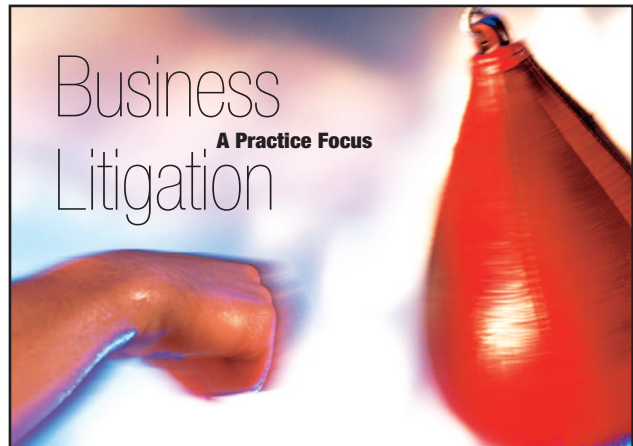


Identifying **10** Leading Business Litigation Attorneys

A business litigator is a many splendored lawyer. One day he's developing game plans with his client's in-house attorneys. The next he's negotiating a fair settlement with opposing counsel. The following day, he's trying to hold the jury's attention with an explanation of some complex accounting methodology or recondite advance in biopharmacology. Not to mention juggling stubborn CEOs, tricky depositions, and multi-pronged litigation in federal and state courts across the country.

Washington, D.C., boasts many expert business litigators, but the 10 profiled here stand out even in that crowd. Some of them specialize in the highest-stakes areas of commercial contention such as securities fraud and patent infringement. Others are generalists in the ways that companies come to



blows. They all tend to focus on resolving disputes between corporations rather than mediating the blows of government enforcement.

Legal Times reporter Attila Berry and freelancer (and former *Legal Times* reporter) Siobhan Roth wrote these profiles. Business Editor Anna Palmer and reporters Nathan Carlile and Alexia Garamfalvi did key reporting.

Leading LAWYERS

Ten of the D.C. Area's Top Business Litigation Attorneys

George Pappas

Covington & Burling

If anyone knows the best way to explain a patent case to a federal judge, it's George Pappas. After all, the Covington & Burling partner has taught patent litigation to federal judges at more than 30 Federal Judicial Center workshops since 1996.

"I can't think of a better guy to handle a patent case for us than the lawyer who taught the judge," says Andrew Merdek, general counsel for Cox Enterprises Inc. Pappas is "terrific at explaining technical things in layman's terms and a quick study," Merdek adds. "But almost more important, he's very quick at reading people. A lot of patent lawyers are quick at reading cases, but terrible with 98.6-degree human beings. George is great at that."

The Atlanta-based media company has turned to Pappas for three cases—two that are ongoing—over business-method patents used by Cox subsidiary Manheim Auctions.

The challenge in patent litigation lies in how to present very complex material in a way that can be absorbed by the judge and jurors in a short time. Unlike the many patent litigators with technical backgrounds, Pappas, 56, is a career litigator. He has served as lead counsel in more than 300 cases in federal and state courts covering everything from electrosurgical equipment to pore-clearing strips to an operating system for mobile devices. And still, he stresses, "you will never hear me say it's easy."

"A lot of times," says Pappas, "you'll hear people say you just need a good lawyer to make a clever argument. I'm not saying that's not true, but before that clever, thoughtful

argument can carry the day, it has to be explained and it has to be understood by the listener." To do this, he tries to relate the sophisticated technology at issue to more common human experience; he even draws on education theory.

"Some of us learn visually, some of us have to hear it," he says. "I give the jury both. I tell them. I show it to them, and sometimes I repeat. I might say, I hope you don't mind that I'm

having the witness repeat this, but it took me four times to get it."

And where some attorneys act as if the judge is yet another foe, somehow impeding their efforts with the jury, Pappas tries to answer the judge's unspoken questions. "He looks at it from their point of view, which I don't think a lot of litigants do," one client says. "He understands their concerns about how the rulings will fare on appeal."

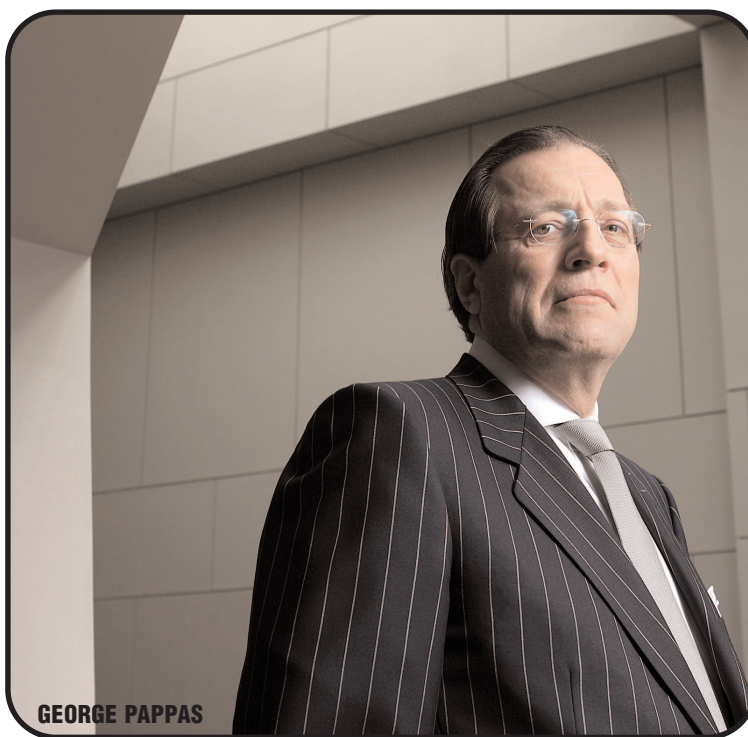
Philip Johnson, who serves as head of intellectual property litigation at Johnson & Johnson, another one of Pappas' repeat customers, adds that the litigator's demeanor also

plays a role in his success. Recently, Pappas successfully defended the company's patent on the antibiotic Levaquin against a generics challenge from Mylan Laboratories Inc. "Our cases are large enough that no one lawyer can do them alone," Johnson says, but "George is thoughtful and thorough, and his positive approach attracts a good team."

A 1975 graduate of the University of Maryland School of Law, Pappas started out with the now-defunct Baltimore firm of Melnicove, Kaufman, Weiner, Smouse & Garbis and then spent 17 years with Venable before making the move to the D.C. office of Covington in 2005.

Later this year, Pappas is preparing for an even bigger personnel shift: He's engaged to marry U.S. District Judge Kathleen O'Malley of Cleveland in October.

—SIOBHAN ROTH



GEORGE PAPPAS