

On the Move

Sheppard Snags Manatt Bankruptcy Co-Chair

Bankruptcy partner Alan M. Feld moved to Sheppard, Mullin, Richter & Hampton's finance and bankruptcy practice groups in Los Angeles. He comes to the firm from Manatt, Phelps & Phillips where he was co-chair of the bankruptcy and financial restructuring group. Feld's expertise is in cross-border restructuring and insolvency issues with a practice that spans international and domestic bankruptcy, business reorganizations and workouts.

Quinn Lures Patent Litigator From Howrey

Patent litigator David Bilsker jumped from Howrey to Quinn Emanuel Urquhart & Sullivan in San Francisco. Bilsker, who joins as partner, has represented clients in more than 40 patent actions involving technologies, such as medical devices, microbiology and semiconductors. He brought with him a matter for Bio-Rad Laboratories Inc., which already is a Quinn client. Bilsker joined Howrey in 2000, when his firm Arnold White & Durkee merged with the D.C.-based litigation shop. Prior to his career in law, Bilsker earned a master's degree in biomedical engineering and worked as an engineer in the pacemaker field.

Allen Matkins Adds to Litigation Practice

Trial attorney Scott J. Leipzig jumped to Allen Matkins Leck Gamble Mallory & Natsis as a partner in the firm's Century City office. Leipzig has experience in complex real estate, finance, banking and commercial matters with a list of clients that include AT&T, TowerCo, Rich Development Co. and American Housing Group. Leipzig most recently worked at Alston + Bird, where he was a partner.

Skadden Elevates Attorneys to Counsel

Skadden, Arps, Slate, Meagher & Flom promoted 17 attorneys firm wide to counsel. Of that total, three were located in California and include Carrie LeRoy, an intellectual property and information technology transactions attorney, in Palo Alto and litigators Ronda McKaig and Matthew D. Umhofer in Los Angeles.

Reed Smith Adds Partner in Century City

Former McDermott, Will & Emery Partner Francisca M. Mok joined Reed Smith's global regulatory enforcement group and will be based in the firm's Century City office. Mok comes to the firm with experience in shareholder class action and derivative lawsuits and has represented clients before the Securities and Exchange Commission. Past clients ranged from hospitals to retailers in consumer class actions or commercial disputes.

Holme Roberts & Owen Nabs Three Lawyers

David Weinstein and Sharon Weiss joined Holme Roberts & Owen's complex commercial litigation practice group as partners where they will focus on bankruptcy matters. Additionally, Max Rawn joined the firm as project attorney. All three come from Richardson & Patel and will work out of Holme Roberts' Los Angeles office. Weinstein founded the bankruptcy boutique Weinstein, Weiss & Orubegian in 1992 and specializes in reorganizations, complex bankruptcies and bankruptcy appeals. Weiss has represented debtors in multiple industries, including entertainment, consumer electronics and retail sales. Rawn comes to the firm with experience representing a number of clients including Chapter 11 and 7 trustees and creditors.

Alston + Bird Adds Two IP Partners

Alston + Bird gained intellectual property partners David H. Ben-Meir and Rachel M. Capocchia who joined the firm from Hogan & Hartson. Ben-Meir specializes in patent claims involving complex technologies. Among his list of clients are Panasonic, Olympus, Citizen and Seiko. Capocchia comes to the firm with a specialty in intellectual property litigation concentrated around patent, copyright and trademark litigation. She has represented Dow Jones, Panasonic, Sanyo and Hewlett Packard.

Employment Partner Joins Lewis Brisbois

Lewis Brisbois Bisgaard & Smith added Nicole Bolson as partner in the firm's employment and labor practice group. She will work out of the Modesto office with a practice that focuses on employment law, insurance defense, medical malpractice, personal injury, education law and construction defect. She most recently was a partner at McCormick Barstow.

Burke, Williams & Sorensen Adds Three

The Los Angeles office of Burke, Williams & Sorensen added C. Edward Langhammer, Karen C. Freitas and Charles E. Slynstad as partners in its Los Angeles office. Slynstad joins the firm from Morris Polich & Purdy, while Langhammer and Freitas join the firm from Cotkin Law Group. The partners will lend their expertise to Burke Williams' labor and employment law, real estate and business law and litigation practice groups.

Corporate Attorney Joins Fenwick & West

Fenwick & West nabbed Jeffrey M. Bloom to lead its investment fund formation practice as a partner based in the firm's Mountain View office. He previously served as senior advisor at asset management firm Capital Dynamics before HRJ Capital acquired it. Bloom then served as managing director, chief counsel and chief compliance officer at HRJ. He also held positions as chief financial officer at Storm Ventures and partner at Wilson Sonsini Goodrich & Rosati where he specialized in venture capital fund formation and operation.

