION

term loan facility

Financial Times – Europe Innovative Lawyers

The firm was recognized for its work in Bangladesh's first international bond offering, as it advised Banglalink Digital Communications Limited, a subsidiary of VimpelCom Ltd., on an innovative \$300 million Rule 144A/Regulation S high-yield bond offering. Banglalink issued \$300 million Senior Notes due 2019, listed on the Singapore Exchange.



+FINANCIAL RESTRUCTURING

Allied Nevada Gold Corp.

represented the debtor (now known as Hycroft Mining Corporation) and certain direct and indirect subsidiaries in the restructuring of

\$699 MILLION in debt

Hercules Offshore, Inc.

represented an Ad Hoc Group of Noteholders in connection with the restructuring of more than

\$1.2 BILLION in debt

pursuant to a prepackaged bankruptcy

Quicksilver Resources, Inc.

representing the debtor in the restructuring of more than

\$2.3 BILLION in debt

PT Bumi Resources Tbk.

representing an Ad Hoc Group of Bondholders in the financial restructuring of

\$375 MILLION

convertible bonds issued by a subsidiary of listed Indonesian coal mining company PT Bumi Resources Tbk—the company is seeking relief on more than half of its total debt (\$4 billion) via a new restructuring plan following the collapse in coal prices

DEPFA Bank Plc

representing the Ad Hoc Group of Holders on the settlement of

€1.2 BILLION

of Tier 1 securities of DEPFA Bank

TORM A/S

representing funds owned by Oaktree Capital Management in connection with the

\$1.4 BILLION

financial restructuring of TORM A/S, a Danish product tanker company listed on the Copenhagen stock exchange, by way of an English law scheme of arrangement, and Oaktree's acquisition of a majority stake in the restructured group

+FINANCIAL RESTRUCTURING

Walter Energy, Inc.

representing an Informal Group of Senior Secured Lenders and Noteholders owed approximately

\$2 BILLION

in connection with the restructuring of more than \$5 billion in aggregate liabilities

Three Former Icelandic Banks (Kaupthing, Landsbanki, Glitnir)

representing holders of more than

\$33 BILLION

in bonds and other debt issued by three major Icelandic commercial banks that failed in 2008 in successful negotiations with the Icelandic government and in the restructurings of the failed bank estates under Icelandic law composition agreements



**Who's Who
Legal**

INSOLVENCY & RESTRUCTURING FIRM OF THE YEAR

The firm was named Insolvency & Restructuring Firm of the Year 2015 by *Who's Who Legal*. The awards recognize "individuals and firms that have performed exceptionally well" over the previous 12 months. In addition, nine partners from our offices around the world were acknowledged as leaders in their field.

+INVESTMENT MANAGEMENT AND TAX TRANSACTIONS

Everstone Group

advised the Everstone Group on the closing of its third private equity fund, Everstone Capital Partners III, with final total investor commitments of

\$730 MILLION

SeaTown Holdings International Pte. Ltd.

represented SeaTown, a subsidiary of Temasek, in the formation of an international feeder for its existing master fund

400 Capital Management LLC

represented 400 Capital Management LLC in a substantial restructuring of its two flagship hedge funds that altered the funds' liquidity terms by adding an additional investor-level gate, and management fee and incentive allocation terms by providing break-point mechanisms in the application of various discounts to such fee/allocation rates. In addition, the flagship funds became directed feeders for ERISA purposes, overhauled the share class structure and incorporated other changes requested by significant institutional investors. Investor consent was sought and obtained in connection with the restructuring.

Castlelake, L.P.

advised on the formation of Castlelake IV, L.P., a

\$1.9 BILLION

fund managed by Castlelake, L.P. The fund was formed around Castlelake's focus on investments in alternative assets, performing and subperforming loans, corporate special situations and dislocated industries, and its experienced leadership in aircraft ownership and servicing. Our firm negotiated with dozens of leading institutional investors, including state and foreign pension plans, foundations and endowments, sovereign wealth funds and funds of funds.

Fir Tree Partners

represented longtime client Fir Tree Partners, a multibillion-dollar hedge fund and private equity fund complex, in the structuring and formation of Fir Tree Special Opportunities Fund VI, LP, a solar and renewable energy-focused private equity fund that raised commitments of more than

\$650 MILLION

We provided innovative solutions to Fir Tree in structuring its solar investment funds, which allowed the funds to more efficiently raise and deploy capital from taxable U.S., tax-exempt U.S. and non-U.S. investors.

