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Bobby Burchfield
McDermott Will & Emery

SEAN CAIRNCROSS
SAYS...

Bobby solves problems and wins cases. As a client, I appreciate his preparation (meticulous), advice (direct), and skill.

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Kirk A. Pasich
Dickstein
Shapiro LLP
Los Angeles, CA

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Lawyer Limelight: Louis R. "Skip" Miller

One of Los Angeles' toughest litigators has learned to relax a little, even in the courtroom. [Read more](#)

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Trevor Hoffmann Joins Haynes and Boone's New York Bankruptcy Group

Leading Corporate Finance Attorney Jill H. Matchak Joins Chapman and Cutler in San Francisco

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Haynes and Boone Advises Dallas Businessman in



(Photo by Hugh Williams)

Lawyer Limelight: Louis R. "Skip" Miller

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By John Ryan

With a successful new firm staffed in part by his two lawyer sons, life is sweet for Louis R. "Skip" Miller. At 61, the hard-nosed litigator is as happy as he's ever been.

Miller has always had a rewarding, high-end litigation practice. He has worked on virtually every type of case, many of them in the entertainment industry. Clients have included Rod Stewart, Motley Crue, Bob Dylan and Nick Nolte, among many others. Miller also has represented a number of cities in litigation, including the City of Los Angeles in the civil case over the Rodney King beating.

He built his practice at Christensen, Miller, Fink, Jacobs, Glaser, Weil & Shapiro, where he was a name partner until his split from the firm two years ago. (He left the firm not long after firm leader Terry Christensen was indicted in the federal wiretapping case against private investigator Anthony Pellicano. On Aug. 29, a federal jury in Los Angeles **convicted** Christensen of conspiring with Pellicano to wiretap an opponent of one of Christensen's clients.) Miller now sits atop his own 18-lawyer firm, Miller Barondess. Two of the firm's associates are his sons, Daniel and James Miller, who have made the new venture extra special for their dad.

Of course, the new venture is also a success because Miller keeps on winning a diverse range of cases. Earlier this summer, Miller won a defense verdict for Pasadena, Calif.-based East West Bank, which faced breach-of-fiduciary duty and negligence claims from a bank client, Ocean Fresh Trading. Two sibling owners of the fish distributorship alleged that an agent at East West bank had helped a third sibling owner set up a competing business. The defense was complicated by the fact that the bank agent's wife had taken a job at the new business. Miller was able to convince the jurors that East West Bank had a right to take business from competitors, and that it should not be held liable for what was essentially a family

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fight.

Lawdragon: Were you concerned about taking this case to trial?

Skip Miller: Yes. In this era, financial institutions and banks are really under siege. This is a very difficult time for the financial services industry. You have negative publicity almost every day.... We also had a bank officer who admitted he had failed to disclose a conflict of interest that his wife was working for one of the bank customers, who was also a co-defendant. And we had to admit that he was disciplined for that.

So I was concerned about it. We tried to settle the case beforehand, but the plaintiff wasn't interested. They wouldn't even counter what I thought was a very generous offer.

LD: What was your strategy for dealing with the conflict of interest?

SM: The strategy is also my philosophy of life, and it works great in the courtroom: You take responsibility up front. We were candid in our opening statement about exactly what happened. We didn't make excuses for it. I said, "Yes, it was a conflict that was dealt with internally within the bank, but it didn't have anything to do with the plaintiffs; they are just using it to get money from you."

I didn't try to minimize it or sweep it under the rug but to take responsibility up front on behalf of the bank. You have to put it all out there in the courtroom. It's all about honesty and engendering trust, and if you can do that early on in voir dire and opening statement then you've accomplished a major goal.

LD: Have you changed your courtroom style over the years?

SM: Yeah, I smile more. I try not to be so intense unless it's really appropriate – if a witness on cross-examination is shown to be lying. Other than that, I've found that humor goes a lot further than anger. People are already skeptical or intimidated and concerned about being in court and away from their jobs, so I try to put them at ease. But they watch "Law & Order" just like you or I do. So if a witness gets up there and is lying, they expect you to go after him, and I won't hesitate for a second. You can't do that if the witness is a nice person. It blows up in your face.

LD: Can you share a case that you are particularly proud of?

