

Shook Hardy Snags NY Appellate Partner

By Emily Lever

Law360 (March 29, 2021, 2:32 PM EDT) -- Shook Hardy & Bacon LLP has hired appellate lawyer Scott Chesin away from Mayer Brown LLP as it seeks to round out its three-month-old New York office, the firm announced Monday.

Like many of the firm's recent hires in New York, Chesin had collaborated with Shook Hardy attorneys frequently in the past, representing the same clients in complex, multidistrict civil tort cases.

"It's the only firm I would've ever considered moving to," Chesin told Law360 Pulse regarding Shook Hardy. "I've been at Mayer 17 years and I've never applied to another job."



Scott Chesin

"I'm an appellate lawyer, trials generate appeals, and I don't know any other law firm of its scope and size and sophistication that spends all its time trying cases for high-profile clients," he added.

Chesin has argued two dozen appeals — many of which were originally tried by Shook Hardy — in courts including the highest appellate-level state courts in New York and Florida, as well as the Second Circuit. His shared clients across Mayer Brown and Shook Hardy include Philip Morris USA Inc., which Chesin recently represented in a smoking-related cancer **suit** in a Florida appellate court.

"I'm mostly going to be working on the same cases for the same clients with the same people," Chesin said. "It's going to be the simplest transition ever."

Shook Hardy is laying the cornerstone of its New York office, which launched in January, with locally-based partners it already knows well, like life sciences partners Tom Sheehan and Kimberley Penner — who happens to live on the same street as Chesin — and veteran business litigator William Vita, with designs on expanding further once the office has assembled a core group of partners.

"They're gathering some of their friends," Chesin said. "The broader expansion plan is that once we've got this seed, we can start looking for laterals who can grow a New York-based litigation practice."

Looking to the near future, the COVID-19 pandemic will continue to complicate litigation practice; even though hearings and motion practice have been taking place virtually for almost a year now, jury trials remain impossible in most jurisdictions.

"Appellate practice lends itself to [virtual meetings]," Chesin said. "A lot of it is written, and the argument part of appellate practice is so ritualized that it lends itself to Zoom as well."

"But you can't have jury trials right now," he added, "so there's a huge backlog of jury work."

When courts do reopen for jury trials, criminal matters will be prioritized given their urgency, and simpler civil litigation matters can be more easily brought before a jury than complex torts involving huge corporations and massive sums of money, meaning matters such as the ones Chesin handles — which can often last years — will be further drawn out.

"The cases we work on are cases that are going to trial because there's a calculated decision to go to trial and not settle, so they're not going to go away," Chesin commented. "For large scale repeatable mass litigation where defendants have a global settlement strategy, anything we do is going to affect the incentive structure for the plaintiff's bar going forward."

--Editing by Alyssa Miller.