HFMWeek – Best Onshore Law Firm



The firm was recognized as “Best Onshore Law Firm – Hedge Fund Start-ups” and as “Best Onshore Law Firm” at *HFMWeek*'s U.S. and Asia awards, respectively. These awards “recognize and reward those hedge fund service providers that have demonstrated exceptional customer service and innovative product development over the past 12 months.”

Additionally, the firm won the category “Best Onshore Law Firm – Hedge Fund Start-ups” at the HFM European Hedge Fund Services Awards, which recognizes firms “that have outperformed their peers and demonstrated impressive customer service, product development and growth.”



social responsibility



Steven Schulman

Pro Bono Partner

assistance fair
 las personas provide
 issues immigrants
 promotion organization people
 family non-profit ser

Some of my proudest moments as the firm's pro bono partner occur when my colleagues approach me with innovative ideas for pro bono matters. For example, Washington associate Courtney Cardin and New York associate Katherine Porter had a strong interest in antitrafficking issues and, so, developed programs in their cities to address the problems faced by women who are victims of the sex trade.

Dallas counsel Sarah Crow read about the flood of unaccompanied Central American children coming across the border to escape gang violence and quickly proposed an internship with Human Rights Initiative, where she worked for three months helping these refugees.

In Geneva, senior counsel Alan Yanovich formed a relationship with the Advisory Centre on WTO Law and now represents developing nations in trade disputes.

My London colleague Davina Garrod learned of a small company that identifies and helps recover stolen, looted

and missing works of art and decided to use her expertise to make sure that they aren't squeezed out of the market by unfair competition.

In Washington, my colleague Michael Drobac is using his regulatory experience to advise a relief organization that will use drones to deliver supplies to survivors of natural disasters.

All over Akin Gump, my colleagues use their skills in pro bono matters about which they feel passionate. They help refugees fleeing persecution, women seeking protection from abuse, families fighting eviction, veterans filing for disability benefits and nonprofit organizations needing wise counsel. This is the heart of Akin Gump's pro bono practice—our people, using their knowledge and experience and harnessing the firm's vast intellectual and other resources to make a difference in the world, one pro bono matter at a time.

international improve
 women advocacy
 non-governmental
 legal seekers political
 community individuals
 human development economic
 participation



Negotiating a Settlement on Behalf of Holocaust Survivors and Victims' Families

A cross-office team helped to broker a settlement on behalf of thousands of Holocaust survivors and family members of Holocaust victims transported by the rail company SNCF during the Nazi occupation of France. SNCF transported approximately 76,000 French Jews to Nazi concentration camps. Fewer than 3 percent of those transported survived.

One survivor was our client Leo Bretholz, who was being deported on a convoy headed for Auschwitz when he escaped through a train window and leapt from the train. Years later, Mr. Bretholz settled in Maryland, where he raised a family and received confirmation that his sisters had died at Auschwitz. Upon hearing that SNCF was bidding on high-speed rail projects near his home in Maryland, Mr. Bretholz joined others in demanding accountability from the rail company for its role in the Holocaust.

Fighting for Marriage Equality in Texas

In October 2013, a team of Akin Gump lawyers filed *De Leon v. Perry* on behalf of clients Cleopatra De Leon, Nicole Dimetman, Victor Holmes and Mark Phariss. The lawsuit requested a declaration that Texas' law denying same-sex couples the right to marry violated the Due Process and Equal Protection clauses of the 14th Amendment.

Plaintiff Nicole Dimetman is a former Akin Gump lawyer. She and her wife, a U.S. Air Force veteran, married in Massachusetts in 2009. Their marriage was not recognized in their home state of Texas, a fact that adversely impacted their family life in large and small ways on a daily basis.

