

## Massachusetts Powerhouse: Cooley

By **Brian Dowling**

*Law360 (August 23, 2023, 4:14 PM EDT)* -- Cooley LLP's inaugural visit to the Massachusetts Regional Powerhouses list follows a strong year for its Bay State office, shepherding corporate clients through nine-figure deals and attacking litigation head-on at the decentralized, new-economy firm.

Cooley's in-state headcount of 93 attorneys makes it the smallest of the three named firms in Law360's Massachusetts Regional Powerhouses this year, part of Law360's annual Regional Powerhouses series, though the firm leverages its scale across the U.S. with its 1,370 attorneys.

This is the first time for Cooley, one of the state's larger law firms, as a Massachusetts Powerhouse. The firm is no stranger to the designation in other states, receiving previous regional honors in Illinois and California. In many ways, Cooley's roots in the West Coast — founded in San Francisco more than 100 years ago — and its reputation as a go-to firm in Silicon Valley have led to the firm's success within the Boston area's booming technology economy.

"Our key is we really try to make sure that we live up to our brand as a trusted partner of the new economy," said Luke Cadigan, Cooley's partner in charge of the Boston office.

The firm has no headquarters, although its center of gravity is in New York City, where its chief executive and most of its attorneys work. Cadigan added that the firm's head of litigation is in San Diego and the head of business is in Seattle. Location makes little difference to the firm, said Cadigan, who oversees the East Coast business litigation group.

"If you look at a few firms, they are built around a mothership, and that is not us," Cadigan said. "We are one firm, and I assure you that on any given day, I work on matters for clients on the West Coast, in the Midwest, or the East Coast."

In Boston, Cooley has made moves in recent years to beef up its litigation bench with the 2021 hire of Zachary Hafer, the former criminal bureau chief of the U.S. Attorney's Office in Massachusetts. He and others in the firm are gearing up to represent JetBlue in a major antitrust fight with the U.S. Department of Justice, consumers and a group of states over its multibillion-dollar merger with Spirit Airlines.

Cadigan said the firm is relying on its bench of antitrust expertise across the country, combined with the



trial-tested litigation attorneys who have tried many a case in Boston, for its work as co-counsel for JetBlue in the case.

The firm's litigation team "couldn't be more active" with government investigations work involving the U.S. Securities and Exchange Commission, the DOJ and state regulators, Cadigan said.

In a high-stakes case involving a former adviser to shipping and logistics company Veho, which claimed breach of contract, promissory estoppel and unjust enrichment, was dropped without a shot being fired after Cooley attorneys warned plaintiffs' counsel they would seek sanctions and fees, the firm said.

Cooley represented Lunan Pharmaceuticals in an international trade secrets case concerning financial information stolen from one of China's top pharmaceutical companies. The dispute triggered a web of litigation in Massachusetts, the British Virgin Islands and Canada, and remains pending in Boston federal court.

The firm is also representing Wayfair Inc. in an infringement suit brought in Massachusetts federal court by rival Williams Sonoma, advising it on the design patent claims.

While the firm's corporate practice may have been the more traditional front door for clients, with the litigation teams providing backup, Cadigan said that isn't the case anymore with Cooley.

Despite a cooling economy and the recent pullback in funding deals nationwide, the firm helped clients navigate financings in venture capital and private equity, as well as mergers and acquisitions and the formation of new funds.

Cooley assisted software firm Vendr in raising a \$150 million Series B funding round that pushed its valuation beyond \$1 billion, and the firm also helped cybersecurity venture Snyk through a nearly \$200 million later-stage funding round.

Boston-based venture and growth stage firm M33 Growth, a Cooley client, closed out its third fund with \$340 million invested, and on the early-stage side, artificial intelligence-focused Glasswing Ventures closed a \$158 million fund.

Cadigan said the firm's team involved with patent prosecution and intellectual property portfolio management has also seen a robust pace of work coming in. Among its IP clients, Cooley represents Moderna TX, Cyteir Therapeutics, Dicerna Pharmaceuticals and ElevateBio.

"This economy has not been as robust as it used to be," Cadigan said, "yet the various funds we represent continue to remain active and put themselves in the best position, and we are here to help advise them and take it to the next level."

--Editing by Dave Trumbore