

New Jersey Powerhouse: Gibbons

By Tom Zanki

Law360, New York (June 16, 2015, 5:38 PM ET) -- Guided by a highly selective approach to recruiting talent, Gibbons P.C. is expanding a legal arsenal anchored by lawyer-lobbyists who know their way around the power halls in Trenton and thriving transactional and litigation teams that are enlarging the Newark-based firm's reach statewide.

With 167 attorneys based in New Jersey, up eight from one year ago, Gibbons' growth helped land it a spot on Law360's list of **New Jersey Powerhouses**. The firm has a total of 220 attorneys when counting out-of-state locations in New York City, Philadelphia, and Wilmington, Delaware.

Chairman and Managing Director Patrick Dunican said the firm's discerning approach to building its roster with top-notch attorneys helps it shine in a fierce post-recession environment that has seen legal industry employment shrink overall while clients still demand premium service on tighter budgets.

"You're being asked to do more with less," Dunican said. "Clients are willing to pay for partner-level talent but are not necessarily willing to pay for an army of associates working on a matter."

Dunican, who ditched the firm's summer associate program last decade in favor of bringing in experienced judicial law clerks, says Gibbons competes for hard-earned dollars by offering senior talent with a wealth of litigation and transactional savvy. Plus Gibbons' team is bolstered by the firm's approximately 140 judicial law clerks with deep relationships with judges and courthouse personnel, he said.

Gibbons' team includes renowned litigator Michael Griffinger, employment department chair Christine Amalfe, top criminal defense attorney Lawrence Lustberg, corporate department chair Frank Cannone, and government affairs chair William Castner, also former chief counsel to Gov. Jon Corzine, among others.

Personifying its tradition is John J. Gibbons — after whom the firm is named — who joined the firm in 1950 and returned in 1990 after spending 20 years as a judge in the Third Circuit and more than a decade as chief judge. Former state Supreme Court Chief Justice James Zazzali also calls Gibbons home.

Work handled by Gibbons' elite team is visible in landmark projects across the state, anchored by the flurry of activity around the Meadowlands Sports Complex.

The firm represents the state and the New Jersey Sports & Exposition Authority as landlord in matters involving MetLife Stadium, home of the New York Giants and New York Jets football teams; the Meadowlands Racetrack, currently targeted for a **luxury casino** and resort by Hard Rock International; and Triple Five Worldwide Development's massive American Dream Meadowlands project, a multibillion-dollar, revamped version of the unfinished Xanadu entertainment and retail complex planned for 2016.

The firm is also expanding its Trenton-based government affairs practice, chaired by Castner, who leads a heavyweight lawyer-lobbyist team supported by counsel Christine A. Stearns, previously vice president of health and legal affairs for the New Jersey Business & Industry

Association, and Jason J. Redd, former deputy executive director and general counsel to the New Jersey Senate Majority Office.

Longtime Gibbons attorneys Kevin G. Walsh, a former assistant U.S. attorney for the District of New Jersey under then-U.S. Attorney Chris Christie, and Robert Johnson, a former assistant counsel to Gov. Christie, also joined the government affairs department this year.

"We're trying to assemble the 1927 Yankees of lawyer-lobbyists," said Castner, likening the development of Gibbons' government affairs team to a gang of Hall of Fame sluggers.

"My position is clients want sophisticated advice," Castner said. "If you can be a sophisticated adviser, that also has respected, ethical lawyers with deep relationships on both sides of the political aisle, then that's a walk-off home run."

Duncan said Gibbons' sophistication in government affairs wins over business clients facing regulatory hurdles, noting that the firm has successfully represented several power providers before the state's Board of Public Utilities. The surge in regulatory complexity is fueling the overall demand for legal services, which Gibbons is serving through a growing transactional practice.

To that end, the firm in 2004 recruited Cannone from Paul Hastings LLP, mandated with taking an established corporate practice to a higher level. Aided by a New York office that opened in 1997, Cannone has made it a priority to build a New York-caliber corporate team uniquely designed to serve middle-market clients in New Jersey and beyond.

"We have corporate attorneys with a strong New York DNA," Cannone said. "Because of our ability to recruit and cultivate that over the last 10 years, we have a best-in-class corporate department, no question."

