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**WOMEN IN
BUSINESS & LAW**



A SPECIAL SECTION



Diversity by the Book **2**
Laura King / Clifford Chance

Finding a Way to Make It All Work **4**
M. Melissa Glassman / McGuireWoods LLP

Lawyer with a Business Perspective **6**
Kellye Walker / Huntington Ingalls Industries

Some Call It Progress **7**
Data Charts

Empowered by IP **8**
Sheryl Koval Garko / Fish & Richardson

Navigating the Bumps **9**
Alice Hsu / Akin Gump Strauss Hauer & Feld, LLP

Finding the Balance **10**
Cheryl Brunetti / RVM Enterprises, Inc.

Women Overcoming Challenges
to Lead in the Law **12**
Megan Belcher / Husch Blackwell LLP

A SPECIAL SECTION

WOMEN IN BUSINESS & LAW

In this special section of *Metropolitan Corporate Counsel*, we feature seven articles by or about women in law or business. As several of the women themselves emphasized, they are all in business (though they are not all lawyers), and they spoke about some of the special challenges this entails. To underscore the point, we have incorporated a few charts into this section that can serve as scorecards to track the progress women have made in recent years – and the distance that remains.

MCC INTERVIEW: Laura King / Clifford Chance

Diversity by the Book

Why one firm decided to dabble in publishing to demonstrate its support of women

L*aura King has been a lawyer at Clifford Chance for more than 20 years, initially based in Canada. She later moved to London, where she practiced capital markets law and was promoted to partner in 2001. A few years later, however, her career took an unexpected turn. The firm adopted a centralized approach to HR and asked King to lead the effort as a member of its global management team. And that's why she recently found herself working on a book showcasing some of the firm's top women lawyers. MCC interviewed her by telephone and email. These communications have been edited for length and style.*

MCC: *What are some of the rewards and challenges of your role as global head of people and talent at Clifford Chance?*

King: Challenges and opportunities often go hand in hand. There's real impetus behind our people strategy because our colleagues are highly engaged and committed to achieving the best outcome for clients. We think the best teams are inclusive. People excel when they are supported in broadening their skills and experience as well as in developing their resilience. I find it very rewarding to contribute to the firm's success at a strategic level.



The same commitment drives us constantly to innovate and improve, not least in relation to HR. For the foreseeable future, a key part of this will be finding ways to work as smartly as possible. To deliver the best possible service, we need to be agile in the way we work. We need to invest in the right technologies and empower our people to use them effectively in collaborating with colleagues and clients. Change like this is always challenging, but the challenge is a positive one.

MCC: *Gender diversity is an area that law firms and corporate legal departments have been discussing for many years. In your opinion, why hasn't the profession made more progress toward closing the gender gap?*

King: There are a number of reasons. First, when you look at the structure and legacy composition of law firms – particularly of large partnerships – it's a long-haul proposition to equalize the gender balance. Moving the needle is difficult, just mathematically, because of the limited number of partners we can make up annually against an existing pool of legacy candidates. For example, in our case we have more than 550 partners globally.

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“Advice to My Younger Self” profiles 20 Clifford Chance lawyers and alumnae, including the three shown here.

Other reasons may vary from jurisdiction to jurisdiction. In some places, there are recruitment issues with fewer women coming out of the local law schools, obviously affecting the pipeline. In Western nations, the graduation numbers are more balanced. But there may be attrition issues, where we lose women partway through the pipeline, usually as mid-level associates, because they either seek other roles or (more often) accept an offer from one of our client organizations at the request of a general counsel. Finally, there are pipeline issues at the very top. Here we look at unconscious bias and whether women are getting stretch assignments so they can develop the skills needed to become a partner.

So while it is true that these factors have combined over time to reduce the pipeline of available promotions, it is also true that a number of firms have worked very hard to address the underlying issues. For example, bias awareness training can help us identify high-performing female associates and ensure that they’re getting the right messaging and support. We also focus on providing great role models and mentoring programs. And some development programs, offered to both genders, are specifically aimed at redressing imbalanced messaging.

These efforts have had an impact on our numbers. Our global firm has increased the percentage of women partners from 14.5 percent to 19 percent in the past five years. We’ve also played a role in policy-level lobbying around issues like child care and the gender pay gap. We obviously have a long way to go, but we’re moving in the right direction across a wide front.



Commercial awareness is the single most important skill for a lawyer in private practice, and that requirement is amplified by about 100 percent when you move in-house.

– Maureen Ryan, former general counsel of AEI in Houston (and Clifford Chance alumna)

I’m also gratified to see firms getting together on these issues, even though they are otherwise competitors, and sometimes in direct competition on the issue of gender diversity. Notwithstanding all of that, firms are working jointly on a number of initiatives around gender diversity, and I believe this is helping the profession overall.

MCC: What are some of the important keys to recruiting and retaining top women in the legal profession? What matters most to them?

King: Women need visible role models within the organization. These don’t have to be limited to women. A diversity of role models who share these values is even better. This benefits all recruits, not just the women, and the reason is simple: When you broaden your talent pool, your people need to be able to envision themselves succeeding and developing. When they look ahead, they need to see different



I would tell any young lawyer: don’t talk yourself out of challenges because they seem daunting.

– Kate McCarthy, Clifford Chance partner in Washington, D.C.

people taking different paths. That’s important for all recruits, but particularly so for women, because we’ve historically had fewer role models for women and more homogeneity in our leadership models.

MCC: Clifford Chance recently published a book, “Advice to My Younger Self: Reflections of Successful Women Lawyers.” Can you tell us about the book, the process for developing it and some key things that you discovered by publishing it?

King: It started when our Americas marketing director came up with the idea of featuring stories from 20 of our women attorneys, including partners and associates as well as our fantastic alumnae, many of whom remain connected to the firm in their current roles. We asked them to talk about their time at the firm and the key decisions that shaped their careers. It was fascinating to get their insights on the issues you and I are discussing right now.



I would encourage young lawyers to get exposure to different practice areas, which will round you out and provide a better sense of where you truly wish to concentrate down the road.

– Kirstin Gould, general counsel of XL Group in Bermuda (and Clifford Chance alumna)

When I look at the book overall, it’s interesting to see the diversity of career paths and choices that enabled each of the participants to leverage her own development and take a next career step. We are sharing their insights with lawyers at in-house teams of clients around the world and in our recruiting efforts – especially at U.S. law schools.

MCC: Can you share some of the feedback you’ve received internally as well as from clients?

King: The feedback has been tremendous on the substance and style of the book. One client is using it to help junior lawyers realize that everyone is living the same challenges, and to share the great messages for young women. Another person who just attended a women’s leadership event at William & Mary in Virginia remarked that the book should be required reading.

We also heard from our own lawyers. They were grateful to know that they weren’t alone – that no one knows everything and that it really is daunting to look ahead when you’re just starting out. The primary messages – being courageous, pushing boundaries, being true to yourself, seeking mentors, focusing on the business of your practice and, of course, doing the work – came through naturally during the course of 20 separate interviews. It’s really compelling when you look at it that way.

On top of all that, we’ve had requests for copies from the careers section of a law library in Dublin and an all-girls high school in England!

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MCC INTERVIEW: M. Melissa Glassman / McGuireWoods LLP

Finding a Way to Make It All Work

A law firm leader and litigator looks back on her long career

Not every woman starts law school shortly after she starts a family. And of those who do, not all of them decide to go to work at a large firm as a litigator – and somehow survive to tell the tale. But M. Melissa Glassman is not every woman. And Glassman, now a deputy managing partner at McGuireWoods LLP, did a lot more than survive. But she insists she never aspired to be Superwoman. The interview has been edited for style and length.

MCC: Let's go way back. What did you do after you graduated from college, before you decided to go to law school?

