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Boston & New England – Law Firms

Holland & Knight's Boston Office: Aligned With The Region's Immense Knowledge Economy

The Editor interviews Mark C. Michalowski, Executive Partner, Holland & Knight's Boston office.

Editor: Mr. Michalowski, would you tell us something about your professional experience?

Michalowski: My background is in litigation, and I focus on matters involving construction, transportation and creditors' rights. Most recently I have represented a large pension fund in a variety of legal matters.

I came to Holland & Knight through a predecessor firm that merged into Holland & Knight 10 years ago. At the time, the predecessor was the first mid-sized Boston firm to become part of a large national platform. There was a very natural cultural fit and, in addition, we saw a great deal of opportunity in becoming part of Holland & Knight which was a national firm with extensive resources, in terms of a breadth of practice areas and geographic reach.

Editor: How has your practice evolved over the course of your career?

Michalowski: What I have noticed most about the evolution of my practice is its client-driven nature – this was not the case in the past. While I might have been called upon for specific projects, and ultimately worked my way up to become a kind of *consigliere* or outside general counsel in certain areas, in fact I have become, for several clients, a counselor and coordina-

tor of legal resources, which involves both myself and others at the firm. Again, being part of a national platform is of immense value to me with such a development in my practice.



Mark C.
Michalowski

Editor: What is the origin of Holland & Knight's presence in Boston? What did the firm seek in this particular market?

Michalowski: The Boston merger followed shortly after Holland & Knight established its New York presence through a merger with Haight, Gardner, Poor & Havens. This merger completed the firm's East Coast footprint to include significant offices in Boston, New York, Washington, D.C., Northern Virginia and Atlanta, in addition to several offices in Florida. These offices enabled the firm to efficiently serve a national client base. With respect to Boston, in addition, the firm was entering an excellent market in several areas, including financial services, high tech and biotech, education and nonprofit organizations, all of which served to add to its firmwide capabilities.

Editor: And the specialized areas in the Boston market continue to flourish?

Michalowski: Certain industry sectors continue to make Boston a very attractive

investment destination. The high tech and biotech industries that derive from the education sector require venture capital on the one hand while they drive health care on the other. There is a very strong nonprofit component to all of this, and with Harvard, MIT and an enormous educational and research establishment in place, Boston truly constitutes an immense knowledge economy. This economy is fully integrated so that what happens in a MIT laboratory is going to play out in the board room of an investment bank or insurance company, in the distribution network of a major pharmaceutical house and in the operating room of a community hospital. In this economy it is all interconnected.

Editor: When you attempt to attract young law graduates and laterals from outside the region, what do you say about Boston as a place to live and work?

Michalowski: Boston attracts its share of talented professionals, notwithstanding the high cost of living here. Obviously, the strong economy that we have been discussing plays its part in this. In addition, I think that Boston is an interesting and vibrant place to live and build a career. It has a wonderful balance – it's large enough to be quite sophisticated, but not so large that it is difficult to enjoy many aspects of city life. The quality of life here is really excellent.

On the professional side, I would say

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that Holland & Knight possesses the most mature local office of any national firm in Boston. We practice within the mainstream of a national firm. If a young lawyer likes the idea of practicing on a national platform and working at the highest levels of the profession and, at the same time, enjoying an exceptional quality of life, Boston is a great place to be.

Editor: Would you give us an overview of the Boston office and its practice?

Michalowski: The Boston office has approximately 140 of the 1,100 or so lawyers firmwide. Just about all of the firm's practice groups are represented here, and we have several that constitute real strengths in the firm's portfolio of practices. We have a very strong syndication tax credit practice which handles low income housing, historic tax credits – we recently handled the historic credits for Fenway Park. Energy tax credits are the latest thing in this area, and we have been very active in helping establish the initial fund to utilize these credits. We see this as a growth area.

