

# For Crowell Litigator, a Life—and a Family Legacy—in Law

**Marisa Kendall**

**S**AN FRANCISCO — For the Kahns, law is a family business.

Michael Kahn, senior counsel with Crowell & Moring, is a seasoned corporate litigator with more than 40 trials under his belt. His brother sits on the state bench in San Francisco and presided recently over the high-profile gender-bias trial against venture-capital firm Kleiner Perkins Caufield & Byers.

Michael's son, Matthew Kahn, is a partner with Gibson, Dunn & Crutcher specializing in securities litigation. And Michael's nephew David Gamage teaches tax and other subjects at UC-Berkeley School of Law.

On Saturday the family will gather to celebrate Michael's induction into the State Bar of California's "Trial Lawyer Hall of Fame," a prestigious club that includes Irell & Manella intellectual property star Morgan Chu; Cris Arguedas, a leader of the Bay Area's defense bar; and veteran S.F. trial lawyer John Keker.

Kahn said he'd always wanted to be a trial lawyer and worked his way up to high-profile cases by nabbing courtroom experience wherever possible.

"I tried everything I could," he said. "Every little case that was around, I raised my hand and said I'd be happy to do it."

It's advice he's passed on. "Fairly early on in my career he said 'say yes to everybody,'" Matthew said.

Michael Kahn, 66, was the first of the family to start a legal career, graduating from Stanford Law School in 1973. Four decades later, his résumé includes a long list of high-profile cases. He first-chaired two massive trials over a Riverside County toxic waste site during the late 1980s and early 1990s, securing a jury verdict that held the state of California liable for the mess and spared his 300 corporate clients more than \$500 million in cleanup costs.

His public service has included chairing the Commission on Judicial Performance and taking over the running of the state's electricity grid during the energy crisis in the early 2000s.

More recently, he represented Cisco Systems

Inc. in a trademark infringement suit targeting Apple Inc.'s 2007 iPhone, and PeopleSoft Inc. as it fought a hostile takeover by Oracle Corp. Both cases settled.

Thomas Laffey, general counsel of Enterprise Holdings Inc., turned to Kahn last year to handle an arbitration in London against Europcar.

Kahn happens to be Laffey's college roommate and former law partner, but personal ties aren't all that make Laffey a loyal client. Laffey said he admires Kahn's ability to sit down at the beginning of a dispute, determine exactly what the client wants to achieve, and plot a strategy.

"Lots of lawyers are very busy and they're putting one foot forward, and they'll worry about whatever's in front of them," Laffey said. "Mike sort of works backwards from the trial."

Kahn scored a complete victory for Enterprise in last year's dispute, with the arbitrator terminating Europcar's right to use Enterprise brands in Europe.

Kahn started his career at Steinhart, Goldberg, Feigenbaum and Ladar, litigating one of his first trials while on loan to the public defender's office. In 1979 he joined two friends who founded San Francisco-based Folger & Levin—which then became Folger, Levin & Kahn. The massive toxic waste litigation, *United States v. Stringfellow*, soon followed, putting the fledgling 12-lawyer firm on the map. In 2009, the firm merged with Crowell & Moring.

Matthew insists his father didn't push him into a legal career, but he remembers one encouraging nudge.

His father landed him a college internship with the Legal Aid Society's Employment Law



Left to right: Judge Harold Kahn, San Francisco Superior, Michael Kahn, Crowell & Moring senior counsel and Matthew Kahn, Gibson Dunn partner

Center, where Matthew represented a non-English-speaking client who was denied unemployment benefits. Matthew won at the hearing, and was hooked. His client sent him a thank you note the next day—faxed from a local Kinkos—which Matthew still keeps framed in his Gibson Dunn office.

Michael's career also had an impact on his brother Harold, seven years his junior. The two were close growing up—they collected historic political memorabilia and quizzed each other on the U.S. presidents—and Harold figured if Michael enjoyed the law, he might too.

Despite their common legal interests, Harold said the law doesn't dominate Kahn family dinner conversation. They're more likely to talk about the brothers' 97-year-old father, called "Opa" by the family, or Michael's two young grandchildren.

Lately, it's been all about the grandkids, Michael said. "We're a very close family."

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