Glassman: I graduated from the University of Texas in three years, and at the time I graduated, I had been admitted to law school. But frankly I was tired of school. If I had to do it all over again, I would've taken a full four years at UT, because it was so much fun. Anyway, I decided instead to go to Washington, D.C., and work for a congressman from Texas. It was a terrific experience. I think it's a great first job for anybody. You learn a lot about the government, and you're given a lot of authority early on. After I did that for a couple of years, I worked as a lobbyist for a company that manufactured pollution control devices. I did that until I got married and had my first child.

MCC: You did all those things before law school?

Glassman: Yes. I had two children, back to back, two boys. When they were two and three years old, I decided I probably needed to be with some grown-ups. My husband agreed with me, because I was going a little stir crazy. What I did, at that point, was apply to law school. My husband is also an attorney. I went to law school at night, and did that for four years. When I graduated, I started working for McGuireWoods.

MCC: Where did you think law school was going to take you? What were your aspirations as you started?

Glassman: When I started law school, of course, I had the two young children. And I thought, "Maybe when I graduate, I'll go back and work on the Hill again, since I really enjoyed that experience. Do some type of public policy work, maybe work with the government." My husband, Jeremiah Glassman, at that time was the leader of the Civil Rights Section at the Department of Justice. That always seemed very interesting. While I didn't think I'd do civil rights, I thought, "Well, you know, the Department of Justice is a wonderful place to work." I really gave it no more thought than maybe the Hill, maybe the government, and frankly, didn't really think about big firm life at that time.

MCC: At what point did litigation enter the picture for you?

Glassman: I have a very vivid memory of when I decided that maybe I would go into big firm life. I was sitting in the library at the law school, and I heard two upperclassmen talking, and saying, "Firm so-and-so is offering \$30,000 a year to brand-new associates." I remember just having this electrifying moment, going, "Wow, \$30,000 a year! If I could ever make \$30,000 a year, I'd be the happiest

person in the world!" At that point, I thought maybe I'd start looking at big firms. It wasn't only a monetary decision. I think, at that point, I decided having one person in the government was more than enough. And I thought I might enjoy doing litigation.

MCC: Was litigation something that you were thinking about at law school, in addition to just overhearing that conversation?

Glassman: After you get through your core courses at law school, you start taking classes like trial advocacy and appellate advocacy. That's what really got me interested in it. I had some really good professors. They led me in the right direction, where my strengths lie.

MCC: When I think of litigators, two things I think about right away are the time commitment and the travel commitment. Your children were still pretty young at the time you graduated from law school. Was that something that concerned you?

Glassman: When I started at McGuireWoods, my children were in the first and second grades. If I'd have thought about it longer, I would've been worried. But, frankly, when you're young, you think you're invincible. You can do anything. I just knew that's what I wanted to do. I also have a very supportive husband. He was able to, in many instances, pick up the slack, because I went from full-time, stay-at-home mother to a full-time litigator. With the help of a couple of good nannies, and a great husband, and a very supportive firm, we were all able to make it work. I should also say that I think my

kids were very supportive, and proud, too.

MCC: Tell me about how things went at McGuireWoods, back when you started. You've been there for how many years now?

Glassman: It'll be 30 years in September, the day after Labor Day. I was a 32-year-old first-year associate, which, frankly, I think was a good thing, because it gave me a little bit more maturity, and it gave me a little bit more perspective on how important this opportunity was. I think the firm repaid me in kind with a lot of early responsibility, and recognized that I was a little bit different. Because I'd had a career before I went to law school, I got opportunities that I think were invaluable. I had early exposure to clients, and early exposure to interesting cases, and that's what really kept my interest in the firm and allowed me to succeed.

MCC: Were they unusual opportunities for a woman lawyer, 29 years ago?

Glassman: Probably, but we did have some very successful women at the firm at that time who were terrific role models. One woman in particular, Anne Whittemore, was a fantastic litigator, and she was very involved in firm management 30 years ago. Just watching her progress through her career, and all the things she'd done, I knew that there were opportunities for me and other women who were coming up with me. Anne was a great inspiration then and remains an outstanding lawyer and role model to this day. When I started, the class at McGuireWoods was about 45 associates, and my recollection is that at least a third of them were women. That was a pretty large class at that time.

MCC: Tell me about some of the challenges that you had to navigate in your early days. Everybody has some bumps along the way.

Glassman: Absolutely, absolutely, and for me, it was finding the balance. As I said, I went from being a full-time mother to a full-time litigation attorney. I never wanted to have any regrets that I wasn't the best mother that I could be. I remember going

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In the early years, the way women thought that we had to be successful in the law was really to act like men.

through the interview process, and I interviewed at a lot of big firms. I had one fella – not at our firm – who pointed to a picture of his family, saying, “You see them?” I said, “Yeah. Beautiful family.” And he said, “I never get to see ’em. That’s my one regret.” I thought to myself, “That is a horrible thing to say. God forbid I should ever say that.”

I tell young people this story, and I say, “You never want to say that, because your first obligation, I believe, is to your family and to your kids.” I was lucky, because I worked with people who understood that. I happened to work for two men when I first started out. Both of them, by the way, became judges. Great family men, great lawyers who seemed to find that balance.

We didn’t have the technology back then. We didn’t even use desktop computers until a long time after I was an attorney. You couldn’t work from home, or be connected, but I made sure that I was at every baseball game. I was always a room mother, and I baked the cupcakes. Not because I was trying to be Superwoman, but because that made me happy. In those days, everybody used to come in on Saturday, because you didn’t have the opportunity to work from home. We’d come in, and make up those hours, or do those tasks that you didn’t do because you left at 3:00 to go to the baseball game. Nobody kept score about who’s doing what. I always seemed to make my hours, and always seemed to show up at those important client events: depositions, trials, whatever. They gave me the flexibility I needed when my kids were young to make that work.

MCC: *When that man at that unnamed law firm pointed to the picture of his family, did you think he was speaking about his own personal regrets, or did it also seem to you that he was telling you something about the firm that you chose not to go work for?*

Glassman: You know, I’ve thought about that since then, and I think it was a combination of both. I think he had personal regrets, but he also wanted to say, “And you will, too, if you choose this life at this place.”

MCC: *It occurred to me that he may have been doing you a tremendous favor.*

Glassman: Yeah. I’ll tell you another interesting story, and again, this is in the interview process. I talked to one fellow at another well-known large Virginia law firm, and it’s not my law firm. This fellow said to me, “Ugh, you’re interested in *that* firm? They’ll never make you a partner, not in a million years. You didn’t go to UVA.” I thought to myself, “Maybe, but I’ll tell you what, I’m not coming to work for you if that’s your attitude.” Funny what people say to you, 31 years ago, that you remember and that helped formulate your life choices.

MCC: *Was the firm he was pointing to McGuireWoods?*

Glassman: Well, he was saying that about McGuireWoods, but it wasn’t true. I thought it was more telling of him, frankly.

MCC: *Tell me about your accomplishments. Bring me through the milestones of what you’ve managed to achieve at the firm, what you’re most proud of.*

Glassman: I’m proud of being able to have early client contact, and to be able to do some marketing. I’m proud of my ability to do some business development, and the ability to generate one of our largest clients for the firm. Because of the opportunities I got early on, I had some management responsibilities that the firm gave me. I always tried to do my best, because I really wanted to be involved in management.

MCC: *What were your early management responsibilities, specifically?*

Glassman: My first was being on what we call the associate committee, and despite its name, there are no associates on the committee. It is a committee that’s responsible for hiring associates, for setting compensation and making decisions about, or making recommendations to our board, as to who should become a non-equity partner. I served on the committee for a number of years, and the people I served with are now very involved in management. It gave me an opportunity to meet folks outside my office, outside my practice group, and to make strong bonds with partners that have continued to this day. Many of us are serving on other firm management committees.

I was the first woman to be an office managing partner. I was then selected to be a department chair for the commercial litigation department, which I really loved. I think, at that point, I was the first woman to be a litigation department chair. From there, they put me on the board of partners, and then also the executive committee for the firm.