Partners Join Musick, Peeler & Garrett

Musick, Peeler & Garrett added employment law partners Nicholas J. White and Kristine Kwong. White's practice spans all aspects of employee benefits law, including negotiation of plan defect resolutions, advising and defending fiduciaries on their obligations and liabilities and structuring qualified plans and non-qualified deferred compensation arrangements. White previously served as a partner at Reish & Reicher. Kwong's specialty is in labor and employment law, and has represented private and public employers on matters involving wages and hours, executive compensation packages, discrimination and harassment. Kwong comes to the firm from Hinshaw & Culbertson, where she was a partner.

— Kari Hamanaka and Sara Randazzo

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SMALL FIRM FOCUS

Father Knows Best

Michael and Scott Rapkin opened up their own shop in January. The father-son duo fund their pro bono work with their real estate practice.

By Susan McRae
Daily Journal Staff Writer

SANTA MONICA — Scott B. Rapkin graduated from law school in 2008, when new lawyers seeking jobs in the legal profession were being dubbed the lost generation because of the dismal job market.

Big law was imploding, and funding for public interest work, an area that held particular appeal for him, was quickly drying up.

Coincidentally, at about that same time, Rapkin's father, Michael S. Rapkin, a real estate and business lawyer, decided to reopen a law office, after having sold his practice in 2006 to devote his time to pro bono work.

In January, the two announced the formation of the Law Offices of Michael S. Rapkin, with a unique mission that combines for-profit business and free legal assistance.

"In between making that decision and my opening up this office, Scott and I had a number of conversations about his coming to work with me and how that might work and how it might affect the father-son relationship," Michael Rapkin said.

So far, it appears to be working. "We are on the same page," Rapkin said. "We agree we're going in the same direction."

"Does so-and-so pay their bill yet? This is the reality of what small law firms have to contend with, and he's helping me to run a business. We're enjoying that."

The pair commit 50 percent of their time to representing buyers and sellers of real property in deals and in litigation. They devote the other 50 percent to pro bono causes.

The arrangement helps pay the overhead, while allowing them to pick and choose their pro bono work. It's also given Scott Rapkin a crash course in both the transactional and litigation sides of the real estate practice, which, to his surprise, he found he likes immensely.

"Now that I'm doing real estate and business law I'm finding how much I'm enjoying it because I'm finding how practical it is," Scott Rapkin said. "And I have the opportunity here, because there's just the two of us and because he's my father and he trusts me more than a stranger would, to do all the things I want to do, which is interact with clients, go to court, do the pleadings, interact with opposing counsel. All these things I likely would not be able to do if I was working, especially at a big law firm."

"So, I think it's turned out really well. Not only am I able to do things that immediately make me feel like a lawyer, but we also have the flexibility to do the constitutional law and the pro bono work that I'm really passionate about."

That includes helping the homeless on Skid Row fight jaywalking tickets, representing an elderly woman facing foreclosure on her home and working with his father on a habeas corpus petition on behalf of a Guantanamo detainee from Yemen.

It is Michael Rapkin's second Guantanamo case. He filed his first habeas petition in 2005 on behalf of a young man from Saudi Arabia, while still running his five-lawyer real estate law boutique. The Bush administration released that client in 2007, along with about 550 other detainees, after reviewing their cases.

Rapkin still chokes with emotion remembering the meeting with his client, who was shackled to the



Susan McRae / Daily Journal

Two years after selling his practice to devote himself fully to his pro bono work, Michael Rapkin, left, decided to hang out another shingle and was joined by his son Scott, a freshly minted lawyer.

prison floor, and explaining to him the American justice system and the Constitution and how he wasn't receiving those protections.

It was far removed from the world of real estate law he practiced six to seven days a week.

He worked on that case on his own, with no support from his office. He had to pay all his own expenses, including trips to Washington, D.C. to view secret evidence, to Cuba to visit his client and \$1,400 a day for an Arab translator. In addition, he was starting to do pro bono work with the homeless.

He had done volunteer work in the past but never to the extent he wanted to. But, after 34 years of practice, he found himself in a financial position where he didn't have to work. And, at age 56, he decided to sell his firm to his partner, devote his time to pro bono and volunteer causes — and basically see what it would be like to wake up in the morning and not think about going to work.

After eight months, however, he found he was working four hours a day on his volunteer work and decided it was time to get an office outside the home. It didn't make sense to take money out of his pocket to finance the pro bono work and pay rent on top of that. So, he decided to reopen up a law practice, but dedicate 50 percent of his work to pro bono causes.