The plaintiffs won the first round in February 2014, when a U.S. district judge entered an injunction blocking law enforcement of the challenged provisions, staying the



Fighting for Marriage Equality continued

decision in anticipation that the 5th Circuit would weigh in. In February 2015, Akin Gump litigation partner Neel Lane argued the case before the 5th Circuit after the state of Texas appealed. The appellate court waited until the U.S. Supreme Court had ruled in the same-sex marriage case *Obergefell v. Hodges*, which it did on June 26, 2015,

holding that marriage is a fundamental right for every citizen, irrespective of sexual orientation. On July 1, the 5th Circuit issued an opinion in favor of plaintiffs, noting that the district court had lifted the stay of its February 2014 injunction and that “*Obergefell*...is now the law of the land and, consequently, the law of this circuit...”



Helping a Blind Navy Medic Maintain Health Benefits

An Akin Gump team represented a U.S. veteran and Purple Heart recipient in connection with the denial of his Federal Employee Retirement System (FERS) disability benefits. Our client joined the Navy in 1985. In 2005, he was severely injured by a mortar explosion during an insurgent strike in Iraq that left him legally blind. Unable to continue active service, he retired from the Navy and began working for the VA Patient Advocates Office. Unfortunately, the VA was unable to accommodate his disability, and he retired with FERS disability benefits. Still wanting to serve, this blind veteran then accepted a position as a legislative liaison with the Blinded Veterans Association, but was later informed by the Office of Personnel Management (OPM) that his modest income from the Association exceeded the salary limits imposed by his FERS disability benefits and that OPM was terminating his benefits, including his and his daughters’ health insurance. OPM indicated that it notified our client of the income restriction in a non-braille letter sent to an address from which he had moved years before. Our client quickly resigned from his position at the Blinded Veterans

Association, but OPM still terminated his benefits. The Akin Gump team filed a complaint with the U.S. District Court for the District of Columbia, alleging violations of our client’s due process rights and discrimination under the Rehabilitation Act and seeking a temporary restraining order and a preliminary injunction to prevent OPM from terminating the FERS benefits. In his memorandum opinion granting the injunction, Judge Richard J. Leon noted:

The Court takes seriously its obligation to reserve injunctive relief for the most extraordinary of situations. Nonetheless, upon careful consideration, I find that injunctive relief is not only appropriate, it is necessary to remedy the profound injustice caused by the federal government against a blind war veteran. Indeed, it is difficult to imagine a situation more extraordinary—or an individual more deserving—of such relief!

—Judge Richard J. Leon // *Minney v. OPM*

**Law 360
Pro Bono
Law Firm
OF 2015**

**Vault Guide to Law Firms
#2 Best Law Firm**
IN THE PRO BONO CATEGORY, AS
RANKED BY LAW FIRM LAWYERS

**2015
Frank W. Newton
Award**
FROM THE STATE BAR OF TEXAS



**2015 COMMUNITY
PARTNER AWARD** from the Marshall-Brennan Constitutional
Literacy Project at American University
Washington College of Law

Recognizes the pro bono achievements of a legal organization whose members have made an outstanding contribution in the provision of, or access to, legal services.

1 LEGAL AID ATTORNEY

FOR EVERY 6,415

LOW-INCOME AMERICANS

In 2014, Akin Gump's U.S. lawyers

PROVIDED CLOSE TO

70,000 hrs

of pro bono legal assistance—the equivalent of nearly 40 full-time attorneys.



CENTRAL AMERICAN WOMEN ARE 14 TIMES MORE LIKELY TO PREVAIL IN IMMIGRATION COURT WITH A LAWYER

From August 2014 – August 2015, Akin Gump represented more than 70 detained women and children at the Karnes City (TX) Family Detention Center. Our pro bono work is possible only with the support of very dedicated lawyers at legal services organizations throughout the United States.

KIPP:

Graduates of KIPP Charter Schools are five times more likely to graduate from college than other low-income, public high school graduates.

Since 2006, Akin Gump has provided more than 15,000 hours of free legal services to KIPP schools across the United States.

97% OF TENANTS FACING EVICTION IN DC HAVE NO LAWYER

Akin Gump funds Equal Justice Works Fellow Jenny Klein Joseph's work to provide legal assistance to low-income homeowners at DC Legal Aid. In 2015, attorneys in Akin Gump's Washington office represented more than a dozen tenants facing eviction.