We had a very important strategic plan in 2006, and the plan called for the development of what we called industry teams – cross-departmental teams of lawyers with experience in certain industries. The focus of these teams was to market, cross-sell, and

develop new business from existing and new clients. They asked me to take that on, so I became deputy managing partner for the firm in charge of industry teams, reporting directly to our managing partner. That’s what I’m doing right now. I sit ex officio on the board, and also on the executive committee, along with the other deputies.

MCC: *Let’s talk about the opportunities women had in the early years, and what changes have occurred since you first joined the firm.*

Glassman: In the early years, the way women thought that we had to be successful in the law was really to act like men. I laugh now, because I remember how we used to dress. I went out and bought myself five suits from Brooks Brothers that could’ve been men’s suits, with the exception they came with a skirt instead of a pair of pants.

What’s been nice, and what’s evolved over the years, is a recognition by the women and the men in our firm that we have different strengths and bring different things to work with us and to the table, as far as going out and getting clients, and then representing clients. It’s given women a lot of freedom to work to their strengths. I think women are great team builders. We have a lot of women team builders on our industry teams for that very reason. I think they’re terrific collaborators.

We are a better firm when we have more women and have diversity, just because everybody has a unique viewpoint on things. When you collaborate with those viewpoints, it’s a great thing to watch, and the clients are better served. I started the Women Lawyers Network. We started it 20 years ago. I looked around and said, “Gosh, you know, men go out and play golf together, and they can hunt.” It’s not that we weren’t invited, but it wasn’t really most of our cups of tea. Now, believe me, there are some great women golfers out there, and some great women hunters, but for somebody like me, that’s not how I wanted to spend my time, and not a lot of clients want to do that either.

We decided it would be fun to have an all-women’s event. It was a women’s wine-tasting event. When we started that, we invited women clients to the firm – and it wasn’t just women’s clients, it was our men’s clients who happened to be women. I think maybe at that first event, we probably had 25 women there. But it was a lot of fun, and it immediately took hold. We’ve done it every year since. Now we have 200 people that show up, and it’s become something that everybody looks forward to. It was done, strictly, at that point, for social reasons – a way to entertain our women clients.

We went from providing women social opportunities to be with clients to also providing training and mentoring about how to develop business, how to navigate the firm and how a law firm works. I think it’s very important for anyone coming up, any young people, to really understand the business side of how a law firm works. One of the most valuable things that we offer through the leadership forum is the opportunity to say, “All right, these are why we make the decisions that we make. Here’s how the firm financials work. Here’s how you can understand our balance sheet. Here’s what profits per partner means, here’s what revenue per partner means.” We do a series of these meetings with our senior folks on the non-law side.

Every time I listen to one of those presentations, even though I’ve been with the firm 30 years, and been involved in making a lot of those types of decisions, I learn something. I frankly think that those kinds of information sessions that we provide now to our women lawyers are just as important as the social opportunities, the networking opportunities and the business development opportunities.

MCC: *Was that your idea?*

Glassman: That was my idea.

MCC: *Have you been involved in the committee ever since?*

Glassman: Yes, but we have some wonderful up-and-coming women who’ve done a really great job expanding the program, and making it vibrant, and important and relevant to our new women and the challenges they face. I have definitely stayed involved, because I am a reminder that, “Look, I came here. I had two young children, and I was able to find a way. And we’re going to help you find a way through the challenging times.”

MCC: *Are there challenges and obstacles that remain, or have you won?*

Glassman: There are always challenges. There are always going to be challenges. I don’t think they necessarily have to do with just being a woman. I think it’s just because it’s always going to be a balancing act between working very hard, and doing the right thing by your family. I think technologies have eased the burden, somewhat, and helped all of us do more critical work, if on an airplane, or at home or wherever we need to be. But it’s always going to be a tug-of-war. When you’re at home, you think you should be at work. When you’re at work, you probably think you should be at home. It’s just the way it is. We all recognize it’s a challenge, and we all have to do our best to try to make it work for the firm and for the individuals.

When I started at McGuireWoods, my children were in the first and second grades. If I’d have thought about it longer, I would’ve been worried.

MCC INTERVIEW: Kellye Walker / Huntington Ingalls Industries

Lawyer with a Business Perspective

It's important for general counsel to remember that they wear more than one hat

Kellye Walker, general counsel and executive vice president of **Huntington Ingalls Industries (HII)**, understands that GCs wear many hats. She's not only her company's top lawyer, she's also one of its business leaders. And she leads a team of lawyers by trying to set the tone and guide them without getting in their way. The interview has been edited for length and style.

MCC: Tell our readers a bit about your background and your current role at Huntington Ingalls Industries.

Walker: Sure. I'm currently executive vice president and general counsel at Huntington Ingalls, which we'll call HII, and I've been here about two and a half years. This is my fourth general counsel role. I've had the wonderful opportunity to be general counsel at a number of companies in several industries, including big box retail at BJ's Wholesale Club and consumer products at Diageo North America, which is a beverage alcohol company. Immediately prior to joining HII, I was general counsel of a company called American Water Works, a large water and waste water utility company.

Before that, though, I went the somewhat traditional route of practicing in law firms, rising to the partner level before moving in-house.

MCC: Can you tell us how you do your role as the leader of the law department and within the company overall?

Walker: I really think of myself as wearing a couple of hats. Naturally as general counsel, my job is to lead the law department, and I'll talk a little bit about that. I also wear a hat of being a senior executive in the company, which means that I look beyond the law department perspective. As a member of the senior team, I take into consideration the holistic view of the company. With respect to the law department, I view my role as setting the direction of the department, providing insights and guidance as the company faces significant legal issues from time to time. But my role is also to make sure that I've got a strong, robust team of very talented people. Having a strong team allows me the opportunity to provide guidance. But more importantly, it allows me to set the tone and get out of their way so that they can do their jobs. As a leader, I think one of the more important things that we do is to have and develop a strong team so that those people can be strong employees and advocates for the company.

MCC: In your role as general counsel and executive vice president, how do you influence business decisions? And do you consider the role of the general counsel key to a company's success?

Walker: Absolutely. I consider the role of general counsel as key to the company's success for a number of reasons. The first is, of course, to defend the company and advocate for the company, as appropriate, in whatever the company may be seeking to do from a business perspective. Looking at the role more broadly, as lawyers we're trained to think analytically and to think through issues thoroughly. Bringing these skills to bear, being able to think three steps ahead and look around the corner – looking at things more broadly from a company perspective – tends to add significant value.

There have been challenges over the years as general counsel in particular have become or viewed as business advisors and not just legal advisors. We constantly

Kellye Walker is executive vice president and general counsel for Huntington Ingalls Industries, where she has overall leadership responsibility for HII's law department and outside counsel. She oversees and directs a broad range of legal advice and support for the company's business activities, including corporate governance, compliance, litigation management and mergers and acquisitions. She earned a bachelor's degree at Louisiana Tech University and a juris doctor at Emory University School of Law. She can be reached at Kellye.Walker@hii-co.com.



I consider the role of general counsel as key to the company's success

have to be mindful of when we are providing legal advice and when we are providing a business perspective. I have had the good fortune to be in companies where the general counsel is well respected. In those instances, that business perspective is welcomed because it's a different vantage point from maybe the way an operations person or the strategy person or the CFO may see an issue.

The way you get to that point is first understanding the business. When someone goes into a new company or is a first-time general counsel, one of the things that I strongly advise people to do is get to know the business. What is it that drives that business? What's the company's strategy? Where is the company looking to go over the next several years? What are the things that could potentially be obstacles or stumbling blocks for the company? Once you understand those things – and it's a continual learning process – you're better able to advocate for the company, have impact and influence on your department, but even more broadly, on the organization.

MCC: Can you describe your role as it relates to board and investor relations?

