

Titan Of The Plaintiffs Bar: Sanford Heisler's David Sanford

By Vin Gurrieri

Law360 (May 10, 2018, 1:48 PM EDT) -- David Sanford of Sanford Heisler Sharp LLP enhanced his already prodigious reputation as a top-tier plaintiffs' side attorney over the past year by working to resolve high-profile gender discrimination suits against Chadbourne & Parke LLP and Sedgwick LLP, earning him a place among Law360's 2018 Titans of the Plaintiffs Bar.

The road to a settlement in the Chadbourne case — which was brought by partner Kerrie Campbell, who was later joined by attorneys Mary Yelenick and Jaroslawa Johnson — was paved by a November ruling in which Sanford convinced a federal judge to force six male defendants who used to run Chadbourne to fork over their personal emails for discovery.

Yelenick and Johnson reached an agreement in principle with the firm to settle their claims just days after that decision, and Campbell did the same shortly thereafter, which led a Manhattan judge to green-light a \$3.1 million deal resolving the lawyers' Equal Pay Act claims. Each attorney also reached a separate undisclosed private settlement resolving their remaining claims.

Those agreements came after Sanford helped former Sedgwick partner Traci Ribeiro secure a confidential settlement in arbitration in June 2017 ending her proposed class action accusing Sedgwick of fostering a male-dominated culture where women earned less and didn't advance as far as men.

While Sanford acknowledges that his work representing attorneys — his firm currently represents 25 lawyers, most of whom are partners — has garnered him a reputation for handling cases against BigLaw firms, he shifts the credit for seeing such cases through to the individuals he represents.

"For Traci Ribeiro, Kerrie Campbell and so many others we represent, standing up and bringing a suit is a big deal and it has a lot of ramifications, and there's risks involved along the way," Sanford told Law360. "But they stood up, did the right thing, followed their convictions and are without question better off for having done so."



DAVID SANFORD ON HIS CLIENTS IN GENDER BIAS CASES: "They stood up, did the right thing, followed their convictions and are without question better off for having done so."

"And by better off, I mean not just financially better off, but in many ways spiritually better off," Sanford added.

Beyond the cases against Chadbourne and Sedgwick, Sanford is also currently representing female attorneys at Proskauer Rose LLP, Ogletree Deakins Nash Smoak & Stewart PC and Morrison & Foerster LLP as they pursue similar discrimination cases of their own.

Sanford pointed out that the sexual abuse scandal involving Harvey Weinstein that broke in October, which spurred the nation's #MeToo movement, was a watershed moment that has led to more attorneys and women in general stepping forward with complaints and being more resolute in litigating claims if pre-suit settlement talks break down.

Even as recently as six months ago, Sanford noted that individuals who may have had some of the strongest claims often decided not to move forward out of fear of reputational harm. But the #MeToo movement has instead shifted that fear to businesses and employers.

"I think there's a real concern by defendants about not being tarred reputationally by allegations, [and] if they didn't know before they certainly know now that we are prepared to go all the way to trial and invest millions of dollars out of pocket in order to effectively litigate the case in discovery," Sanford said.

But fighting against gender bias and other forms of discrimination in the legal world wasn't Sanford's only accomplishment in 2017.

In July, he won judicial approval for a \$19.5 million settlement he negotiated on behalf of about 3,400 female Qualcomm Technologies employees to end a proposed gender discrimination class action against the company before it even began.

About five months later, he also negotiated a settlement on behalf of an unnamed 29-year-old Ph.D. student who accused long-time Columbia University history professor William V. Harris of sexually harassing her and kissing and groping her without her consent over the course of several years.

The woman, who sued under a Jane Doe pseudonym, also accused the school of never taking meaningful action against Harris despite having received previous complaints about his behavior. Harris was forced to retire because of the allegations against him, according to Sanford.

"We're very grateful that ultimately Columbia took the right action and did the right thing," Sanford said.

Paul Blankenstein of Gibson Dunn & Crutcher LLP, who squared off against Sanford in a class action stemming from a rabbi's arrest for surreptitiously watching Orthodox Jewish women taking monthly ritual baths, said Sanford is well-regarded on both sides of the bar and is exactly the type of lawyer that defense attorneys want to litigate against.

"He's a straight shooter, which is important in this business, and I think he takes his responsibilities as the plaintiffs' lawyers seriously," Blankenstein said. "It's easier to deal with people who understand the rules of the game ... because litigation is tense enough and difficult enough that you don't need to add to that by having someone on the other side who you can't trust."

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