"I come here now, and I work because I want to work," Rapkin said. "I'm not under pressure to bill X-amount of time."

A 1975 graduate of San Fernando Valley College of Law, Michael Rapkin never wanted to join a large law firm. He wanted to be his own boss, to take his own direction. He survived in the beginning by taking lawyers' overflow work while building his practice. His wife, Marlene G. Rapkin — who much later decided to return to school and become a lawyer, too — helped out working as a bank teller.

"For better or worse, I knew I was not going to commute to downtown Los Angeles to work in one of those corporate law firms," Rapkin said. "I wanted to go to court right away. You don't do that in big law firms. I wanted to deal one-on-one with clients right away. That's why I wanted to become a lawyer."

He took court-appointed criminal cases and also handled evictions,

bankruptcies and personal injury cases. Eventually, he specialized in areas of real estate, representing buyers and sellers in disputes with contractors, developers, lenders or insurance companies. He also represented hundreds of homeowners associations.

When he sold his practice, he agreed not to engage in any homeowners' association law or practice for a certain period of time.

Meanwhile Scott Rapkin, the middle of three children and the only one so far to go into law, thought similarly about his approach to the practice. He was reluctant to join a big firm and never went through the on-campus recruiting. While a student at American University Washington College of Law, he developed an interest in constitutional law and foreign policy. He spent a summer interning at the American Civil Liberties Union.

When he graduated, he applied at the ACLU's national security office in New York, which handles Guantanamo cases. He also applied at New York University's Brennan Center for Justice, which deals with constitutional and civil rights issues. But no one was hiring.

Back home, he took the State Bar exam and was admitted in December 2008. He started helping his father on some of his cases. Before long, they began talking about joining forces.

From then until now, Scott Rapkin has taken 11 cases on behalf of homeless clients to trial at the Los Angeles County Metropolitan Courthouse. He's also been working with a group of lawyers from the city's top firms, including O'Melveny & Myers and Paul, Hastings, Janofsky & Walker, who also handle those cases, to try to work out a better solution with officials from the city and the courts to handling these cases.

In addition, he's awaiting security clearance so he can accompany his father to Washington, D.C. to review files involving their latest Guantanamo case and to Cuba to interview their client.

Besides their pro bono work, they currently have about six or seven for-profit cases involving real estate deals and litigation matters. They also recently became local counsel on a whistleblower action in U.S. Central District Court, involving an engineer who accused his former

employer of selling below-standard water pipes to municipalities and states.

The two lease space in executive suites a few blocks from the beach, with a knockout view of the Pacific Ocean. So far, they only occupy one office, decorated with personal artworks, including a sign that has followed Michael Rapkin from office to office depicting "The Golden Rule," which says, "Do unto others as you would have them do unto you." It's a motto he's tried to live and work by since beginning his practice.

The two do all their own administrative work and bookkeeping. They prepare a monthly newsletter on real estate trends and pitfalls, which they send out to clients and potential clients in the industry.

Their fee is \$350 an hour at present, which with 34 years of experience, Michael Rapkin notes, is not just low, but a lot low. They also take on contingency cases. And, as things progress, they are looking to add associates.

The only obstacles he can think of so far, Rapkin said, is holding themselves out as real estate lawyers in a middle of a recession, and his agreement not to represent homeowners' associations as part of his arms-length arrangement with his partner who bought him out. Besides that, he added, it's tough to build a practice at any time. The hours are crazy and the state already is inundated with lawyers.

But he also has positive advice for those thinking of going the small firm route.

"For lawyers who might read this article — keep in mind that I had a small firm for well over 30 years — I believe the future is upon us that small firms that have developed a specialty are going to do much, much better, especially after the recession. Large law firms that are charging \$900 an hour, with fancy offices, are not going to continue to be able to do that."

"Most clients — not the Fortune 500 — are going to want to deal with the partner in a small law firm, and they want a face-to-face, and they want to pay rates that, while still extremely high to most people in our society, are a whole lot less than \$800 or \$900 an hour."

"And I believe that's the future."

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Honoring A Legend

Miriam A. Vogel, retired 2nd District Court of Appeal Justice and senior of counsel at Morrison & Foerster, spoke of her long friendship with Florence-Marie Cooper at a gathering Thursday of family and colleagues at the U.S. District Courthouse, where Cooper had served as a judge since 1999. Cooper, perhaps best known for presiding over some of Southern California's toughest cases, died Jan. 15.



Susan McRae / Daily Journal