As I have indicated, the matters that we handle at the Boston office reflect the local and regional economies. We have a strong educational practice, and our health care work is very extensive. Educational institutions and hospitals constitute one of the principal bases of these economies. Our hospitality practice is also strong, which derives from a very vibrant hospitality industry that has emerged in recent years. In addition, Boston is well known for its strength in all aspects of the high tech industry, including research and educational institutions. One of the new high tech niche areas is robotics, and we have a group of IP lawyers focused on patent prosecution and patent defense in this area. We are also active at the point where medical device development – in terms of patent prosecution – meet more broadly-based health care industry applications, which brings us into client relationships across a very wide range of activity, including working with these clients to raise investment capital. Practice in the life sciences area is important everywhere; it is particularly important for an office located in Boston.

Editor: Can you tell us something about how the Boston office relates to the larger community?

Michalowski: We have a number of pro-

grams that are firmwide in their orientation, but we are always looking for local partners to help us reach the communities in which we live and work. In Boston we are involved in a project to help some of the inner city schools and the disadvantaged children they serve. Our lawyers and staff participate in coaching and mentoring activities and attempt to expose these children to the world beyond the immediate community.

We have also partnered with an organization called the Boston Center for Community and Justice on diversity and social justice. This includes working with external business networks, some extending to firm clients, on a variety of diversity and social justice issues. Participation in the diversity initiatives of the Boston Bar Association and being active with the local United Way campaign are other areas of our community involvement.

An extremely interesting initiative which involves many of our people involves a *pro bono* commitment at one of the local hospitals to address some of the legal issues faced by their patients. Following training, our lawyers and paralegals go on-site and work with patients on a variety of legal needs. This includes dealing with Medicare/Medicaid issues, drafting trust instruments and wills, handling guardianships, guiding patients through complicated bureaucratic procedures and dealing with a wide range of litigation issues. There is something for everyone here: several legal disciplines are provided to this particularly underserved community of patients.

Editor: Would you share with us your thoughts on how the Boston office fits into the firm-wide structure?

Michalowski: The key to our success lies in promoting a mutually supportive culture, one that places all the resources of the firm – in terms of practice area experience and personnel – available to all the firm's clients. For example, some of the high tech niche areas that we offer as a firm are unique to the Boston office, as are the governmental appropriations and contracting practices that reside in our Washington, D.C. office. This knowledge and experience is available to all of our clients on an as-needed basis. Which office it comes from is irrelevant. Office-to-office staffing support – the allocation of people to address a major due diligence project – is also something that we do well. Our firm culture is based upon teamwork.

Editor: What about the future?

Michalowski: The last five years have been very positive. Our revenue has improved per partner, as have our per partner profits, and all of the things that are measured subjectively have shown improvement. I look forward to seeing this trend continue.

I think we are in for consistent and reasonable growth in certain targeted areas, including financial services, IP and the life sciences. We are also interested in expanding our capacity in certain litigation niche areas, including white collar matters.

Editor: How is globalization affecting the work of the Boston office?

Michalowski: With the opening of our Beijing office, there has been a concerted firmwide effort on developing our China capacity. The Boston office has been part of this effort, and we have sent work to the Beijing office on the part of local or regional clients.

With respect to inbound work, Boston has always seen a considerable flow of clients, particularly from the British Isles and Northern Europe, with an interest in setting up operations here or seeking M&A opportunities. That continues.

Our Mexico City colleagues call upon the IP group in Boston on a variety of issues. This reflects the degree of IP strength that resides here, of course, but it is also part of the globalization process that is underway at just about all law firms of a certain size and level. Holland & Knight's Boston office functions, simultaneously and quite seamlessly, on the local, regional, national and, indeed, global level.

As an example of how this platform works, let me tell you about a local client – a large mutual fund – engaged in establishing a call center in Florida. Because of our longstanding relationship with this client at the local level, we were aware of the call center plans and were in a position to then make the appropriate introduction to our colleagues in Florida, who, of course, brought the project to fruition. A platform with such a reach constitutes a very great competitive advantage. In lieu of referring work out that we cannot handle ourselves, we are able to bring it to another office of the firm and, of course, we are on the receiving end of work from our other offices. This has been one of the great advantages of my practice.