

PLAINTIFFS' LIST

A SPECIAL REPORT

It's time again for *The National Law Journal's* annual take on the top plaintiffs practices in the country. To identify them, we asked our readers to nominate firms in the United States that have done exemplary, cutting-edge work on the plaintiffs side. We looked for firms that scored at least one significant plaintiffs win

between June 30, 2012, and July 1, 2013, and that possessed an impressive track record of wins within the past three to five years. We also conducted our own extensive research through court files, news reports and chats with co- and opposing counsel before settling upon the 19 firms you'll read about here.

JAMES MURRAY

■ Berger & Montague ■ Bernstein Liebhard ■ Bernstein Litowitz Berger & Grossman ■

■ Cohen Milstein Sellers & Toll ■ Cotchett, Pitre & McCarthy ■ Dickstein Shapiro ■ Grant & Eisenhofer ■

■ Hagens Berman Sobol Shapiro ■ Hauseld Hare ■ Kessler Topaz Meltzer & Check ■ Kirby McInerney ■

■ Korein Tillery ■ Labaton Sucharow ■ Lief Cabraser Heiman & Bernstein ■

McKool Smith

■ Motley Rice ■ Quinn Emanuel Urquhart & Sullivan ■ Robbins Geller Rudman & Dowd ■

■ Wolf Haldenstein Adler Freeman & Herz ■

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MIKE MCKOOL

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McKool Smith

McKool Smith was a thorn in the sides of Apple Inc. and online travel companies during the past year. The Dallas firm's litigation against Apple as well as Expedia Inc., Orbitz Worldwide Inc. and other online travel businesses led to hundreds of millions of dollars in awards to plaintiffs.

"We're right in the thick of the biggest battles there are," said Mike McKool, a principal and a founder of McKool Smith.

In *VirnetX Inc. v. Apple Inc.*, McKool Smith helped obtain a \$368 million patent-infringement verdict for VirnetX in the U.S. District Court for the Eastern District of Texas in November 2012. VirnetX alleged that Apple infringed on four of its patents that involve virtual private network technology. The verdict ranked as the seventh largest verdict in the United States last year,

according to the NLJ Top 100 Verdicts. But litigation continues. McKool Smith principals Douglas Cawley, Rosemary Snider and Ramzi Khazen are handling the case.

McKool Smith claims seven nine-figure patent verdicts during the past seven years. But the firm also maintains a respectable tax practice. In *In the Matter of the Tax Appeal of Travelocity.com L.P.*, the firm in August helped win for the state of Hawaii approximately \$246 million from Expedia, Orbitz, Travelocity and other online travel websites in unpaid general excise taxes and penalties from 2000 to 2011—although the court didn't give the state an additional \$429.8 million in transient accommodation taxes. That's under appeal.

And in *City of San Antonio v. Hotels.com L.P.*, McKool Smith in April helped 173 Texas cities in the U.S. District Court for the Western District of Texas collect \$55 million from Expedia's Hotels.com and other online travel websites for unpaid occupancy taxes. Steven Wolens and Gary Cruciani were the lead McKool Smith principals on the hotel tax cases. "We've made a lot of friends" in state and local governments, Wolens said.

—ANDREW RAMONAS