

Goodwin Procter Leader Says Firm Committed to Diversity, Growth

By Julie Triedman

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Three months after Goodwin Procter said it would slash 2 percent of its lawyers, the Am Law 100 firm with Boston roots announced three private equity hires Wednesday in its hometown and London.

The Am Law Daily caught up with chairman David Hashmall to discuss his plans for Goodwin Procter as he approaches the end of his first year as leader. Hashmall, 64, is the first litigator to head Goodwin Procter in its 103-year history. He succeeded Regina Pisa, the firm's leader for the previous 16 years, last October. Hashmall shares leadership responsibilities with managing partner Robert Insolia, named to his role in 2012.

In the 14 years since Hashmall joined Goodwin Procter after it acquired his New York-based litigation boutique Schneck Weltman & Hashmall, he has been one of the lead partners spearheading growth of the firm's IP group, handling the most critical patent cases for longtime client Teva Pharmaceutical Industries Ltd., an Israeli generic drug maker, among other pharmaceutical industry clients.

Despite the fact that Goodwin Procter posted record gross revenue and partner profit numbers last year, this spring the 755-lawyer firm let go of 21 litigation attorneys and 17 staffers, citing a slight dip in demand for litigation services.

The Am Law Daily: *You've been responsible for growing Goodwin Procter's IP practice from a relatively small group to more than 100 lawyers. How did you lure folks to the firm? Do you offer guarantees to new hires?*

Hashmall: We do not do guarantee [pay] packages. The firm is very conservative that way. IP litigators and patent lawyers want to work here because they get to work for clients like Teva. When you look at a lot of the case law in the pharmaceutical patent area, Teva's involved in a lot of cases. Teva is very aggressive, cutting-edge. Our work for Teva has expanded to a national litigation practice, and now it's spun off into corporate work. We've done a lot of recruiting from Fish & Neave [now part of Ropes & Gray], Kenyon & Kenyon and Kaye Scholer.

Developing and cultivating young talent is also very



important to me. We're very in active recruiting at the annual Loyola Patent Law fair [in Chicago]. We also have a big commitment to our science adviser program, where we pay scientists full law school tuition and hope they'll come to Goodwin after they graduate—and many of them do. We've gotten about 10 law graduates into our firm that way.

ALD: *Now that you're chair, how have you handled transitioning clients, especially with regard to your largest client, Teva?*

Hashmall: Before I took on this role, I spoke with Teva's general counsel [Richard Egos]. I assured him I'd stay involved but that I'm not going to be arguing motions or trying cases. They were actually thrilled about my becoming chairman. The company saw it as a benefit. Coinciding with that discussion, we were co-counsel with Kenyon & Kenyon's Elizabeth Holland on an appeal for Teva related to the branded [multiple sclerosis] drug Copaxone. That ended up with a win in January at the U.S. Supreme Court.

Elizabeth and four other partners came over in September.

That's been great for Teva, because it's a great addition to our trial bench.

ALD: *Under your predecessor's leadership, Goodwin Procter nearly tripled in size, from about 300 lawyers to 800. Are you going to continue on the same path?*

Hashmall: Regina [Pisa] oversaw a huge expansion of the firm and did so very successfully. We did it without debt, and we did it without the types of acquisitions that could threaten the firm. The biggest acquisition was adding 90 lawyers from Testa, Hurwitz & Thibault in 2005, which turned out to be one of the best acquisitions we ever did, and kicked off our life sciences practice, one of our premier practice groups.

Two years ago, as part of a 10-year strategic plan, we organized into business units and identified six areas as key strengths—IP litigation, private equity, financial institutions, securities and white-collar work, technology and life sciences, and real estate capital markets. I think we are really happy with the groups we've identified as our core areas. I don't see us expanding into other areas.

Geographically speaking, we don't have a lot of small offices. We haven't pursued a strategy of opening offices just to be in a new place. The offices we have opened have been driven by client business. Technology work drove us into Silicon Valley. Real estate and capital markets has been the main driver for London. And Hong Kong is mainly for private equity work. We'll continue to place strategic importance on our California, New York, London and Asia offices. We're not imminently looking to open new offices, but if we see an opportunity, we'd consider it.

ALD: *What about the lateral market?*

Hashmall: We'll continue to grow, but we're conservative about whom we bring in. We look for a cultural fit. We've passed over people with big books of business because we thought they wouldn't fit in. The challenge is to grow the firm and perhaps grow its geographic footprint, while not destroying what makes it special. There are a lot of firms that have tripped up on that.

As part of our strategic plan, we're also looking at what we can do to foster collaboration. We talk about collaboration constantly. It's a mantra at the firm. It's a key determinant in compensation.

ALD: *Would the firm ever consider a merger?*

Hashmall: Honestly, I think there's very little appetite for that right now inside the firm. It would have to be a very special opportunity. It's not like we feel that there's a great big missing piece. That's not our strategy. Our strategy is to build on what's worked for us.

A lot of firms merge out of weakness. We're very strong—we had record profitability and revenues the past two years. So why would we do it now? We get approached, not infrequently, asking if we're interested in mergers, because we have a lot here that's attractive. I take the calls, and so far we haven't seen anything that has tempted us to change course, but never say never.

ALD: *The firm recently ranked 72nd in The Am Law 200 for its percentage of women equity partners, with women making up 16.4 percent of equity partners. Yet Goodwin Procter routinely ranks high on annual lists like Working Mother's best law firms for women and the Corporate Equality Index on the environment for LGBT lawyers. Can you discuss your firm's efforts on diversity and inclusion?*

Hashmall: Diversity and inclusion are part of the core values at Goodwin. When I took on the chair role I announced that, as well as Goodwin is doing on diversity, I wanted it to be better. We've also formed an inclusion advisory committee, of which I am chair. The thought was to bring all the diversity and gender groups together.

We've got a very diverse new associate class, but seven years later, the numbers fall off. Currently we're trying to identify the reasons why we're losing people. We're developing a set of metrics to measure how we're doing. We're having outside consultants meet with our compensation committee and our associate review committee to make sure that what we do is not affected by unconscious bias. We're encouraging more mentorship and sponsorship.

If you look at the Am Law 50 by profits per partner, we're 17th in terms of women equity partners. And if you look at all the partners, not just equity, we're ahead of another 13 of those firms in overall women partner numbers, with 21 percent of partners being women. Over the past 18 months, more than half of our equity partner hires have been women. So we're doing pretty well on the gender side. But we could do better.

ALD: *How do the layoffs square with the past few years of record profitability and revenues?*

Hashmall: It was a very difficult decision for us to make, but one that was dictated by the environment we are in. It doesn't mean that litigation is slowing down across the board. Some areas are growing, while others aren't. The fact is, litigation has always been and will always remain an integral part of our firm.

We've seen some other firms let attorneys go one by one. We opted to do a reduction in force instead—to make it clear to the market that this had nothing to do with individual performance.

All interviews are condensed and edited for style, grammar and clarity.