Walker: In my capacity as general counsel here, I play a significant role with respect to the board, working with both the chairmen of the board and our CEO on setting the agendas for the board meetings, so that they're focused on the right things and properly exercising their fiduciary duties.

I also have been quite proactive in making suggestions of things the board should be considering, especially given the current landscape in the public company arena. Whether it's shareholder activism, or cybersecurity or whatever may be happening in the broader marketplace, I view a significant

part of my role as making sure that our board is on top of those things. They are very sophisticated and business savvy, so quite often they bring those things to us. But one of my jobs working with the board is making sure that those things are happening and that the board is getting what it needs to do its job correctly.

With respect to investor relations, I and a member of my team work very closely with both the finance team and the investor relations team with respect to our periodic disclosures. We work quite closely with the IR group and the broader finance group as we're preparing for our quarterly conference calls with Wall Street and the analysts, etc.

MCC: Are there any challenges or mistakes along with successes that you've had in your career that you could share with our readers?

Walker: After doing this for almost 25 years, I clearly have had my share of challenges and stumbling blocks and things I could have done better and done differently. I think one of the things that I have learned through experience and hard knocks is the importance of finding time to communicate with and talk with colleagues both internally and external to the organization. That is a huge help, and it's almost like the old adage, "A stitch in time saves nine."

We have to make the time for those things because doing so can often help us avoid many pitfalls. I've learned that the hard way. There have been times in my career when I didn't nurture the relationships I should have because I was so "busy" that I didn't make the time. As a result, I made some mistakes that could have been avoided had I picked up the phone to call someone with whom I had developed a strong, trusting relationship. Fortunately for me, I was able to recover from the mistakes, but there have been countless times where I have spoken to someone after the fact, and they've said, "Oh, you should have called me beforehand. I just had this issue last year."

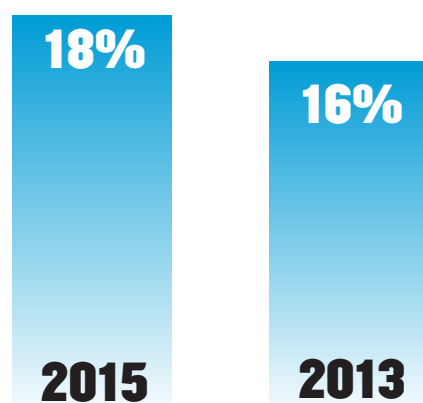
Time is a precious commodity for all of us, and it is easy to sometimes feel like we don't have time to build and nurture relationships. But developing relationships is so critically important to our success. Doing so helps broaden our thinking. It helps us bring new perspectives, new ideas to the table so that we don't get so myopic. We all have these careers that we want to grow and develop. There clearly are some things that we have to do to have the careers that we want, and for me I think that focused relationship development is a critically important one.

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Some Call It Progress

Women have made small inroads into leadership positions in business and law

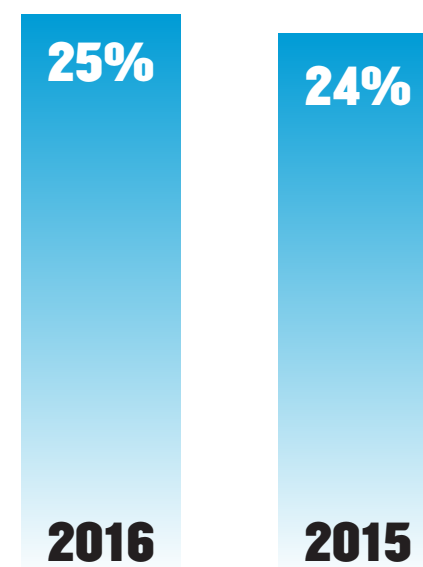
Percentage of equity partners in the Am Law 200



Percentage of women CEOs in the Fortune 500



Percentage of women general counsel or chief legal officers in the Fortune 500



Source: National Association of Women Lawyers (NAWL)

Source: Fortune

Source: Minority Corporate Counsel Association (MCCA)

Lawyer with a Business Perspective

Continued from previous page

MCC: *Who are some individuals in business or in law that have influenced you and the decisions you've made in your career or even the trajectory of your career?*

Walker: Oh, I've had a number of people who have influenced me. I've been very fortunate. You mentioned business and the law, but first and foremost, one of the people in my family who influenced me was my grandmother because of some of the things that she was able to overcome and do as a person of color who grew up in the pre-civil rights era. She is a strong woman who, no matter what she faced, was determined and had a lot of resilience and perseverance. She instilled those things in me.

From the perspective of influences in business and law, there have been innumerable people. There are people who are very well known and popular that I look up to and admire – both contemporary and historic figures. The list is a long one. But from a very personal perspective, at each one of the organizations where I have worked, I have had at least one person who I looked up to and who invested in me to help me be successful. Having that is critically important. For me, it has been a true gift.

MCC: *What do you think some of the key barriers and derailers are for women in the practice of law?*

Walker: For many women, whether you're trying to seek leadership or not, decisions on how much we're willing to work, how much we're willing to sacrifice for family or for other things that we may want to do are very serious considerations. As we operate in the work setting, we have to learn how to make sure that our voices are heard and our points come across. For example, if we say something in a meeting and it's not recognized, but a man makes the same point right after us and it's recognized, we must learn how to diplomatically assert ourselves and actually be heard.

As women, we have to make a conscious effort not to sell ourselves short – that's something that women do more frequently than men. One example is how we assess our readiness when seeking a promotion or seeking a next level job or special assignment. If the new role requires seven things, sometimes women feel like, "Oh

my gosh, I can't even think of applying if I don't have all seven." Yet, quite often men will go for it if they have four of the requirements and say, "I've got four and I can get the rest of them." These are the kinds of things that we, as women, sometimes do that keep us from moving forward. So, as we think about what can impact our progress, we must remain cognizant of these kinds of things and make an effort not to allow them to derail us. This level of vigilance and focus will, I believe, allow us to continue to advance as we have.

MCC: *There seems to be quite a bit of momentum behind programs supporting women in their practices and their journey to leadership right now. What do you think is driving that agenda? And are there any programs that you're currently involved with or would recommend to our readers?*

Walker: There's a renewed sense of focus on diversity in a variety of ways, and obviously gender diversity is one important one. There has been some notable success. For example, a number of large law firms now have women on their executive committees and have women as managing partners. This has increased significantly over the past several years. That kind of success breeds additional success. I also think we are being more vocal, particularly in the legal profession, about the gender diversity issue and its importance.

There are some studies that show that organizations and teams that are led by women can be more productive than other organizations. It's this kind of information and empirical evidence that is leading to the programs that are now focused on women in leadership. In addition, more and more women are being much more vocal, and standing up for what we believe we all deserve because there is no doubt we come to the table with a strong work ethic and excellence as our backdrop.

With respect to things that I am involved in, there are a number of organizations that I spend some time in. I also spend time developing individualized relationships – many of them with very senior women in other organizations. For me, I often get a little more impact from the one-on-one relationships at the level where I am now.

For your younger readers, I absolutely think there are organizations that they should consider; but they should be discriminating. I would counsel them to spend a little time, talk to members of the organizations, maybe go to a meeting. If it's not what they think it should be, then they should find something else. Being discriminating with our expectations and our time, we will have a greater ROI and continue to have more success in getting true value from those organizations.

MCC INTERVIEW: Sheryl Koval Garko / Fish & Richardson

Empowered by IP

A litigator is inspired by the challenges of technology and the support of her firm

Sheryl Koval Garko is an intellectual property litigator in Fish & Richardson's Boston office who enjoyed recent success in an influential trademark case decided by the U.S. International Trade Commission (ITC). Early in her career she benefitted from her firm's support of women in its ranks. She still profits from that support, but she has also joined the leaders who have helped expand the ways women are supported. The interview has been edited for length and style.

MCC: Tell us about your intellectual property litigation practice and the kind of work you do for your clients. What attracted you to IP litigation specifically?

