

Sitting Pretty

DOG EAT DOG; SURVIVAL OF THE FITTEST—AMERICANS USE THESE catch-phrases to describe our highly competitive economy. But oddly, that scrappy one-upmanship doesn't apply when chief legal officers choose law firms to represent them in bruising legal battles. Instead of inciting bidding wars, they call on the firms they already use.

How do we know? We've conducted our Who Represents America's Biggest Companies survey for the last five years. To gather our data, we asked Fortune 250 GCs to name their "primary" law firms in four key areas. We discovered that for corporate transactions more GCs called on firms like Skadden, Arps, Slate, Meagher & Flom and Davis Polk & Wardwell. For litigation, more used Kirkland & Ellis. Other large, multitalented, and multinational enterprises were chart-toppers for intellectual property and labor and employment work.

Our reporting found that it is more than firepower that makes general counsel hit redial on their speed-dial. There's something else going on, something less tangible. Advertising types know it well: It's the power of branding.

Call it the iPod effect. Lots of products do the same thing, but they don't have the same cachet. When it comes down to image and prestige—and it usually does—GCs want number one on their side.

—ANTHONY PAONITA

WHO REPRESENTS AMERICA'S BIGGEST COMPANIES

Defending and Protecting

WE SURVEYED THE FORTUNE 250 AND ASKED THEM TO LIST UP TO SEVEN PRIMARY LAW FIRMS IN EACH OF the following practice areas: litigation, corporate transactions, labor and employment, and intellectual property. Ninety-three of those businesses provided information on which outside counsel they use.

Primary Outside Counsel

Company (# of Lawyers)	Top Legal Officer	2005 Revenue (millions)	Litigation	Corporate Transactions	Labor and Employment	Intellectual Property
UnumProvident Corporation (88)	Charles Glick, EVP, GC	10,437	Begos & Horgan; Figari Davenport; Paul, Hastings; Pierce Atwood; Sullivan & Cromwell; White and Williams	Alston & Bird; Sullivan & Cromwell	Alston & Bird; Kilpatrick Stockton; Miller & Martin; Paul, Hastings; Seyfarth Shaw	Will not disclose

METHODOLOGY

TO FIND OUT WHO REPRESENTS AMERICA'S LARGEST corporations, we sent surveys to the general counsel of the Fortune 250. We asked them to name their primary law firms for litigation, corporate transactions, labor and employment, and intellectual property.

In the charts, primary outside counsel refers to the law firms that are on the company's preferred list; the "go-to" firms for a specific practice area; firms that handled the most important cases in the previous year; firms used most often; and/or firms with the most billings from that company. The choice of which firms to name was up to the company, but corporations had to limit their selections to seven firms per practice area. Law firm names have been shortened for space.

We heard from 235 companies, although 142 of those businesses refused to provide any information regarding their outside counsel. When companies declined to participate, we noted "Will not disclose" on the chart. There were also 13 cases where we did not receive a response from the company. In those instances we noted "Company did not respond by press time."

—ABDUL WASHINGTON AND BRITTANY SOMMER

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