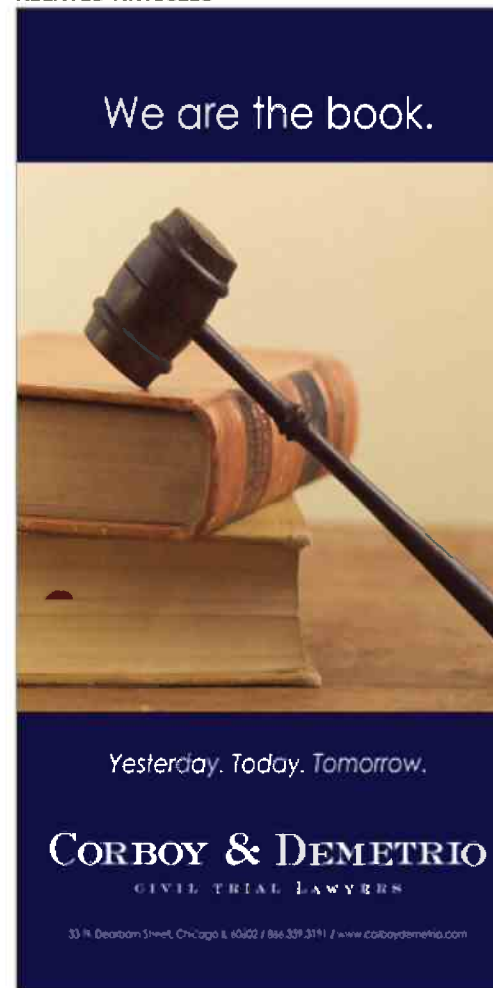
SM: One case I tried together with the [Los Angeles] City Attorney's office was the Rodney King civil rights case, after the riots and all of the fallout from the criminal trial. There was a tremendous disagreement within city government over how to do the case. Some wanted to settle up and give more than the case was worth, others didn't want to give a dime. But this guy was beat up. His skull was shattered, his cheekbone crushed and his leg broken. I came up with this idea with [then City Attorney] Jim Hahn to say to the jury that we're not going to contest liability and that it would be up to them to figure out what a fair compensation was. And it worked perfectly. The jury came back with what I thought was a reasonable settlement, and everybody was very happy. That's about what I thought the case was worth. [King received approximately \$3.8 million.]

LD: How about in the entertainment industry? Is there an actor or musician that you came to really like while handling a case?

SM: I represented Don Felder, who was a member of The Eagles for 27 years before they kicked him out of the group in 2001. He spent his whole career as an Eagle and owned one-third of the company that owned the name "The Eagles", so we filed suit. Just before trial it settled for confidential terms. Don's just the best guy in the world, the nicest guy. He came to my 60th birthday party and sang "Hotel California." He wrote the music for "Hotel California," which is probably the greatest rock n roll song in American music history, or at least one of them. That was a really cool case.

LD: How did your sons come to join you? Did you recruit them?

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SM: They were both at other firms doing transactional work. They went to my wife and said, "Do you think dad would be interested in training us as litigators and us joining him?" My wife is the smartest person in our family. She said, "Why don't you talk to dad about it?" I was completely blown away. I never pushed them at all.

LD: Do you plan to grow the firm, or move beyond litigation?

SM: I'm not really in a position to talk about it yet. We are thinking about expanding the firm to some other major areas, with high-level, high-quality senior lawyers, but it has not come together yet.... I have no desire to go beyond litigation unless it's a Bob Freilich like situation. [*Real estate and land-use law expert Robert H. Freilich joined the firm last year from Paul, Hastings, Janofsky & Walker.*]

My business model is to have a group of young attorneys, like my sons, and their contemporaries in their 30s and 40s, then sprinkle on top some older lawyers with some good years left to train [the younger lawyers], and let the youth rise over the next 5 to 10 to 15 years and spread their wings – then the older guys like me can kick back a little. It's really fun building a business like this. There's so much good legal business out there in LA.

LD: Are you kicking back yet?

SM: I'm working harder than ever but enjoying it more than I ever have. I'm 61 and I feel like I'm 39. I'm really looking forward to building the law firm for myself and my kids and the other younger lawyers.

LD: What are you doing outside the office these days?

SM: We're talking about a trip to Africa and a hike up Mount Kilimanjaro. I've never been to Africa. But my work is my life, especially now with my family involved. It's very fulfilling to have your children look up to you and to be successful and thrive. What's happening to me is every father's dream. It probably sounds boring, but it's a dream come true.

Have a suggestion for our Lawyer Limelight? Email Editor John Ryan at john@lawdragon.com

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