

Thrown Into The Deep End, These Summers Made A Splash

By **Cara Salvatore**

Law360 (August 25, 2023, 4:22 PM EDT) -- It was just like any other Quinn Emanuel trial. Early this summer, the firm's Danielle Zoellner stood up in a New York state courtroom and began her direct examination of a key witness. Except Zoellner was in her third week as a summer associate.

Major trial roles rarely go to summers, who spend around 10 weeks with a firm before heading back to law school. But Law360 spoke to three law firms that took the training of these temporary ranks to another level.

Zoellner had just finished her second year at Boston College Law School when she began her summer at Quinn Emanuel Urquhart & Sullivan LLP in New York on May 19. She was whisked out to lunch the next Monday by partner Katherine Lemire and associate Sophie Hill. The get-to-know-you chat came with a kicker: Zoellner was getting staffed on her first trial. It was starting June 5, and she would be second chair behind Hill.

The case? A cat custody dispute.

Pro bono client Eva Pron had lost her job during the coronavirus pandemic. She'd had to move to a shelter that didn't take pets, and she left her beloved cat, Murchik, who was staying in Brooklyn with a friend, Olga Tymshan. After Murchik fell out of Tymshan's fifth-floor window and underwent surgery for extensive injuries, Pron asked for her cat back. Tymshan refused.

When the case came to Quinn Emanuel through word of mouth, the firm sent a 90-page demand letter and the June 5 date was set.

On Zoellner's first day, she learned that she would be leading the direct examination of witness Igor Khenkin, a friend of Pron's who had cared for Murchik before Tymshan. Khenkin would provide crucial testimony that the cat — whose name means "purr man" in Russian — was Pron's.

"It was kind of nerve-racking in some ways," Zoellner said, but "a once-in-a-lifetime opportunity." As word spread around the office about the summer with the trial, Zoellner began diving into the case documents, writing mock openings and closings, sitting in on prep sessions with Pron and leading her very own sessions with Khenkin.

"You can prep as much as you want," Zoellner said. "At the end of the day, you just have to get up there and do it."

On June 5, that's what she and Hill did, with Lemire watching Hill from the gallery for the day-and-a-half-long trial. Hill told Law360 that she knew the facts favored their side, and that the law was on their side too. A judge agreed.

With that, Zoellner had her first successful trial under her belt.

"Of course it's a treat to watch an associate and a summer associate lead a trial," Lemire said — even though, as a former prosecutor, she finds it agonizing to watch instead of asking questions. "I firmly believe the only way to learn trials is to do them."

Two Latham & Watkins LLP summers had that same type of tutelage this year when "amazing circumstances" cropped up, according to partner Michele Johnson, who co-led a \$26 million trade secrets trial win in California with partner Eric Leon.

When the summer cohort arrived, Yiyang Wang, Alisha Agrawal and Jiayi Liu were put to work preparing to litigate client OWLink Technology Inc.'s claims that rival Cypress Technology Co. had breached a contract and misappropriated trade secrets.

It wasn't till a bit later that Johnson and Leon realized that two of their picks, Wang and Liu, had the gift of speaking Mandarin — "when it turns out every witness in the trial spoke Mandarin," Johnson said.

That came in handy in the summers' initial roles of designating deposition transcript testimony to be used at trial.

Throughout those transcripts, the English portions were the work of certified translators. But Wang and Liu, reading the Mandarin alongside the English, "could interpret nuances in the testimony," Johnson said. In one example, "the summers were able to help us identify the translated word was 'rush,' but the nuanced word was more like pressure that the party was experiencing," Johnson said.

One of those witnesses ended up testifying live as an adverse witness called by Latham, ratcheting up the importance of Wang and Liu's help in real time. They were huddling on every break to get the summers' counsel regarding missed nuances, Leon said.

He called it simply "an added bonus" on a smaller trial team where every member's work was critical.

Even when summers aren't on the field in a live trial, some firms still put them through a gauntlet that might as well be real, with actors brought in as witnesses and jurors pulled from off the street.

Some time around the last week of July each year, Desmarais LLP flies every summer associate to its New York office and launches no fewer than five mock trials at the same time.

Summers spend the seven to eight weeks before these trials learning everything they can in once-a-week cram sessions, getting up to speed on cases that are dreamed up by the firm's partners, who also serve as judges. Junior associates in their first through third years also participate.

The summers find themselves in the deep end, responsible for roles as weighty as openings, cross-examinations and closings.

Caitri Feddeler went through the program for two years as a summer associate and is now a junior associate. Her very first year, she gave an opening statement in a faux medical malpractice trial.

"I remember when I stood up to give my opening, I was just incredibly nervous and my legs were shaking," Feddeler said. "But after I'd finished the three-minute intro that I'd practiced and rehearsed, I realized I'd stopped thinking about how nervous I was."

That's because of the weeks of training that preceded it, Feddeler said.

"Probably one of the most important lessons that we learn during trial training ... is just about how important your themes are and figuring out what kind of story you're going to tell," she said.

No matter the case, "the jury's going to care about who's the good guy, who's the bad guy," she said. "So figuring out how to paint your clients in the best manner is definitely something we focus on a lot," particularly in the training weeks that focus on openings and closings.

Having gone through the program before even taking her evidence class in law school, she also had a unique perspective when she returned to class as a second-year student. She knew before the rest of her classmates how to wield evidence rules in the real world — "strategically."

"Just because you can object to something doesn't mean you have to," Feddeler said.

According to Desmarais summer program co-chair Kerri-Ann Limbeek, there were over 40 participants this year, half of them summers.

Breaks every few hours give partners opportunities for direct feedback to dissect what's gone on, Limbeek said, from "magic language" for getting evidence admitted to notes on the summers' "presentation style."

Limbeek said she's personally seen the program's ripple effects. When she travels to law schools to participate in on-campus interviewing of second-year students for junior associate positions, some tell her they've heard from first-years about the trial training and ask to learn more.

"It gets around," she said.

--Editing by Karin Roberts.