Garko: My practice focuses on trademark, copyright and trade secret litigation. I help clients that range from start-ups to Fortune 100 companies protect their brands, copyrighted works and trade secrets. I also work with them to avoid potential litigation or to successfully defend against litigation when it arises.

There are two primary things about IP litigation that drew me to this area. The first is that I love the challenge of learning about new technologies. Whether it's a medical device protected by trade secrets, a new method for allowing the transmission of over-the-air television broadcasts on the internet or the manufacturing of sneakers, I enjoy digging in and learning the technical details. The second thing that attracted me to IP litigation is that this area of law is still evolving and constantly changing as new and emerging technologies are developed, which not only allows for but requires creative thinking.

MCC: You helped win a closely watched ITC trademark case last year for New Balance that has upended trademark law and continues to be litigated in the courts on appeal. What is the story behind that case, and where do things stand now?

Garko: Converse sued 31 respondents claiming infringement of its purported trade dress in its Chuck Taylor sneakers – specifically its combination of a toe cap, toe bumper and midsole stripes. New Balance intervened in that action to protect its well-known PF Flyers brand, which has been around since the 1950s. The trial took place in August 2015 and a final determination was issued on June 23, 2016, which found in favor of New Balance. The ITC found that the claimed trademark asserted by Converse against New Balance was invalid – meaning Converse did not have trademark rights to the claimed design elements.

We were able to show that consumers did not think that the combination of the toe cap, toe bumper and midsole stripes on the Chuck Taylor were themselves source-identifying – meaning that the vast majority of consumers would not look at only those elements and understand that meant the shoe was a Converse sneaker. While Converse has sold a lot of Chucks and advertised them heavily, it has not directed its efforts to the particular design elements at issue. Additionally, we were able to demonstrate that many companies over the years sold sneakers with the same combination of elements, so consumers would not be led to understand that those elements are associated with a single source. I think this is an important lesson for companies that want to claim specific elements of their overall product design as trade dress. Simply advertising the product as a whole is not enough. You need to call consumers' attention specifically to what you claim as your trademark.

This was a major victory for our client and other shoe companies and retailers involved in the case that asserted that Converse was trying to monopolize common sneaker designs. IPLaw360 identified the matter as the top trademark ruling of

2016, noting that the win “marked a big setback for Converse’s aggressive campaign to protect its Chuck Taylor sneaker.” The case is currently being briefed on appeal in the U.S. Court of Appeals for the Federal Circuit.

MCC: What other high-stakes cases have you worked on?

Garko: Many of the cases I work on are high-stakes, regardless of the size of the company involved. A company’s brand and other intellectual property are often its most valuable assets. For example, I have represented small start-up companies that have been sued for alleged trade secret theft. That type of allegation at a funding stage can have a big impact. Being able to work with them to find resolutions that allowed them to move forward with their business was an important outcome for those clients.

Looking to my larger, more established clients, last fall I represented a major global retailer in a trial on damages resulting from a finding that our client had infringed on a smaller retail chain’s trademark for similar goods. The plaintiff was seeking damages in the high nine figures based on a theory of profit disgorgement. After a bench trial on the issue, the court awarded the plaintiff less than one-tenth of the amount it was seeking.

MCC: Your trial practice spans both the ITC and district court. What are the differences between litigating in these two very different venues? Do you prefer one over the other?

Garko: The ITC has a unique set of rules that you need to be intimately familiar with or you can easily run afoul of them. The ITC can only prevent goods from being imported into the country; it cannot award damages or cancel a trademark registration. If a company is seeking the latter type of relief, a district court is the preferred venue. On the other hand, ITC cases move very quickly, and you can have

greater reach against foreign companies. At the end of the day, it depends on what your goals are in enforcement to determine which venue makes more sense.

MCC: You serve as Fish’s firmwide litigation marketing leader, appointed by the firm’s litigation practice group leader. What does this role entail, and how has your trial experience informed this and/or other leadership roles you’ve taken on at the firm?

Garko: I am responsible for coordinating and overseeing all aspects of the firm’s litigation marketing activities. This includes developing marketing strategy across offices, allocating resources, identifying marketing targets, and evaluating the success of the firm’s efforts. While I work primarily on the litigation side, I collaborate closely with my colleagues in the other practice groups (such as our patent prosecution group) to identify and work on cross-selling opportunities and joint marketing ventures. My trial and other substantive practice experience informs how I approach marketing strategy. Over the years, I have gained an understanding of what clients want and what they need at various stages of litigation, from pre-litigation counseling up through trial and appeal. Knowing this helps me determine where our resources are best spent and where our efforts should be focused to reach new clients and maintain the relationships we have with our current clients.

MCC: Fish has a women’s initiative called EMPOWER. How has this supported you in your career?

Garko: EMPOWER focuses on the issues women in our firm face, which are really the issues women face in the practice of law in general. EMPOWER has supported my career in many ways. It gave me a forum to connect with women across the firm so that I could develop a network of mentors. It provided me with a means through which I can actively work on addressing the day-to-day issues that women in our firm care about. Two issues I’ve been focusing on are helping women transition back from maternity leave and crafting strategies to support women’s advancement at our firm.



A company’s brand and other intellectual property are often its most valuable assets.

Sheryl Koval Garko is a principal at Fish & Richardson, where she focuses her practice on intellectual property litigation. She has particular expertise in trademark, copyright, trade secret and media litigation. She is based in Fish’s Boston office and can be reached at garko@fr.com.

Continued on page 13

MCC INTERVIEW: Alice Hsu / Akin Gump Strauss Hauer & Feld, LLP

Navigating the Bumps

A corporate partner tries to help other women find legal jobs and thrive

Alice Hsu, a partner at Akin Gump Strauss Hauer & Feld, focuses on capital markets and corporate governance. Her family's favored professions, however, were centered around medicine and engineering, leading Alice to wonder what her life would have been like had she followed one of those paths. In any case, she harbors no regrets – the lawyer's life (as a corporate dealmaker) has suited her just fine. The interview has been edited for style and length.

MCC: When did you decide to become a lawyer?

Hsu: It seems to me that sometime between elementary school and junior high I thought that becoming a lawyer would be a fun job to have when I grew up. I didn't know very many lawyers because my family was all in the medical or engineering fields. Most of what I knew about law had to do with what I saw on television, which probably I should have realized is not necessarily always a realistic representation of what a corporate lawyer would do on a daily basis.

MCC: Were there particular shows that made an impression?

Hsu: I grew up in Southern California, and so "L.A. Law" was a very popular show when I was growing up. I always would watch "The People's Court" with Judge Wapner. And I thought being a judge might be interesting. By the time I was in college or law school, that's when "Ally McBeal" was popular. I was already a lawyer, I think, when "Legally Blonde" came out. But I think the "Law & Order" shows, the original, as well as "L.A. Law" made an impression on me.

MCC: And did there come a time when you felt that you'd been led down a garden path, that all the things those shows seemed to promise were not a reality open to you?

Hsu: During law school, when I worked at a litigation boutique over the summer, I realized that litigation was not necessarily for me.

MCC: And probably all those shows made it sound as if that was what a lawyer did, right?

Hsu: Right. But I was always interested in the stock market and investing and learning about companies and what they made. I also enjoyed my tax classes when I was in law school, and I had been exposed to economics during college, because that was my major, so it made much more sense for me to become a corporate lawyer representing companies and helping them make money.

MCC: So this wasn't necessarily a disillusioning experience when you worked at the litigation boutique?

Hsu: No, it wasn't. There were some great litigators there, but I think I found that the process to take a lawsuit to court and the type of writing that you had to do and the type of document discovery you had to do were just not as appealing to me as I thought they would be.

MCC: So tell me about what has appealed to you and what you're really proud of having accomplished as a lawyer.