2015 Beacon of Justice Award

FROM THE NATIONAL LEGAL AID & DEFENDER ASSOCIATION (NLADA)

Honors law firms that create and implement innovative strategies to expand opportunities for America's most underserved families and individuals

HUMAN RIGHTS FIRST
MARVIN FRANKEL
AWARD

Honored by Sanctuary for Families at the organization's Above and Beyond Awards for leadership as one of the founding partners in a new initiative that provides pro bono support to New York City's Human Trafficking Intervention Courts



2015
ST. THOMAS MORE
Award

FROM ST. MARY'S UNIVERSITY LAW SCHOOL

2015 DAVID S. STONER
UNCOMMON COUNSELOR AWARD
from the Dave Nee Foundation



Fred L. Shuttlesworth Human Rights Award

Vernon E. Jordan Jr., senior counsel at Akin Gump, has been selected by the Birmingham Civil Rights Institute as the recipient of this year's Fred L. Shuttlesworth Human Rights Award.

Established in 2002, the Shuttlesworth Award recognizes individuals for their service to civil and human rights causes around the world. It is named after the late Rev. Frederick Lee Shuttlesworth, a civil rights activist who co-founded the Southern Christian Leadership Conference and led the fight against segregation and other forms of racism.

The award, presented on November 21, is the highest honor bestowed on an individual by the Birmingham Civil Rights Institute. Past recipients have included former U.S. ambassador to the United Nations Andrew Young, journalist Charlayne Hunter Gault, U.S. Reps. James E. Clyburn and John Lewis, and the actor Danny Glover.

Pipeline Programs

Akin Gump works to identify and provide opportunities to law students who are members of groups that are traditionally underrepresented in the legal profession.

This is achieved through participation in pipeline programs and by supporting and collaborating with student affinity groups at the law schools at which we recruit.

The firm offers the Akin Gump/Robert Strauss Diversity Scholarship, which provides a \$25,000 scholarship to two outstanding, second-year law students to offset expenses for their third year of law school. Akin Gump has also been an active supporter of the Sponsors for Educational Opportunity (SEO) program since 2008. The SEO program recruits diverse college students and recent graduates from across the country who are entering their first year of law school and places them in summer internships/programs in law firms and financial institutions. Akin Gump hosts SEO interns in four of our offices each summer during this program.

The firm is a supporter of the Thurgood Marshall Summer Law Internship Program, which places high-achieving, inner-city high school students with legal employers for the summer and provides them with additional programming before, during and after the summer designed to help them prepare for a legal career. Akin Gump has participated in a number of workshops and educational events for all Thurgood Marshall interns and has hosted a Thurgood Marshall intern for the past several summers. The firm has also supported the program by hosting a Diverse Careers Panel for all interns to introduce them to various employment opportunities in the legal profession.

Akin Gump recruits at the Sunbelt Minority Job Fair and Lavender Law, and is an annual participant in the Harvard Black Law Students Association's Rising 2L Job Fair. Lawyers from the New York office participate in Columbia Law School's Law Firm Diversity Expo. In addition, the firm's Washington, D.C., office hosts an annual reception and panel presentation for minority first-year law students from area law schools.

The firm partners with law-student affinity groups at a number of law schools at which we recruit to support and participate in events. These organizations include Columbia Law School's OUTLaws Association, Georgetown University's Black Law Students and Latino American Law Students Associations, Southern Methodist University's Asian Pacific Law Students and Hispanic Law Student Associations, the University of Pennsylvania Law School's Women's Association and the University of Texas' Chicano Hispanic Law Students Association.

Columbia
Diversity
Expo

Cinco de Mayo
Celebration

Texas Minority
Counsel Program

Chinese New Year
Celebration

Duke Women
Law Students
Association Panel

Women's Professional
Development
Initiative

Thurgood Marshall
Summer Law
Intern Program

Black History
Month

Penn Law Women's
Association
Annual Dinner

SMU Hispanic
Law Students
Association
Annual Mixer

Working Parents
Initiative

Celebrating diversity +INCLUSIVENESS

At Akin Gump and in the Legal Industry

INTERNAL EVENTS:

Akin Gump strives to foster an inclusive environment and our diversity committees are one of the keys to these efforts. The diversity committees in a number of the firm's offices have offered a number of programs in the past year which have reinforced the firm's message of inclusiveness while celebrating our cultural diversity.

