

Daily Journal

COVER STORY

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Making
Mentors

TOP 75 WOMEN LITIGATORS

Editor's Note

This week, we celebrate the achievements of some of the state's top women litigators. Two years ago, we honored 30. Last year, we honored 50. This year, we're honoring 75 lawyers whose courtroom prowess would distinguish them in any crowd.

Litigators are considered the toughest among lawyers. For now, it seems worthwhile and necessary to highlight that women litigators can be every bit as aggressive, savvy and accomplished as their male colleagues.

But it won't be long before we look back on this list as the expression of an antiquated stage in the development of the legal profession and our society.

These lawyers' achievements speak for themselves. But how did they learn

the skills and determination they bring to their clients and into the courtroom?

We asked our honorees about their mentors. They told us about lawyers and judges, male and female, their fathers and mothers, their French teachers, who guided them, offering encouragement, criticism and practical counsel.

In the course of our reporting, we discovered what rich, diverse experiences these lawyers bring from the world outside into the courtroom. Among the 75 lawyers is a former rocket scientist and a former punk rock band manager. The group includes a former opera singer, a Napa Valley restaurant owner and a magazine editor.

But it was the practice of law that eventually drew their passion and their intellects.

When they turned to the law, they often found powerful mentors to help guide them through a profession that hasn't been the most encouraging place for women.

In Homer's "The Odyssey," Mentor is the name of the old man who serves as a trusted adviser to Odysseus. But the key mentoring role in "The Odyssey" is played by Athena, the female goddess of justice, war and the arts. She appears in disguise as the old man in order that Odysseus and his son will accept her advice.

We are delighted to offer our readers this comprehensive portrait of the state's most prominent women litigators. These women don't have to don any disguises to get their wise counsel taken seriously.

PROFILES ON REVERSE

Daralyn J. Durie ■ Susan J. Harriman ■ Jan Nielsen Little

TOP 75 WOMEN LITIGATORS

Daralyn J. Durie
San Francisco

Place of birth:
Ottawa

Law school: UC
Berkeley Boalt Hall

Law firm: Keker &
Van Nest

Practice area:
Intellectual property

Recent big case: Last year, Durie represented Santa Clara's Speedera Networks Inc. in two patent-infringement cases brought by Akamai Technologies Inc. of Cambridge, Mass. Akamai and Speedera, rival businesses, were fighting



over technology that uses a network of servers to make Internet content available to customers more quickly. Akamai sought an injunction that would have shut down the company, but the case was resolved when Akamai purchased Speedera for \$120 million.

People would be surprised to know that: "before becoming a lawyer, I was a Ph.D. candidate in comparative literature, studying post-structuralist and deconstructionist theory. I didn't finish my dissertation because I discovered — after I had finished studying for my oral exams, unfortunately — that I really enjoyed being a lawyer."

Mentor: John Keker tops Durie's list of

mentors. "He is the main person most responsible for making me realize that being a trial lawyer is just plain fun. We get to engage in the purest form of intellectual combat, and we even get paid to do it!"

Her other mentors include Keker colleagues Susan Harriman, Jeff Chanin and Elliot Peters.

Mentoring: Durie also might be mentoring a future trial lawyer at home. When her daughter started kindergarten, she was asked what Durie did for a living. "She answered, 'She talks.' When asked, 'Why does she talk?' my daughter, ever perceptive, said, 'She talks to win!'"

— Amy K. Spees

Susan J. Harriman
San Francisco

Place of birth:
Providence, R.I.

Law school:
Hastings College of
the Law

Law firm: Keker &
Van Nest

Practice area: Complex business
litigation

Recent big case: When Electronic Data Systems Corp. sought more than \$20 million for fraud and breach of contract against Aspect Communications Inc. over



an outsourcing agreement, Harriman flipped the case on its head. After a three-week hearing, an arbitrator ruled that Aspect was owed \$1.4 million on its counterclaims and that Electronic Data's claims were moot.

People would be surprised to know that: "I have a black belt in Uechi-ryu karate, which I received at the age of 18. I taught self-defense classes for women in order to help pay my way through college. Although I no longer study, my dad is a 7th-degree black belt and, at the age of 80, still runs a karate school in Hartford, Connecticut."

Mentor: In 1985, Harriman joined what is today Keker & Van Nest, where she

found an influential mentor in John Keker. "John instilled in us a fierce desire to achieve excellence, both in our written work and in the courtroom, and proved that trying cases [and being a lawyer] is fun."

Mentoring: Some of Harriman's students include Keker & Van Nest's Wendy Thurm, David Silbert and Steve Hirsch.

"David Silbert and I did a three-week arbitration hearing together last year, and it was a pleasure watching him do direct and cross-examination. Yet it doesn't seem that long ago that I was answering basic questions from him and giving him tips on taking a deposition."

— Amy K. Spees

Jan Nielsen Little
San Francisco

Place of birth:
Oakland

Law school: Yale Law
School

Law firm: Keker &
Van Nest

Practice area: White-collar criminal
defense

Recent big case: Little represented Enron's former chief financial officer, Andrew Fastow, in his January 2004 guilty plea to conspiracy to commit wire fraud



and conspiracy to commit securities fraud. He originally faced 98 criminal charges but cooperated with prosecutors to receive 10 years in prison and a \$20 million fine.

People would be surprised to know that: "For the last two years, I won first place and best in show at the Marin County Fair for my New York-style cheesecake, my dad's recipe. When I was a kid, my dad, who was also a lawyer, entered his cheesecake in the Alameda County Fair and won a blue ribbon every year. My dad died 30 years ago, and last year I decided to find the recipe and make the cake for the local fair again in his memory. It's still a winner."

Mentor: Yale Law School professor Denny Curtis taught Little criminal defense, representing the underdog against the government, she said. "I still call Denny from time to time for inspiration and ideas." Judge William Schwarzer was a forceful mentor right after law school and since, she said. "He taught me that 'good enough is never good enough.'"

Mentoring: "It's hard to find the time in our busy practice to stop and reflect on our work. But taking time to examine 'why' is an important learning experience for the young lawyer and the mentor alike."

— Amy K. Spees