

LOS ANGELES

# Daily Journal

MONDAY,  
OCTOBER 16, 2006

— SINCE 1888 —

OFFICIAL NEWSPAPER OF THE LOS ANGELES SUPERIOR COURT AND UNITED STATES SOUTHERN DISTRICT COURT

## Industry Watch

# Tantalo & Adler Hang Out Their Boutique Shingle

By Andrew Harmon  
Daily Journal Staff Writer

LOS ANGELES - One guy's a spender, the other a saver. One enjoys a whirlwind of client lunches and wears corduroy blazers with Lacoste polo shirts, while the other prefers to work at his desk, and is all business when it comes to attire.

But for Joel Tantalo and Michael Adler of the newly christened litigation boutique firm Tantalo & Adler, there's at least one obvious commonality:

"We're both short. We're by no means opposites when it comes to stature," said Tantalo, the schmoozer of the duo.

"Physical stature, that is," said the 5-foot-6-inch Adler as he adjusted his collar.

Tantalo and Adler, who met in 2000 as associates in Gibson, Dunn & Crutcher's Century City office, open shop today. They expect to handle a range of complex commercial litigation cases affecting the entertainment industry, including breach of contract, right of privacy, fraud, and trademark and copyright infringement.

Both attorneys are leaving stable positions. Adler was a senior associate at Gibson Dunn, Tantalo an in-house counsel for NBC Universal's television group law department.

Neither seems particularly worried that their Beverly Hills-based boutique will launch without a laundry list of confirmed clients.

"There's a huge market for lawyers who come in with the experience and the mentoring of the pre-eminent firms in the country," Tantalo said. "We're not flying blind on this. ... We have a sense of the do's and don'ts in starting the firm."

Sitting at the top of the "don'ts" column for Tantalo & Adler: Don't spend more on overhead than what is absolutely necessary. That means going without an administrative assistant or Herman Miller-caliber office furniture.

Tantalo & Adler is the latest example in a growing number of litigation boutiques aimed at clients who are reluctant to pay top rates, especially when their cases don't require the firepower of a 1,000-attorney firm. Tantalo & Adler's \$350 per hour rate is one-third less than

Adler's \$525 per hour fee at Gibson Dunn.

"With all the mergers of the big firms, smaller firms are starting to fill a niche," said Gregory Doll, a founding partner of Doll Amir & Eley, a boutique firm in Century City. "Clients are looking at what a case requires in terms of staffing, and they want to staff it as leanly as possible without compromising quality. If they can do that with a small firm and with lawyers that they've tested at a large firm, then it's a win-win situation."

Berne Rolston, a lawyer specializing in the problems of law firms, said the boutique trend has intensified in recent years, not only because of clients' need to economize, but also the desire for young lawyers to have a level of control in their career not afforded by a megafirm position.

"The biggest challenge is the initial capitalization and getting the clients," Rolston said. "You also have lawyers who are not used to having to do their own administrative duties."

Tantalo and Adler worked on several cases together while at Gibson Dunn, including a complex fraud suit brought by Intertainment Licensing, a German film distributor, against Franchise Pictures. Gibson Dunn won a \$122 million judgment for Intertainment, the third-largest plaintiff's verdict in California in 2004.

"Both [Adler] and [Tantalo] are people who I would trust implicitly with cases that Gibson Dunn isn't able to take because of a conflict, or cases that we can't practically handle," said Gibson Dunn partner James Clark. "Both of them really enriched the life and culture of Gibson Dunn."

Kelly Bendell, a general counsel at USC, has worked with Adler on many trademark enforcement cases for the school and said it plans to be a client of Tantalo & Adler.

"[Adler] is smart, effective and talented. I think they'll be a very successful firm," Bendell said.

Although he enjoyed his six-and-a-half years of working on intellectual property and other cases for Gibson Dunn, Adler said his desire to litigate more frequently in front of a judge motivated him to team up with Tantalo on the new venture.



ROBERT LEVINS / Daily Journal

Leaving stable corporate positions behind, attorneys Joel Tantalo, left, and Michael Adler Open their entertainment litigation boutique today.

"The Gibson business model is geared towards very large, 'bet-the-company' kinds of cases, where if you lose, you know you're basically out of business. Rarely do those cases go to trial," Adler said.

Tantalo & Adler's billing structure will allow for smaller cases that are more likely to end up in court.

As Adler sees it, the firm's advantage will be a thorough understanding of entertainment clients' business litigation needs.

"With entertainment, there's a lot of secured transactions, bankruptcy considerations to keep in mind that a lot of entertainment lawyers don't have experience in. One big judgment or big debt they weren't anticipating, and everything goes downhill," Adler said.

Eventually, the firm hopes to grow, but Tantalo and Adler said they don't foresee the firm filling a dozen floors of a downtown office building. And any new hires will be subject to an entertainment litigation litmus test:

"There are a lot of people who come to Los Angeles wanting to do entertainment litigation because they find it sexy - I don't think Joel and I are in that camp," Adler said. "When someone says 'I want to be an entertainment litigator,' nine times out of 10 times that means they don't want to be a lawyer."

"They just want to have something that sounds really good at cocktail parties," Tantalo said. "Or they want to have a good pickup line."