PALS Retreat for New
Associates of Color

Sponsors for Educational
Opportunity Awards Dinner

LGBT Pride Month Celebration

City Bar Diversity
Fellowship
Interview Night

LCLD Fellows
Program

NYU Law Women
Sponsorship 2015-2016

Celebrate Cesar
Chavez Day

EXTERNAL EVENTS:

Our goal as a firm is to support diversity and inclusion among our legal personnel, as well as to support the efforts of community organizations and our clients who are working to expand diversity and inclusion in the legal profession. We are proud to partner with many different community organizations in these efforts.

Metropolitan Black Bar
Association Gala

Harvard Law Women's Association
"Success Day to Day" speaker series

University of Texas Women's Power Summit

Hispanic National Bar Association Conference

UVA Black Law Students Association
Winter Diversity Reception

Harvard Black Law Students
Association 1L Job Fair

OutFest
Film Festival
Opening Night

Lavender Law
Conference

Private Film
Screening—Selma

MCCA Diversity
Honors Gala

Federal Indian
Bar Conference

Human Rights Campaign
National Dinner



firm snapshot

our firm

+ AT A GLANCE

OUR PEOPLE

MORE THAN **900** LAWYERS & ADVISORS




 **50+** NATIONALITIES

220 AREAS OF EXPERIENCE

OUR LOCATIONS




MAKING
21
OFFICES

WITH CLIENTS IN
MORE THAN
140
COUNTRIES

MATTERS
HANDLED IN
MORE THAN
90
COUNTRIES

OUR COMMITMENT

 **76,211**
TOTAL NUMBER OF
PRO BONO HOURS
WORKED IN 2015



OUR APPROACH

INNOVATION
IN SUPPORT OF OUR COMMITMENT
TO PROVIDE SUPERIOR
CLIENT SERVICE

accolades

+FIRMWIDE

Akin Gump was honored in 2015 to be recognized for its efforts and successes, at both the individual and firm level, and by general, sectoral and legal industry media. Following are some of the honors we received in recognition of our work.



The American Lawyer

A-LIST

For the third time in four years, *The American Lawyer* selected the firm for its A-List of the country's 20 leading law firms.

BTI Consulting Group

TOP 30 FIRMS FOR CLIENT SERVICE

BTI selected the firm for its "Client Service 30," a list of the top law firms for outstanding client service, as identified by general counsel.

CIO

CIO 100 AWARDS

For the second year in a row, the firm was selected by CIO as one of 100 organizations "that have distinguished themselves by creating business value through the innovative use of technology." The firm is one of only two law firms thus honored.



Financial Times

NORTH AMERICA'S MOST INNOVATIVE LAW FIRMS

Financial Times ranked the firm among the top firms in two categories in its Most Innovative North American Law Firms 2015 competition: "Compliance & technology" and "Protecting clients' business."



The Lawyer

INTERNATIONAL FIRM OF THE YEAR

The firm was named International Firm of the Year at The Lawyer Awards, which "celebrate excellence across private practice, the public sector, commerce and industry, and the Bar."



The National Law Journal

APPELLATE HOT LIST

The firm was named to the *NLJ's* Appellate Hot List for the eighth consecutive year.



NYSE Governance Services

AMERICA'S BEST CORPORATE LAW FIRMS

For the 14th time, the firm was ranked as one of "America's Best Corporate Law Firms."

A		G		O	
Accolades ...	14, 16, 17, 19, 20, 23, 25, 27, 28, 32, 34, 38	Garrod, Davina	30	Our Firm at a Glance	37
Advocacy	14	Genesis Energy, L.P.	24	P	
Aegis Therapies	19	Glitnir	27	Parven, Scott	9
Affinion Group Holdings	24	Global Asset Management Firm	7	Phariss, Mark	31
Air Bashkortostan	20	Golden Living	19	Pipe Line Contractors Association (PLCA)	14
Allied Nevada Gold Corp.	26	GoogleX	10	Pipeline Programs	34
Amazon	11	Great Wolf Resorts, Inc.	23	PJSC LUKOIL	23, 25
Amazon Prime Air	10	Gulfport Energy	24	Playboy Enterprises, Inc.	25
Antitrust	19	H		Policy and Regulation	19
Appellate	15	Harman International Industries	24	Porter, Katherine	30
Artan Investments Limited	17	Health	19	Practice Management	4
AT&T	19	Hercules Offshore, Inc.	26	PrecisionHawk	10
B		Holmes, Victor	31	Pro Bono	30
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