

## Delaware Powerhouse: Wilson Sonsini

By **Kevin Penton**

*Law360 (August 6, 2021, 2:51 PM EDT)* -- Wilson Sonsini Goodrich & Rosati PC has wasted no time growing its Delaware office during its first decade into one of the more prominent corporate litigation and advisory legal shops in the First State, earning a spot among Law360's 2021 Delaware Powerhouses.

The California-based firm's Wilmington office features 28 lawyers and is led by Amy Simmerman, Brad Sorrels and Bill Chandler, a former chancellor for approximately 14 years in Delaware Chancery Court. The office includes 15 litigators and two former judges, giving it plenty of courtroom experience, Sorrels said.

"We're quickly becoming one of the larger firms in town," Sorrels said. "We're getting to the point where we're rivaling or being viewed within that top tier of traditional Delaware firms."

Wilson Sonsini — which works out of 16 locations in the United States, Europe and Asia — focuses its Delaware office on corporate litigation, patent litigation and on advising companies on matters such as transactions, Simmerman said. Many of its clients are based in the technology and life sciences industries.

In February, the firm assisted pharmaceutical information technology company Veeva Systems Inc. as it became the first public company to convert to a public benefit corporation.

The change kept Veeva as a for-profit corporation while identifying its public benefit purpose as assisting the life sciences industry and other clients with becoming more productive and with creating jobs, according to the company's announcement in February. Privately held companies incorporated as benefit corporations include Patagonia, King Arthur Baking Co. and Allbirds.

The change clarifies that even for a \$45 billion company, its focus is not just delivering profits to its stockholders but also doing good in the areas it serves, an increasingly important consideration in the corporate world, Sorrels said.

While shareholders were generally supportive of the change, the challenge was setting the mold, as the model was the first of its kind, Simmerman said.



"In a lot of ways, the company viewed itself as aligning its form with how it operates its business, which also happens to benefit stockholders," Simmerman said. "This was a very cutting-edge matter that shows the kind of work that our governance practice is engaged in."

Wilson Sonsini secured a win in the U.S. Supreme Court in December on a Delaware-related matter, when the high court reversed a Third Circuit ruling that had overturned the state's more-than-century-old requirement that its three top courts have a balance between major political parties on their benches.

Wilson Sonsini — including attorney Randy J. Holland, who served as a justice on the Delaware Supreme Court for more than 30 years — represented Delaware Gov. John Carney, arguing that the Delaware lawyer who challenged the requirement lacked standing to challenge the provision in federal court, as he was not "able and ready" to apply for a judgeship at the time he sued.

The Supreme Court agreed in a unanimous decision for the case known as Carney v. Adams, preserving the state's practice of maintaining an even keel on its courts, an attraction for many corporations that look to do business in Delaware, Wilson Sonsini attorney Steffen N. Johnson told Law360 in December.

Wilson Sonsini also represented Forescout Technologies Inc. when the cybersecurity firm sought to preserve aspects of a \$1.9 billion merger with affiliates of Advent International, after the private equity firm refused to close the deal.

Forescout sued Advent in Delaware state court in May, alleging Advent had violated the terms of their agreement by both backing out and by contending that significant issues at Forescout had been the problem.

The two sides settled their dispute in July 2020, with Advent and co-investor Crosspoint Capital Partners picking up Forescout for \$29 per share, down from \$33 per share, which reduced the merger's price tag down to \$1.6 billion.

Looking ahead to the next six to 12 months, Wilson Sonsini expects to continue its growth trajectory for the Wilmington office, planning to add about three to four attorneys, Simmerman said.

"We've been incredibly busy for quite a long time now," Simmerman said. "I don't expect that to change any time soon."

--Additional reporting by Rose Krebs and Benjamin Horney. Editing by Gemma Horowitz.

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