Alice Hsu is a corporate partner in Akin Gump's New York office. Her practice focuses on capital markets and corporate governance. She is a strategic advisor to boards of directors, investors, underwriters and senior executive management for emerging growth and seasoned public companies on a wide variety of matters. She can be reached at ahsu@akingump.com.



I build lasting relationships – I try to get to know people and make them comfortable with me.

Hsu: I've really enjoyed advising clients and boards on strategic capital-raising transactions that are complicated and need to be completed under intense time pressure. I enjoy the energy when working on a deal that needs to get done quickly and correctly, as well as working with a group of business people, other lawyers, investment banks, accountants, the stock exchange, the regulators, the SEC, and having it all come together to accomplish a result that is positive and helpful for a company's ongoing business strategy.

In my pro bono work, this past year I've spent a lot of time working with an organization called the Korematsu Center for Law & Equality. The executive director was one of my law school professors for whom I was a research assistant. So it's been nice to reconnect with something from 20 years ago. Now, instead of it being academic, it's applied to real-life situations. Being able to advise my professor who, when I was a student, was advising me – it's been very fulfilling.

MCC: Speaking of your pro bono activity, you also co-chair the corporate leadership committee for the New York Women's Foundation. Tell me about that.

Hsu: The New York Women's Foundation is 30 years old this year. They are focused on women and families in New York City, all the boroughs, and work to support women and families in various areas that will help improve economic justice, safety, health and welfare.

The corporate leadership committee, which I co-chair, supports the organization by helping them with their fundraising efforts as well as providing a forum for senior-level women to work together in a philanthropic activity.

MCC: Have you encountered in your career real obstacles based on your gender that you've had to navigate? It seems as though you've done very well. You've achieved certain advancements at your firm. You're on the social media taskforce, co-chair, co-head. You're a member of the New York office's hiring committee. And you've achieved other leadership positions at the firm. I'm wondering if there were bumps along the way.

Hsu: I think with respect to my particular circumstances at this particular firm, as I was moving through my career, gender was less of an obstacle. But I think in terms of being realistic when you see that the average percentage of female partners across all big firms is only 20 percent, give or take – and those were close to the same numbers as when I graduated from law school 18 to 20 years ago – I think gender definitely is an obstacle in terms of advancement in large law firms. If you want to be realistic, perhaps for the women who have made it into that 20 percent it wasn't an obstacle, but in terms of whether there are issues that consciously or unconsciously impact women as they progress through their careers, seek to win clients, and fight for leadership opportunities internally and externally, I think it definitely exists.

MCC: How have you managed to overcome them?

Hsu: I build lasting relationships – I try to get to know people and make them comfortable with me. That's been one factor. The world is a diverse place and there may be times when people aren't going to be comfortable with you and the role that you have because you're different from them. I do think that sometimes you have to reflect upon whether you want to make a big deal about the challenges that you face; sometimes just continuing to push through will make more of an impact. In order to help mentor younger lawyers, it's sometimes better to be more transparent about what obstacles you see, and then you just keep persisting.

MCC: How would you rate corporate law and finance as far as openness to accepting women on equal footing compared to other areas of practice?

Continued on page 11

MCC INTERVIEW: Cheryl Brunetti / RVM Enterprises, Inc.

Finding the Balance

The daughter of a single-mother entrepreneur takes from her the inspiration to raise a family and a company

Cheryl Brunetti is the daughter of a single mom who started a service station at which, in time, her son and daughter both worked. It was an experience that taught young Cheryl lifelong lessons. Brunetti is now the executive chairwoman of RVM Enterprises, Inc., an e-discovery provider that has long been in the business of document and forensic data collection, processing, hosting and review. Cheryl and her husband, Vinnie Brunetti, the company's founder, have run the shop together since 2004. The thing she's proudest of is also related to what's hardest about her job. She loves the fact that the company now employs over 100 people and helps sustain their families. But sometimes the company has to ask them to sacrifice in ways that she knows taxes and stresses those same families. The interview has been edited for length and style.

MCC: Tell me about your first job working for Community Options. What kind of company was it, and was it a good place to learn the ropes?

Brunetti: Yeah, it was actually a nonprofit organization that assists people with developmental disabilities, but it was really run as a for-profit. Basically, the vision was that if the company wasn't sustainable, whether it was profit or nonprofit, it wouldn't be able to help the people that it was intended to help, so there was a great focus on making sure the right decisions were made for the business to be able to sustain itself. It really was a great opportunity for me to learn. The company grew basically seven times in revenue during my tenure there, so I gained a lot of experience during that time in being able to adapt to a growing business.

MCC: Things must have been going pretty well for you personally, because you moved from a job as controller, which is what you were doing for the first two years, into the job as chief financial officer. What were some of the lessons you learned that helped you move from the first job to the second?

Brunetti: I think the greatest lesson I learned was that in a small, growing company, you need to be agile. You need to be really proactive and stand out and really, when you're presented with an opportunity, take it and run with it. Don't wait for somebody to come over and ask you to do something. Let all management know that you have the drive and the desire, and that you want to succeed.

MCC: You talked about having the drive and letting people know, but you also seem to have a great deal of confidence that you can do the job, whatever that job is. Where do you get your confidence from?

Brunetti: From my mother. I was very fortunate to have a great mentor like my mom my whole life. Single mom, raising two children, essentially on her own. She always had it in my head all the time: "You can do whatever you want to do. The opportunity is there." She was always boosting my confidence, even when I didn't feel confident. It almost brings tears to my eyes that I was so fortunate – and am still to this day – to have such a strong role model.

MCC: You left Community Options around the time you and your husband decided to start a family.

Brunetti: Yeah, absolutely. As you can imagine with a growing company, I was working really long hours, traveling very often. You're always a little nervous with the first one, and I just thought it was the right thing to do – not necessarily to not work, but to not work at the level that I was working at the time.

MCC: So, you started your own consultancy ...

Brunetti: My oldest daughter's going to be 16 in a few weeks, unfortunately. Then,

Cheryl Brunetti is the executive chairwoman at RVM Enterprises, Inc. A licensed CPA, she joined RVM in 2004 as its chief financial officer. Since that time, following a period of rapid growth at RVM, she has become the company's majority stockholder and its senior-most executive. She can be reached at cbrunetti@rvminc.com.

I have a 14-year-old, soon to be 15, and an 11-year-old, so I did have my children kind of in a short period of time. My third one was while I was at RVM. I'll never forget going into labor with my third child – the third one's always pretty easy, after you've gone through it a few times – and being connected to the office immediately thereafter. And people were saying, "What are you doing calling me? Didn't you just have the baby yesterday?"

MCC: And before then ...

Brunetti: During the time I did some consulting work, it was a variety of things, including for my former employer, who had retained me on a regular basis to continue to do some of the things that I was doing before I had children.

MCC: Now, the move to RVM Enterprises. That was one that I'm guessing you and your husband spent a good deal of time thinking about and talking about before you decided to do it. You went to work for the company that he founded and where he was the CEO. Was this something that you two had been thinking about for some time?

Brunetti: Well, quite honestly, the company had a need for somebody with my skill set. The company needed somebody to really spearhead the growth, and a lot of the skills I had either experience with or had a desire to do and felt I was strong in. Vinnie and I both come from families of entrepreneurs. There wasn't a great deal about exactly how each of our roles was going to be structured. It was kind of more about: "Look, there's a gap here. Let's see what we could do together."

MCC: Was there any hesitation on the part of either one of you, as far as the possibility that this would put pressure on your marriage in a way that would be uncomfortable?

Brunetti: We always say to one another, "You really need to be focused on what's best for the company." Even though you may have different ways of getting somewhere, you're on the same page when it comes to the goals.

MCC: Did things go smoothly from the very beginning, or was there some kind of learning curve to really get comfortable with this new operation for you?

Brunetti: Well, I think that as with anything, there was certainly a learning curve. I had not really been exposed to the industry specific to which RVM is in, so there was certainly a tremendous amount of industry knowledge that needed to be acquired. And, in fact, since the industry is changing on a daily basis, that never stops. But running a business you have the ability to acquire the experts. You've got to acquire people who are smarter than you in those particular areas.

