

# Daily Journal

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## Back to the Courtroom

*Larson O'Brien partners left big law to focus on building a broad but potent litigation boutique.*

By Nicolas Sonnenburg  
Daily Journal Staff Writer

**L**OS ANGELES — Former federal judge Stephen G. Larson and Robert C. O'Brien left big law firm management to focus on building a potent litigation practice.

Growing a large firm wasn't the goal, O'Brien already did that when he built the West Coast presence of Arent Fox LLP into more than 100 attorneys in two offices in less than a decade. Nevertheless, Larson O'Brien LLP has grown in a year from 11 attorneys to 21, including the two name partners.

The men say they are determined to stay small to allow them to focus on litigation. And they appear to be succeeding in snagging some large or marquee matters.

Larson is six months into trial defending Jeff Burum in a public corruption case that Gov. Jerry Brown called the "biggest corruption scandal in San Bernardino County history, possibly in California."

Burum is accused of leveraging a \$102 million settlement between Colonies Partners LP, his development firm, and San Bernardino County through bribes and extortion. Despite the amount of time already spent on the case, the judge and the jury are still listening. *People v. Biane*, FSB1102102 (San Bernardino Super. Ct., filed May 9, 2011).

"He has a low, stentorian voice, very commanding in the courtroom," said Larson's co-counsel, Jennifer L. Keller, a partner at Keller/Anderle LLP. "And he's very nice. Jurors pick up on what kind of person you are. He's got a nice sense of humor, but he's not full of himself. People want to listen to him."

O'Brien, who has significant business as a special master and international arbitration panelist, is also defending HVI Cat Canyon Inc. against allegations the company spilled oil at its Santa Barbara facilities. Two weeks ago the firm won nearly \$1 million in sanctions and fees against the state of California after the court found that officials allowed the spoliation of evidence. *United States of America et al. v. HVI*



Juliane Backmann / Special to the Daily Journal

From left, Stephen G. Larson and Robert C. O'Brien of Larson O'Brien LLP at the Ronald Reagan Federal Building in Santa Ana.

*Cat Canyon Inc.*, 11-CV05097 (C.D. Cal., filed June 17, 2011).

Larson and O'Brien started their litigation boutique Larson O'Brien LLP just over a year ago when they left senior managerial positions at Arent Fox LLP, taking nine lawyers with them. O'Brien successfully built Arent Fox's West Coast practice from nine attorneys to more than 100 in under a decade.

"Substantively, we just wanted to focus on litigation and appellate work," Larson said of their decision to leave. "Robert and I love the courtroom."

Since the firm's founding, the duo has tried to steer clear of a niche practice, which Larson acknowledges can be tempting.

"It's easy to keep doing the same thing over and over again," he said. "But I don't think that's as satisfying and I don't think you continue to maintain your broad skills as a lawyer."

Their work certainly has variety. In the last year, the firm was retained by Oklahoma Attorney General Scott Pruitt, now U.S. EPA head, and Arizona Attorney General Mark Brnovich to represent the two states in the Volkswagen AG emissions litigation, winning motions to keep the case in their respective states and out of the multidistrict litigation in San Francisco.

The firm successfully won a demurrer in a class action claim against

F. Korbel & Bros. Inc., which was accused of not disclosing arsenic levels in its sparkling wine. *Charles et al. v. Sutter Home Winery et al.*, BC576061 (Los Angeles Super. Ct., filed March 16, 2015).

The firm's lawyers pride themselves on providing clients a unique perspective by having a hand on the pulse of the political climate nationwide.

"There's certainly not a firm our size in California, there are very few larger firms, that have three partners who have been confirmed by the Senate and have had presidential appointments," O'Brien said.

O'Brien has held several diplomatic roles, among them serving as the U.S. alternate representative to the U.N. General Assembly and serving as the founding co-chairman of the Department of State's Public-Private Partnership for Justice Reform in Afghanistan from 2007 to 2011. He was also a foreign policy adviser on Mitt Romney's 2012 presidential bid as well as Wisconsin Gov. Scott Walker's 2016 bid.

Nationwide radio host Hugh Hewitt, who is of counsel, served in several White House positions during the Reagan administration. Larson was a federal judge in the Central District of California from 2006 to 2009, presiding over some large and headline-grabbing cases, including the sprawling intel-

lectual property fight over the Bratz doll line.

Previously, he served as magistrate judge and a federal prosecutor in the Central District.

Recently, the firm opened a satellite office in Washington, D.C. to handle an increasing number of cases in the District of Columbia and Northern Virginia.

"We understand how government agencies work and we understand how decisions are made at the highest levels of the DOJ, of the Department of State, of the EPA," O'Brien said. "And we can bring that experience to bear in advising our clients and in fashioning litigation strategies for them when the federal government is involved in cases."

Larson's position as a former judge is especially unique, bringing a perspective that most firms lack.

"I have to imagine that it brings a tremendous advantage," said Michael J. Bidart, partner at Shernoff Bidart Echeverria LLP. "They know the inner workings of how the courts work. The rest of us are left guessing."

On top of the firm's litigation work, both Larson and O'Brien are involved in arbitration and serve as special masters on occasion. O'Brien is the court appointed special master in *Basile et al. v. Valeant Pharmaceutical International Inc. et al.*, 14-CV02004 (C.D. Cal., filed Dec 16, 2014).

Larson and O'Brien have remained steadfast in their commitment to keeping the size of their firm slim. Surprised by how quickly they were able to grow — the firm now has 21 attorneys — both partners say that they don't want the firm to get any bigger than 30 or 40 attorneys.

Rather, they are looking to build on a strong group whom Larson sees as effective communicators.

"The best trial lawyers are those who can tell a story," said Larson. "They can take complex legal issues and take complex factual disputes and reduce them to a story that makes sense to a jury, that makes sense to a judge, and can be persuasive in doing so. That's the type of lawyer we're looking for."