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Greener Pastures: How R&B Shook Up Proskauer's ERISA practice

by Nathan Koppel

Some firms pick up new practice groups by carefully assessing market opportunities and painstakingly cultivating professional relationships. Others go to Jazz Fest. In October, Proskauer Rose opened a New Orleans office by hiring all of the 11 lawyers from Shook, Hardy & Bacon's office in the Crescent City. The deal might not have happened were it not for R&B crooner Al Green.

It all goes back to a beautiful spring day in the early nineties at the New Orleans Jazz & Heritage Festival. Rory Judd Albert, the cochair of Proskauer's labor and employment group, was at an Al Green concert. Albert says that he was standing on some bleachers with his wife, grooving to the music, thinking little about the legal business.

After a while, Albert says, he struck up a conversation with a concertgoer next to him, Howard Shapiro. They discovered they were both ERISA lawyers and Brooklyn natives. A friendship was born. After the concert, Albert kept up the friendship and kept tabs on Shapiro's career, because, Albert says, "I thought in the back of mind, maybe I can attract the guy to our firm."

For more than 20 years, Shapiro has specialized in defending companies against suits brought under the Employee Retirement Income Security Act. Last

year he represented Tulsa's The Williams Companies, Inc., in dismissing a claim that the company wrongly withheld financial data from participants in its employee retirement plan. Shapiro was the name partner of a New Orleans firm before leaving in 2002 to open Shook's New Orleans office. He says he commands an \$8-9 million book of business.

In the last few years, Albert says he had spoken "on and off" with Shapiro about joining forces, but the timing was never right. In March, Albert was asked to cochair Proskauer's labor and employment practice, which, he says, gave him the authority to finally pull off a deal. "Howard Shapiro is one of the key ERISA litigators in the nation," says Albert. "We have one of the largest ERISA litigation groups. [Hiring Shapiro] was a natural to my strategic vision."

Shapiro says he was excited to make the jump: "Proskauer is renowned nationally in [labor and employment]." John Murphy, chairman of Shook, is taking the loss in stride. "Am I sorry? Sure," he says. "They were good lawyers and good guys, but I think that is the nature of the beast in the legal community. People will come and go."

Perhaps. But Murphy would be forgiven if he began stocking up on Al Green recordings. For starters, he might try "Let's Stay Together."