

EXTRA

Trials, transactions
and the insider's guide
to the practice of law.

Supplement to the Los Angeles Daily Journal
and San Francisco Daily Journal

COVER STORY

TOP 100

Taking the moment and making it matter

The world descended on San Francisco in February. As same-sex couples stood in line for hours to exchange wedding vows, CNN and other news organizations asked them to share their stories.

The city was excited, festive. Aware it once again had unfurled a banner for change. Stores touted signs saying things like "show your same-sex marriage license, receive free champagne." San Francisco had taken center stage in an issue that threatens to split the nation and, in the process, likely wrote itself into the history books.

For most citizens, a civil rights movement is captured in moments, through images that last long after the battles are won: A woman sitting on a bus. Slaves taking food and clothing from the hollow of a tree on their way north. Billie Jean King defeating Bobby Riggs in the Astrodome.

To that lexicon of historic moments, San Francisco, long accepting of gays, added "spouses for life." But unseen in the clips and images sent to homes and Internet sites across the country were the hundreds of hours of planning and strategy that went on before the first wedding and that continue today.

The TV cameras have returned to Iraq and the presidential election, but the lawyering on marriage for same-sex couples has just begun.

Collecting votes for this year's Top 100, the staff of Daily Journal EXTRA found that no issue captured the community more than gay marriage. As a result, the names of Therese Stewart, Kate Kendell, Jon Davidson and Dennis Herrera entered this year's list.

Each year brings with it a new case or practice area in which lawyers are making their impact felt. Years past have seen the rise (and last year's fall) of the Gray Davis administration; technology, which made the Silicon Valley king before falling flat; an increased awareness on public interest work after 9/11; and litigation relating to corporate fraud, the Catholic church and energy.

Of course, some members of our list are perennials, their faces and accomplishments on the pages of our Top 100 issue as familiar as an old friend's. In this year's Top 100, our seventh annual, those fighting for equality — in marriage, at California's schools (*Williams*), over the Internet and in the work force (Wal-Mart) — grabbed your attention along with anyone who

John W. Keker, Name Partner, Keker & Van Nest, San Francisco (TOP 10)

When corporate execs face unwinnable cases, they call Keker. Client Frank Quattrone, the high-profile former Credit Suisse First Boston investment banker charged with witness tampering and obstruction of justice, got a hung jury in his first trial but received 18 months in prison after a second one. Keker vows to appeal that case, and the former public defender knows when to fight. He convinced another infamous client, Enron Chief Financial Officer Andrew Fastow, to plead guilty in January to charges of manipulating the company's financial results. Fastow is cooperating with the government and expects to receive a 10-year prison sentence. These days, Keker's caseload includes three attorney malpractice cases and six patent infringement cases, for clients including Genentech, Google and National Semiconductor.



"He really is the most fearless trial lawyer before the most hostile tribunals. Not too many of us would want to run the gantlet he's had to run."

Mark Lemley, professor, Stanford Law School

Lemley made news when he jumped from Boalt Hall to Stanford Law School this year, but the tech guru also juggles clients ranging from Google to Intel to Genentech as of-counsel at Keker & Van Nest. Last month, the 9th U.S. Circuit Court of Appeals affirmed summary judgment for his client Grokster against MGM Studios, saying that providing file-sharing software does not violate copyrights. Lemley also won a \$58 million patent judgment for the University of Colorado Foundation over a reformulated vitamin for pregnant women.



"The two words that come to mind are 'brilliant' and 'prolific.'"

has the attention of Gov. Arnold Schwarzenegger.

We collected 1,500 votes from the legal community this year. We've broken out the top 10 vote-getters, who appear alphabetically and with slightly longer profiles, at the front of our list. They're followed by the 90 who round out the Top 100, with an influence that extends from San Diego to Sacramento, from the courts to the boardrooms, from youths who cannot afford lawyers to the wealthiest companies and individuals in the state.

With a new frontier joined in the battle for civil rights, it's probably no surprise that this year the legal community voted for our most diverse list ever: 22 women and 21 individuals who are ethnic

minorities or openly gay or lesbian are included.

The flock of media drawn to the San Francisco clerk's office on those rainy days soon departed for the next big story even as the newlyweds and their lawyers settled in for the long, often-agonizing years of courtroom battles. Other members of our list, including the state's attorney general and the chief justice, have taken roles in the continuing saga, playing their respective parts on the road to justice.

Creating a moment in history is a special accomplishment. Picking up where that moment ends and carrying a cause to the finish is extraordinary.

— Robin Davidson