MCC: What were some of the big challenges you faced at RVM as chief financial officer when you started that were new and different from your earlier experience working for the nonprofit?

Brunetti: Yeah, I think that goes back to the industry being very different. But also the revenue model being a little bit different as well. Litigation has its peaks and valleys, and the lack of predictability of revenue presents a challenge.

MCC: How did you and your company respond to that challenge? How did you find ways to smooth out those rough patches?

Brunetti: Well, I think a couple of things. First of all, getting a lot more visibility into the sales cycles and the pipelines. Also, a heavy focus on customer service. Making sure that the clients' needs are met continuously and that they feel comfortable that we're responsive to them. I mean, our client focus is our number one company priority, always. Also, keeping a tight pulse on the spend. You know, it's kind of a balance of all those things and just really very carefully managing the growth. RVM isn't backed by any pool of investors. It's backed by me and my husband personally.

MCC: How has it grown over the years since you started there in 2004?

Continued on following page

Finding the Balance

Continued from previous page



I think the greatest lesson that I learned was that in a small, growing company, you need to be agile.

Brunetti: Geez, it's about six to seven times since I've been here.

MCC: What challenges has that presented?

Brunetti: I honestly think the hardest part is hiring the right people and keeping the right people. In a small business, you not only need to have people that have a very well-rounded skill set. Not that they're great at one thing, but they're great at multiple things and also have the ability to be comfortable in a culture that has a lot of change.

MCC: How has your personal role at the company changed over the past 13 years?

Brunetti: When I started, my focus was on my hard skills. My accounting, my HR, my legal skills that I had gained in the past. But the reality is that when you're running a business, you have to be adaptable, and wherever there's a need, that's where you need to be. You always have to keep your mind on the big picture, and that can be hard.

MCC: Is that the hardest part of your job?

Brunetti: That's one of them. But I honestly think the most challenging thing for me is making decisions that impact people's lives. Often there's business demands in this industry that require your people to work around the clock. And things come up Friday night, you know, when everybody wants to head home for the weekend. You don't want them to have to work from Friday night to Monday morning. You want to keep them happy, and you want to retain them. But at the same time, the work needs to get done. It presents challenges when the demand for our service can be so unpredictable.

Navigating the Bumps

Continued from page 9

Hsu: I'd have to say that I think that there's a bigger push now with respect to in-house legal departments and large corporations focusing on diversity and inclusion, and having different lawyers work on their matters and holding law firms accountable for meaningful inclusion. I think that definitely has been something you've probably seen, even with the recent announcement by Facebook, which said that moving forward women and ethnic minorities must account for at least 33 percent of law firm teams working on its matters, and that law firms must also show that they "actively identify and create clear and measurable leadership opportunities for women and minorities" when they represent the company in litigation and other legal matters.

And there was an article in The New York Times about the different initiatives that corporations are using to hold their law firms accountable. I think that law firms generally pay attention to what their clients are looking for, since we are in a client-service profession. So I do think there are certain corporations that feel that this is very important and are focused on it. There are other corporations that are neutral. Luckily, I don't work with any that are openly intolerant, or I'm not aware of any.

Also, the measurement tools and the research have all proven with respect to corporate boards, for example, that having three or more women on a corporate board helps improve the company's results. I think that it's in a company's interest to increase the diversity because stakeholders are starting to believe that it'll achieve better results.

MCC: On a more personal level, you've talked about mentoring and strategies for mentoring. What opportunities have you sought and found to mentor other women attorneys, whether at your firm or outside your firm?

Hsu: Well, through my recruiting and hiring committee work that I do at the firm, I attend events at law schools and speak to students, and I keep in touch with some of the students that I meet. My college has a database of people who are willing to speak to students about different industries and careers, and so I've also spoken to

MCC: What's been your most rewarding accomplishment at RVM so far?

Brunetti: We are employing over 100 people and families that are being supported in some way as a result of the company's efforts. I should really say our team's efforts.

MCC: What can others take away from your story – especially other women?

Brunetti: The biggest challenge is managing family and work, whether it be your own business or being successful in another career. You just need to move to whatever needs you the most. But being there for your children at their special events, whether it be, in my case, a dance competition, or a graduation, or a back-to-school night or whatever, needs to always remain a priority. You can make up a meeting at work, but you can never make up that time with your child. Ever.

MCC: That's a hard one, isn't it?

Brunetti: It is. I always say, "Who needs me most?"

MCC: Turning back to your professional life, what remains to be done? What do you still hope to accomplish that you haven't yet?

Brunetti: Well, you know, I've got to be honest. You're never done. There's always opportunities for improvement, developing efficiencies within your company. There's always opportunities for growth, whether it be growth within your core services or perhaps synergistic opportunities, synergistic services. And how do they fit? Is it an opportunity for you to bring in another service line perhaps? Especially in a technology-related business, you're never done.

some of the college students that reach out to me that way. Mentoring is an important part of my career, especially with respect to guiding younger women to really understand the business that they are in and get to know the right people.

MCC: For the record, you went to Wellesley, so those college students were women.

Hsu: Correct.

MCC: It's been almost 18 years since you graduated from law school. As you look back over that time, how much progress do you think women in law have made?

Hsu: I think that women have probably made much more progress in the pipeline at law schools in the last 18 years than when I was in law school. And there are more lawyers now because law school attendance has exploded in the last decade. Everybody agrees that more progress can and should be made. Practicing law is very complex, and I think you see women in a lot of different roles, but again if you look at general counsel statistics, as well in the Fortune 500, I don't know that in the last 20 years there has been as much progress as people would have anticipated 20 years ago.

MCC: You talked about your family's preference for the medical field? Have you ever had any regrets for the path you took?

Hsu: I think everybody always comes to a point after they've been doing something for a while when they take stock and think about what else they could have done. I think on balance I'm very happy that I have built such a challenging and intellectually stimulating career. But I also think that I have a lot of other qualities and talents that I could have pursued, and this is just the one to which I naturally gravitated.

MCC: But you don't have any regrets that you didn't end up in "L.A. Law" land.

Hsu: I do not have any regrets that I didn't become a litigator, although I have had a chance to have a taste of that through my pro bono work. And it is fun to dabble in.

Women Overcoming Challenges to Lead in the Law

Advice from 10 lawyers who have talked it and walked it

By Megan Belcher / Husch Blackwell LLP

It is often said that if you are not uncomfortable, you are not growing. Reasonable minds may differ on the nuances; however, what is certain is that along the road of a career aimed at becoming a leader in the practice of law, many challenges will present themselves. Over the past year, I invested significant time and energy considering the power of navigating those challenges. In addition to gathering data about myself, particularly as I transitioned from an in-house leadership role to a partner at a law firm, I also sought input from others who had ascended along this path. I spoke with leaders working at in-house departments and at law firms, as well as executive coaches and talent management experts. I sought their advice and strategies for women navigating the myriad challenges that come as they try to find their authentic paths.

The big lesson I learned from these women was this: Getting out of your comfort zone drives transformative growth. Other lessons? Seek out the right support and ruthlessly prioritize. I include some of the questions we explored in bold text below.

The path to leadership is messy and filled with challenges, regardless of your profession. Is the practice of law good at recognizing that reality?



Rebecca Weinstein Bacon

The consensus was that although the practice of law is getting better, we still have progress to make. Rebecca Weinstein Bacon, a partner at Bartlit Beck Herman Palenchar & Scott, notes that although the practice of law has progressed in fostering a focus on leadership, it is still behind most of the business world. Weinstein

Bacon indicates that it is time for the practice to be more explicit that leaders are not just born, they also grow along the course of a career, including as a result of managing challenges. It will also be critical for the practice to support lawyers with the right resources, with a matching cultural shift that recognizes the path to leadership is not linear.

