

Daily Journal

MAY 2, 2018

Top Women Lawyers 2018

*The Daily Journal's Annual List of
Leading Women Lawyers in California*

Susan J. Harriman

A top litigator and Kecker partner, Harriman is no stranger to jumping into cases on the fly. “We try so many last-minute cases and it’s fun that way,” she said. An upcoming labor dispute in federal court in Oregon is a current example of her enthusiastic approach to complex matters involving several complicating factors.

“The case has been going on for years, but we got called in last fall to work with previous counsel at trial,” Harriman said. She’s lead trial counsel representing the International Longshore and Warehouse Union and two of its locals against a Philippines-owned company operating container terminals at the Port of Portland on the Columbia River, ICTSI Oregon Inc. The company is seeking more than \$100 million in damages following three years of bitter labor strife.

“I don’t usually do labor law,” Harriman said. The case stems from company allegations that her union clients engaged in deliberate work stoppages and slowdowns. The union contends that ICTSI promoted serious safety violations and created a miserable working environment.

“The plaintiff wants to blame everything on the union. They want to destroy the union,” she said. “And we’ll be trying the



case in an atmosphere of one-sided press stories against us. The plaintiff had much better PR than my clients did. The press has been very anti-union.”

Adding to the heavy lift she’s preparing for are several rulings adverse to her clients by the National Labor Relations Board. “We’re stuck with those, but I enjoy the challenge,” Harriman said. “Our focus will

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Practice Type:
Commercial litigation

be on the proximate cause of the slowdowns. We think the company’s own actions — especially its lack of concern about safety issues — slowed down production. We need to show that any isolated slowdowns were due to workers’ concerns and care for their safety. And whatever slowdowns there were did not lead to any damages.”

The case is *ICTSI Oregon Inc. v. ILWU and Locals 8 and 40*, 3:12-cv-01058-51 (D. Ore., filed June 13, 2012). “We’ve had no discovery yet, so there’s a lot to do,” Harriman said. A two-week jury trial is set for March 2019. “It’s truly wonderful to represent hardworking longshore folks. How can you not enjoy this? We who try cases have the greatest job around.”

— John Roemer

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Jan Nielsen Little

Little has worked for over 30 years in high-stakes criminal investigations and complex civil litigation for publicly traded corporations, rendering her one of the top white collar criminal defense lawyers.

Recently, she has represented venture capitalist Vinod Khosla, who backed a biofuel startup to support clean energy technology. The company, KiOR, declared bankruptcy, and Khosla was sued for fraud. *Berry et al. v. Cannon et al.*, 4:15-CV-00012 (S.D. Tex., filed Aug. 20, 2013).

Little moved to dismiss related claims against Khosla in Texas, wherein the judge dismissed the claims without leave to amend. A concurrent case in Mississippi is pending.

She cited her work in a case for Southern Glazer's Wine and Spirits as one of the most gratifying in the past year.

"Last summer, in a multimillion-dollar civil case for liquor distributor Southern Wine & Spirits, we won six summary judgment motions on claims of wrongful termination, antitrust, and various unfair business practices, resulting in final judgment in favor of our clients," she said. *Weisman v. Southern Glazer's Wine & Spirits*, 50-2014-CA-010213-XXXX-MB (Fla. Cir., filed Aug. 19, 2014).



Little and her team filed six summary judgment motions last year and prevailed in each one, which resulted in entry of judgment in favor of her client.

On the criminal side, Little said she is proud of her work in a complex fraud case, representing the chief financial officer of the U.K. company, Autonomy, which was acquired by Hewlett Packard for \$11 billion in 2011.

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White collar criminal defense,
complex litigation

Of the case, she said, "It is the hardest trial I have ever done."

Little characterized her approach to cases as forward-thinking.

"I try to figure out early what a win looks like, and what issues need to go my way in order to win," she said. "It's simple but important: You need to spend time thinking about the destination before you start the journey."

Although Little has had a whirlwind year, she said she remains poised for whatever pursuant endeavor comes her way.

"I've been in trial since February," she said. "So right now I'm looking forward to the trial being over. After that, some rest, and on to the next challenge."

— Caroline Hart