

Technology Group Of The Year: Orrick

By **Tiffany Hu**

Law360 (February 19, 2019, 4:04 PM EST) -- Orrick Herrington & Sutcliffe LLP's representation of more than 2,700 tech companies, ranging from early-stage startups to tech giants like Microsoft Corp. and Twitter, has landed the firm a spot as one of Law360's Technology Groups of the Year.

In June, a Washington federal judge refused to certify a class of more than 8,000 female Microsoft information technology workers and engineers claiming the company's promotion scheme and allegedly male-dominated culture caused them to earn significantly less than men. That case is now on appeal.

Weeks later, a group of female Twitter employees were denied class certification by a San Francisco state court judge, who said that, under the U.S. Supreme Court's *Wal-Mart Stores v. Dukes* standard, the workers' individual allegations over the tech company's allegedly sexist promotion process were too diverse to be lumped together.

Orrick's successes on behalf of tech giants such as Microsoft and Twitter, and the firm's ability to bring its best lawyers to help companies even at early stages of development, are among the reasons why startups are drawn to the firm, partner John Bautista said.

"We represented Travis [Kalanick] at Uber in our white collar practice, we do a lot of work for Synopsis and others in our intellectual property practice, we do public policy for Warby Parker and others," Bautista said. "I think a lot of startups come to us because they know we're good, not only on the corporate side. We're not just going to refer it down the hallway. When we bring in one of our employment lawyers, they can be assured they are getting one of the best employment lawyers in the country."

Orrick has also advised JD.com, a major e-commerce company based in Beijing, on several transactions to bolster its e-commerce logistics network. In September, the firm represented JD.com in a private placement deal with U.K.-based Farfetch Ltd. allowing the Chinese retailer, as its largest shareholder, to buy an additional 1.4 million shares at \$18 apiece.

Orrick also offers technology solutions that the firm has either developed internally or collaborated with third-party partners on to provide "faster, better and cheaper legal services" to these early-stage companies, Bautista said.



More recently, the firm has collaborated with Long-Term Stock Exchange, a company of which Bautista is co-founder, on a number of tools, including a cap table software called Captable.io that enables startups to manage their stock and option grants without charge, he said.

"This concept of having online services where Orrick is partnering with third parties has been [around for] five years, but it's really accelerated in the last year, especially as LTSE has pushed these tools out and we brought on the Orrick Analytics team two years ago," Bautista said. "We're really out there trying to provide free tools for companies and entrepreneurs to use to take it to the next level."

Partner Don Keller said the firm's strategy focuses on three sectors: technology and innovation, energy and infrastructure, and finance. With more than a third of Orrick's attorneys practicing in the technology sector around the world, technology and innovation is the biggest focus of the three, he said.

"Our strategy within that group is to be the leading global technology firm, and we think we've got the best set of destination practices of any firm in the world," Keller said.

--Additional reporting by Braden Campbell, Cara Bayles and Matthew Guarnaccia. Editing by Nicole Bleier.