

## Employment Group Of The Year: Akin Gump

By **Braden Campbell**

*Law360, New York (January 20, 2017, 1:46 PM EST)* -- Between beating back four class actions against Home Depot and helping the NFL restore star quarterback Tom Brady's Deflategate suspension, Akin Gump Strauss Hauer & Feld LLP's labor and employment team easily earned a spot among Law360's Practice Groups of the Year.

While a modest size by BigLaw standards, with about 40 attorneys nationwide, Akin Gump's labor and employment practice makes a big impact for major players in a diversity of industries when complex employment suits arise.

"Our group fits at a critical point of need for a lot of those clients, whether it's retail clients, pro sports clients, private equity and hedge fund clients, construction clients," practice head Bob Lian said. "For many of those clients, labor and employment, and effective management of labor and employment issues, is mission critical to them, and we've built a group that we think can effectively serve those clients and those needs."



Akin Gump's highest-profile work of 2016 was the firm's continuing representation of the National Football League as it sought to impose a suspension on New England Patriots star Tom Brady for his role in the Deflategate equipment scandal. A New York federal judge in 2015 had found that the league abused its power when it suspended Brady for four games for allegedly directing team employees to deflate footballs below a specified minimum pressure. But in April, the Second Circuit overturned the ruling and reinstated the suspension.

The law firm also helped the NFL in other matters, in April winning an arbitration challenge to league Commissioner Roger Goodell's disciplinary powers and in August convincing the Eighth Circuit to reverse a lower court's vacating Minnesota Vikings running back Adrian Peterson's suspension for allegedly violating the league's personal conduct policy.

Home improvement giant Home Depot Inc. could have had a far different year in the courts had it not been for Akin Gump's team. Between April and September, the law firm defeated or trimmed four employee class actions against Home Depot over a host of alleged labor law violations. Akin Gump won Home Depot summary judgment in two of the suits, eliminated five of six liability theories in a complex wage case, and defeated class certification on several claims in another wage suit.

These successes illustrate the firm's strategy of lean case staffing and careful analysis based on close relationships with longtime clients.

"It could be the client is interested in defending a practice or policy or way of doing things to the bitter end, or it could be a simple cost-benefit analysis and they're looking for an early exit, and anywhere in between," partner Gregory W. Knopp said. "Our approach is to understand that at the outset, and everything we do, we do efficiently, with that goal in mind."

The practice grew significantly in 2016, with its headcount rising from the mid-30s to about 40. And though the practice is just a fraction of the size of other employment groups on Law360's roundup, the firm is every bit as potent as many of its larger peers.

This is because the group regularly brings in attorneys from other areas in the firm's broad network when a case involves their expertise. This makes the employment practice's effective size at any given time far larger than its headcount would suggest.

This strategy is put to especially good use in the firm's New York office, where a dedicated employment staff of eight leverages the firm's deep expertise in financial matters to help hedge funds, private equity firms and other financial services businesses work through their employment law needs. This team handles matters ranging from litigating and arbitrating discrimination and harassment claims, to counseling companies going through financial restructuring and union contract negotiations.

Firm leaders are hard-pressed to point out specific 2016 wins for this group, but it's not for a lack of accomplishments.

"Some of the matters that we've been most successful in handling are ones that no one knows about, because they were handled confidentially, often under very pressing circumstances," New York partner Richard Rabin said.

Other significant successes for Akin Gump's labor and employment group in 2016 include helping Chuck E. Cheese's owner CEC Entertainment Inc. defeat class certification on the most costly claims in a wage-and-hour dispute and helping arts and crafts retailer Michaels Stores Inc. reach favorable settlements with workers after trimming their California labor law case three times.

--Editing by Edrienne Su.