

Top Boutiques of 2015

GIANT SLAYERS: THE SMALL, HYPER-FOCUSED LAW FIRMS THAT TAKE ON BIG MATTERS AND WIN

LITIGATION

Huang Ybarra Singer & May LLP



Alexander Drecun / Special to the Daily Journal

From left, Grant Gelberg, Aaron May, Katherine Huang, Carlos Singer and Joseph Ybarra

When facing Goliath, David's best course of action might be to hire Goliath's attorney.

The Los Angeles-based Huang Ybarra Singer & May LLP prides itself on the wealth of experience shared among its five partners. Much of that experience, partner Aaron M. May said, was spent serving the big companies they now often litigate against.

"We've all represented Fortune 500 companies, and so we've got experience on both sides," May said. "So when we do get into a fight with a Goliath on the other side, we know how to fight, because we've been there, and they don't intimidate us."

Katherine K. Huang, a former Munger, Tolles & Olson LLP litigation partner and a founder of

LOS ANGELES

Huang Ybarra, said experience has been pivotal over the course of the firm's first year in business. In one such instance, the firm represented Madsen Medical Inc., a medical device distributor, in a lawsuit filed against them by NuVasive Inc., the company's former medical device manufacturer.

When Madsen told NuVasive that it intended to sue some of the company's employees for tortious interference, Huang said NuVasive "rushed to the courthouse" and sued Madsen. That suit, which claims Madsen failed to return certain inventory items to NuVasive, alleges breach of contract, unfair competition, and intentional interference, and was filed in what Huang describes as an attempt to

bully the much smaller company.

"They sued our client thinking that they could just walk in and take whatever they wanted," Huang said.

While the case remains unresolved, Huang said the firm was able to "turn the tables on the plaintiff" by asserting counterclaims worth millions of dollars and then winning the summary judgment on NuVasive's key claims, leaving them with claims for only tens of thousands of dollars. The firm also proved that the manufacturer had destroyed evidence related to the case and convinced the judge to impose sanctions for the larger company's spoliation, Huang said.

"They were not expecting such a large response," Huang said.

With only five attorneys and six staff total, Huang said the firm has

been guarded against unnecessary growth to preserve its reputation as a premier litigation boutique. In addition to Huang and May, who is a former assistant U.S. attorney, the firm launched with Joseph J. Ybarra, a fellow Munger Tolles litigator, and Carlos Singer, a partner at Willenken Wilson Loh & Delgado LLP. Since then, they've added Grant B. Gelberg, who was also an assistant U.S. attorney.

"Part of our philosophy is to keep lean and mean to keep overhead as low as we can. We provide the services we need to with as little additional cost as possible," May said.

Ybarra notes that as a new boutique firm, one of the largest obstacles the firm faces is a prospective client's unwillingness to break away from the status quo.

"There's always a certain inertia that you're fighting against, where companies hire the firms they've been hiring for 20 years because it's the easy thing for them to do," Ybarra said. "As a new start-up, you're always fighting against that."

While the first year can often be chaotic for firms, Ybarra said the members' wealth of experience and rich network of contacts has helped avoid most of the traditional hiccups.

"We're fortunate enough where we've had great relationships with the people we've worked with before where if a client comes to them... and they decide it doesn't fit or there's a conflict, they can send it our way," Ybarra said. "That's a vote of confidence from someone the client obviously trusts, which is a big way you can get over that sort of hump."

— Steven Crighton