

Massachusetts Powerhouse: Mintz

By **Diamond Naga Siu**

Law360 (August 4, 2021, 2:02 PM EDT) -- Formed and headquartered in Boston, Mintz Levin Cohn Ferris Glovsky & Popeo PC dominates a city where larger firms have failed to maintain offices. Its leaders aren't sure why it's so difficult to stay there, but they're too focused on their own growth alongside the city to dig into reasons.

"In some sense, we're quite fortunate to have headquarters here," Michael Fantozzi, a managing member of the firm's Boston office, told Law360, noting how the city has fortuitously become a center for companies in tech and clean energy.

"But that interaction and that connection between this firm and those industries goes way back — this firm took Biogen public 20 plus, maybe almost 30 years ago," he said, adding how Mintz was also key in helping Vertex Pharmaceuticals grow from its initial stages to the biopharmaceutical leader it is today.

Mintz sits in the middle of Law360's Massachusetts Powerhouses list in terms of size, and like two other regional powerhouses, has been involved in representing clients entangled in the college testing and admission scandal.

Mintz was originally created by Jewish lawyers during the Great Depression in 1933. The Harvard Law School graduates were not finding the development opportunities they wanted at large Boston law firms so decided to create their own.

That founding spirit of making opportunities has fueled Mintz's success.

The firm stayed small for its first few decades while predominantly focusing on corporate work and state planning, but it experienced a rapid growth after the 1960s, jumping from around 30 lawyers in the late 1970s to more than 500 worldwide today, including in New York, Los Angeles, London and Washington, D.C.

Mintz now has strong practices in litigation, white collar, real estate, life sciences, corporate, bankruptcy and more. Fantozzi highlighted how the firm is attractive to both lawyers and clients by being good at the work they do in a low-key environment with "earnest" co-workers.

His colleague Scott Ford, the chair of the firm's litigation practice, told Law360 that Mintz has long had a



reputation of hiring strong litigators, even in the 1990s when Ford was coming out of law school.

"Knowing then, even as a naive law student, that Mintz was an incredibly strong firm, and because I wanted to be a litigator, its reputation as a litigation firm in Boston was paramount even back then," Ford said, noting how the firm's litigation reputation has only continued to solidify.

"If we just accelerate up to two or three years ago when one of the college admissions defendants — more than one — but one predominant one required the best lawyers in Boston to defend her criminal investigation and ensuing indictment and going to trial, they called Mintz," Ford recounted, adding that it was "no surprise to anyone" that the firm was contacted.

Elisabeth Kimmel of the admissions scandal, dubbed Operation Varsity Blues, is one of the last parents to continue litigating the case, and Mintz is set to represent her at the September trial. Hers is just one of possibly 19 Mintz cases scheduled to go to trial for the second half of the year.

Ford said the firm is in many cases not afraid to go to trial and claims that when they go, they win, boasting that their clients are willing to go the distance if needed, while the firm has the talent and drive to match.

The First Circuit and a Massachusetts federal court recently handed Mintz a massive win for its representation of Wynn Resorts against claims from an East Boston racetrack that the hotel chain obtained its location for Boston's first-ever casino through racketeering and fraud.

Sterling Suffolk Racecourse LLC claimed in its suit that Wynn had racketeered "well over \$1 billion" to secure the casino license that they were both vying for, but the First Circuit in March refused to revive the suit, affirming the lower court's decision that Wynn had not engaged in a pattern of Racketeer Influenced and Corrupt Organizations Act violations.

"The allegations included damages of \$3 billion, and we were able to get that case dismissed, and we're proud of the result that we got because it could have had a significant impact on the Wynn operations," Ford said.

Besides the large names Mintz helps regularly, the firm also works with smaller companies, such as Liminal Sciences Inc. and Hyperfine Inc., two medical technology startups that it plans to help go public.

By being headquartered in Boston with more than half its attorneys in-state, Mintz often interacts with many startups — something Fantozzi finds rewarding about the practice since the companies they help could possibly make a major impact on health care going forward, he said.

"That's one of the nice things about this practice," Fantozzi said. "We're problem solvers, so that's great, but we essentially end up with a bird's eye view of some of the emerging technologies developing in this country, and it's a rewarding thing to participate in."

He added, "To be able to ride along with our clients on that journey to making our world a better place, that's what's made this career — or you know, my career, or I would say most lawyers' careers — just tremendously satisfying to be a part of."

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