How can women who aspire to lead acknowledge the challenges they face and seek out support?

The consistent answer from all of the leaders I interviewed? Find the right mentors and support system for advice. Compiling a personal “board of directors” who offered diverse perspectives and acted as a sounding board was an imperative for all the leaders I consulted.



Robin Smith

Robin Smith, vice president and general counsel, Americas at LEGO Systems, Inc., advises that women approaching challenges should seek out other inspirational female leaders, leveraging them to help chart their own paths. She says those mentors and trusted advisors can help you avoid derailers and common traps. In

addition, you can use those relationships to learn how others navigated their own challenges.



Joan Ackerstein

Joan Ackerstein, principal at Joan Ackerstein Consulting, LLC and former partner and national chair of litigation at Jackson Lewis P.C., notes it is just as important to reach out and offer support if you see someone facing a challenge. There is nothing more powerful than being patient and offering those navigating complexity the tools

they need. The recipients of that support will come back stronger and indebted to you, Ackerstein says.

How should women approach challenges that arise along a career?

Ackerstein says it is critical to look at every challenge as an opportunity. Throughout her career, when she

approached a difficult case or other challenge, she looked at it as an opportunity to perform at her best. “Where in this lousy event is my opportunity?” was Ackerstein’s refrain.



Nancy Mellard

Nancy Mellard, general counsel at CBIZ Employee Services Division, adds that although there is a lot of discourse about the importance of saying “no” as you move along your career, there are as many times women should be strategic in saying “yes,” particularly when approaching challenges. By tackling those

challenges, women can build a sense of power and confidence that is so critical to becoming a leader.

Finally, Hannah Kiernan, executive coach at Kiernan Consulting Group, LLC and a former practicing lawyer, says that women must relinquish the desire for perfection when managing a challenge. “You cannot expect perfection in a challenge,” Kiernan explains. What you can do is expect for it to go well, so long as you are rising to the challenge.



Hannah Kiernan,

Strive for excellence, not perfection, and understand that a challenge does not have to be perfectly navigated for you to achieve success and grow. Even more importantly, if it is a winding and imperfect process, you are likely to grow more.

What is the starting point for developing a strategy for navigating those challenges?

Don’t miss out on the simple fact that you need to recognize the challenge for what it is, says Mary Ellen Callahan, partner and chair of the privacy and information governance practice at Jenner & Block. She advises not to try to hide from it, or diminish it. Acknowledge it as a challenging situation and then seek out solutions based on its magnitude.



Mary Ellen Callahan

Continued on following page



Megan Belcher is a partner with the Am Law 100 firm Husch Blackwell LLP in its Kansas City office. She focuses her practice on advising corporate clients on their employment, compliance and litigation matters. Prior to joining the firm, she was the chief counsel of employment law and compliance with Conagra Brands. For professional development, she concentrates her efforts on speaking and writing about leadership issues for women in the law, as well as running Drinks Among Friends, a grass roots organization providing accessible leadership and development opportunities for women lawyers. She can be reached at Megan.Belcher@huschblackwell.com.

Overcoming Challenges

Continued from previous page



Janice Block

Another key strategy? Ruthless prioritization, says Janice Block, chief legal officer and chief administrative officer at Kaplan, Inc. Working through career challenges is much like working through a complex legal issue. You start with the result you are seeking and work backwards on the steps and resources you will need along the way. Figuring out the order in which you need to tackle things, while assigning value to each, is essential, according to Block.



Michelle Trumpower

The advice from Michelle Trumpower, deputy general counsel at Ingersoll Rand, is to jump into those challenges with both feet. She notes that many times opportunities in a career come in just such a form, and when they present themselves, you have to seize the moment.

Is there a common misstep that women make?

Caren Ulrich Stacy, CEO of Diversity Lab and founder of the OnRamp Fellowship, notes that everyone's challenges and strategies for managing them are different. However, there is that common moment of truth when each woman must confront the



Caren Ulrich Stacy

fundamental question: fight or flight? When navigating challenges, Ulrich Stacy says, it is critical to resist the flight impulse.

Ulrich Stacy also notes that it is not only acceptable, but a good development exercise to experience what she calls "micro-failures." Those are the missteps that are not catastrophic for your career, but which can equip the lawyer with skills to deal with future challenges. Once successfully navigated, that experience builds confidence for future challenges.

What can women who are leading do to support others?



Lynda Bennett

Lynda Bennett, chair of the insurance recovery group and a member of the executive board at Lowenstein Sandler, observes that women in leadership roles need to use their "megaphones" to support other women through challenges. By acting as champions for them, and helping them get noticed for the good work they are

doing, the leaders provide critical support to help colleagues master difficult times.

What is one piece of advice you would offer to women who aspire to lead?

Ackerstein: "The people I saw attain true success were those who were not solely driven for their own success. They became successful because they wanted their client, their organization and their team to be successful."

Bennett: "Get comfortable with being a little selfish. One of the biggest impediments to women becoming leaders is that we are apologetic and not always good at self-advocacy."

Block: "Develop the comradery you need to share stories, that will give you food for thought, and will enable you to find mentors that are great role models. Through those examples you can find ways you might want to structure your own career and set your own definition for success."

Callahan: "Be proactive in your career. Do not passively agree to work on boring matters because you are good at organizing the documents."

Kiernan: "Get to know yourself. Know what your strengths and opportunities that are beyond your technical skills."

Mellard: "There is such power and strength in relationships with other women. The greatest way to navigate through struggles is to build a network of and reach out to other women."

Smith: "You have to ensure you are OK with the fact you are not going to have it all. We put ourselves under too much pressure to either look like we are doing it all or to actually do it all."

Trumpower: "Don't get there too fast. The right path is not always a path that goes right to the top."

Ulrich Stacy: "Fill a void. When you are walking into a new situation or a new challenge, look around for an opportunity and fill the gap."

Weinstein Bacon: "Your career is a marathon, not a sprint. Just keep going while recognizing the ebb and flow."

Empowered by IP

Continued from page 8

The EMPOWER program also emphasizes business development training and professional development opportunities, which have played important roles in my growth at the firm.

MCC: Who has most influenced you in your career?

Garko: My husband Michael, who is an in-house lawyer now but started out in private practice. He has supported me every step of the way in my career. He has encouraged me to take risks when I otherwise might not have. We are truly a team when it comes to raising our daughter. He is home for her when I can't be because of travel or trial or whatever other work demands arise. Without his dedication to our family, I wouldn't be able to do what I do on a daily basis.

MCC: What advice do you have for women entering your profession?

Garko: This is your career. No one – even if they have the best intentions – will ever care about it as much as you do. You need to be thoughtful about where you want your career to go and put the pieces in place to make that happen. People often talk about seizing opportunities, but I think it is more important to be willing to create them. Don't wait for someone to come and offer you a particular role on a case – go and ask for it. I had a partner I worked with tell me (long after the fact) that what gave me the edge to get a coveted role on a particular case was that, while lots of folks reached out to him about the matter, I was the only one who went to his office in person to tell him

I wanted to work on this particular matter. Showing that extra level of interest is important.

MCC: What do you love most about what you do?

Garko: What I love about this job is that every day is different. No two cases are the same, no two clients are the same. That keeps things interesting and challenging. The ever-changing nature of what I do allows for the creation of new opportunities, whether it be expanding my expertise in a substantive area of the law or finding a new way to connect with potential or existing clients. I also love the people I get to work with. Both my clients and my colleagues are some of the smartest people in their industries, and I am constantly learning from them.

BE THE CEO OF YOUR OWN CAREER



PLEASE JOIN US ONLINE FOR A FIRESIDE CHAT WITH THESE LEADING WOMEN IN BUSINESS AND LAW.



Moderator: Megan Belcher

Partner with the Am Law 100 firm Husch Blackwell LLP



Chelsea Grayson

Former CEO of American Apparel



Michelle Banks

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