The Gibbons corporate department is working on a rising number of cross-border deals as well, advising New Jersey investment company Weichert Enterprises LLC on a €180 million (\$203.2 million) debt and equity issue that will finance construction for a 41-megawatt biomass power plant being built in Ireland by Weichert affiliate and Gibbons client Mayo Renewable Power Limited.

"It's huge because it is going to be a European template for green-related projects," Cannone said.

Home in the Garden State, Gibbons is also involved in public-private partnerships reshaping the state's economy and education landscape. Gibbons is representing Rowan University in its partnership with Provident Group-Rowan Properties LLC on a 1,400-bed student housing project at the school's Glassboro campus. Construction on the 310,000-square-foot dorm project, targeted for completion in 2016, is being financed with about \$145 million in bonds.

New Jersey higher education, a vast enterprise undergoing significant reorganization, has kept Gibbons busy for years.

The firm represented Rowan when the school, along with Rutgers University, absorbed operations stemming from 2013 breakup of the University of Medicine and Dentistry of New Jersey. Gibbons is also providing regulatory advice and other assistance to Hackensack University Health Network in its joint venture with Seton Hall University to open in a four-year

private allopathic medical school in 2017 on the former Hoffmann-La Roche corporate campus straddling Nutley and Clifton, marking the state's first private medical school.

The state's robust pharmaceutical sector is also driving work at Gibbons. The firm advised Bayer Healthcare Pharmaceuticals on development of its new Whippany headquarters that opened in 2013, transforming a former Alacatel-Lucent campus. In 2014, Gibbons represented Parsippany-based The Medicines Company in its \$170 million acquisition of San Francisco-based surgical sealants developer Tenaxis Medical.

The New Jersey Department of Treasury also sought Gibbons' representation in its 2013 divestiture of the state lottery to a private contractor, in which New Jersey joined Indiana and Illinois as the only states to privatize their lottery systems. Gibbons subsequently defended the state in a bid protest filed by the Communication Workers of America and other unions that contested the 15-year contract awarded to Northstar New Jersey Lottery Group.

Gibbons also represented the New Jersey Division of Investment, the agency managing the state's pension funds, in seven deals in the last 12 months totaling \$700 million involving the state's Alternative Investment Program, which permits investments in real estate, private equity and hedge funds. Gibbons has represented the NJDOI in capital commitments of more than \$12 billion on AIP investments since 2005.

"Our view is things are going to continue to be robust because we are diversified," Cannone said, assessing the corporate practice's overall scope of work.

Gibbons is deeply involved in high-stakes litigation statewide, including suits stemming from New Jersey's gambling industry.

The firm is representing the state Legislature in a lawsuit filed by the National Football League and other sports leagues seeking to stop implementation of a law repealing the state's prohibition against sports betting in licensed racetracks and casinos, pushed by the state as a way of revitalizing New Jersey's declining gambling industry.

A district court judge last fall ruled that the bill essentially creates state-regulated gambling in violation of the federal Professional and Amateur Sports Protection Act, which limits betting on sporting events to Nevada, Montana, Delaware and Oregon. The state has **appealed** to the Third Circuit.

Gibbons' product liability department also has been part of the team representing Hoffmann-La Roche Inc. — which in 2013 ceased operations at its longtime site in Nutley — in mass tort litigation over the acne drug Accutane, which plaintiffs contend caused them to develop inflammatory bowel disease and other injuries.

The firm's environmental team has advised manufacturers in cleanups of the Newark Bay and Lower Passaic River in matters brought by the New Jersey Department of Environmental Protection and the U.S. Environmental Protection Agency.

"If you have a major litigation problem, we are among the top one or two firms you really need to consider," Duncian said.

Duncian said Gibbons, whose history in New Jersey dates to 1926, will pursue a growth strategy built on its recent success. The firm will continue to recruit lateral partners with

business for non-dilutive growth for its Newark headquarters as well as New York City, Philadelphia and Delaware offices, he said. Gibbons also wants to bolster its niche areas, including government affairs and cybersecurity.

"Our goal is to provide value to our clients, by identifying areas of concern, and then proposing solutions that will help them meet their business objectives," Duncan said. "Over the next few years, I would expect to see our firm expand into Washington, D.C., to continue to assist our clients with their regulatory needs."

--Additional reporting by Martin Bricketto. Editing by Jeremy Barker.

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