

California Powerhouse: Loeb & Loeb

By **Kat Greene**

Law360, Los Angeles (June 02, 2015, 1:34 PM ET) -- When waves of dreamers were making their way to California's shores, as fishermen traversed the ocean from Japan, film directors crossed the Mississippi River and oil magnates hunted for new holes to drill, Joe and Eddie Loeb were already setting up shop, pitching their legal wares to the newcomers who would become the foundation of what Los Angeles is today.

The Loeb & Loeb LLP founders were in the room, shaking hands, as signatures were drawn on the charters and contracts that birthed the Academy of Motion Picture Arts and Sciences, Cedars-Sinai Medical Center, Metro-Goldwyn-Mayer and Union Bank of California. And the firm's attorneys say that background supports their work today with some of the biggest entertainment companies and wealthiest Americans, landing Loeb & Loeb a spot among Law360's California Powerhouses.

Because the Loeb family was there to greet the people who eventually became the cutting-edge moguls who built Hollywood into what it is today, it's easier for the firm to land clients such as Netflix Inc., Amazon.com Inc. and YouTube Inc. and guide them into new entertainment territory, Deputy Chairman Mickey Mayerson told Law360.

"We literally watched and oversaw and participated in the development and evolution of the entertainment industry, because we were there from the very beginning of time," Mayerson said. "We used the historical roots to build the foundation of what is today the largest, most diverse and one of the most prominent entertainment practices in the country."

The firm launched in 1909, a year after Francis Boggs completed the first film fully made in Los Angeles and four years before the city would get its first radio station. But the Loeb family jumped early onto the entertainment train, and it's a track Loeb & Loeb attorneys have stayed on ever since.

In the past year, Mayerson and his team represented billionaire Steven M. Rales' film company, Indian Paintbrush, in its distribution and financing of Wes Anderson's Academy Award-winning film "The Grand Budapest Hotel"; Netflix in a deal to create a sequel to "Crouching Tiger, Hidden Dragon"; and a slew of production companies in a series of mergers in the reality television space.

Mayerson said high-net-worth individuals are increasingly becoming a source of funding in the entertainment industry, in part because the projects are a decent investment, and in part because the investors simply want to see good movies.

"The critical movies, the movies that are recognized as our great movies, are not being funded by the studios anymore," Mayerson said. "It was very fulfilling to both us and our client that ["The Grand Budapest Hotel"] garnered as many Academy Award nominations this year."

The firm also represented Metro-Goldwyn-Mayer and Twentieth Century Fox Home Entertainment LLC in a copyright infringement suit over the 1980 Robert De Niro sports drama "Raging Bull."

Filed by the daughter of a friend of boxer Jake LaMotta's who co-authored the autobiography "Raging Bull: My Story," the suit made it all the way to the U.S. Supreme Court. And the case's implications — that laches alone isn't necessarily enough to bar a copyright claim — have kept Loeb & Loeb's litigation department busy, partner David Grossman told Law360.

The firm is representing some of the entertainment business' top names in copyright suits involving so-called substantial similarity issues, when two writers tell stories about historical facts or situations and the story comes out sounding similar, Grossman said.

He's currently defending clients in infringement suits over the TV show "New Girl," starring Zooey Deschanel, and the Reese Witherspoon-helmed flick "The Good Lie," about the Lost Boys of Sudan, Grossman said.

Grossman said that he always wanted to be a litigator, but that working for Loeb & Loeb certainly adds to his clout in the entertainment industry.

"When you deal with people in Los Angeles and in the entertainment industry, this is a known brand. It is a definite benefit," Grossman said.

He added that the firm's relatively smaller size makes it a leaner litigation machine.

"We're small enough that we can be a cohesive national group that communicates and cooperates with each other," Grossman said. "We're a big enough firm that we can be a full-service firm. But we're still not so big that we don't know each other."

Loeb & Loeb's entertainment practice has a symbiotic relationship with its trusts and estates practice, which represents a slew of the wealthiest people in Los Angeles and some of the wealthiest Americans, Mayerson said.

Those high-net-worth individuals need to invest their money, and some are interested in Los Angeles' own hometown industry, he said.

Leah Bishop, co-chair of the firm's trusts and estates practice, echoed Mayerson's sentiment that the firm's collaborative culture has been one of the keys to success in her business.

Bishop, who joined Loeb & Loeb along with her entire trusts and estates department from O'Melveny & Myers LLP in 2006, said that other attorneys in the firm line up to help her work with her clients, and that her practice has doubled since she replanted at Loeb.

The firm's deep California roots have helped her serve a client more than once, she said. For example, one client called her at home on Valentine's Day, desperate for help: Her great-grandson had been diagnosed with brain cancer and couldn't get a bed at Children's Hospital, Bishop said.

Children's Hospital is a longtime client, so Bishop made a few phone calls. A bed was arranged, the great-grandson was healed, and that client relationship has generated loads of business for the firm, Bishop said.

“We’ve been here for a long time,” Bishop said of the firm. “And the result of that is, some of our clients are institutions that have been around a really long time and institutions that are really important to the community.”

Paul Rohrer, a partner in the firm’s Los Angeles real estate practice, said the firm’s legacy also means his clients are comfortable with the Loeb name. Rohrer represents governmental entities, nonprofit educational institutions, health care providers and developers, among other clients, in their quest for land and space in the always-hot Southern California market.

“Loeb is a known name with a history of participation in the real estate market that goes back nearly to the beginning of the 20th century,” Rohrer told Law360. “So our potential clients tend to be comfortable with the name.”

Some of Rohrer’s clients have been with the firm since the beginning, even holding on to old letters from the firm’s founding fathers, he said.

When he’s working to build consensus between city planners, local government officials and other stakeholders on new developments, the firm’s long history of doing these deals helps him win over potential doubters. And it doesn’t hurt that the firm itself helped pen some of the laws he’s now helping clients navigate.

“The name of the firm, the history of the firm really helps people get comfortable with the idea that we’re going to perform in the way we say we’re going to perform,” Rohrer said. “If we say, ‘The law works like this,’ people are going to hear us and think, ‘Oh, well, the law works like that.’”

At least one former powerful lawmaker still walks the firm’s halls: Gray Davis, former California governor, is a “very significant rainmaker” for the firm, Mayerson said.

Davis, who presided over expansions of the state’s educational and infrastructure systems, now uses that network of alliances and relationships to aid clients in and around those industries, according to the firm.

Mayerson said the firm’s well-roundedness allows its attorneys to pack a significant, if more compact, punch: Its corporate department, for example, was behind a large number of transactions last year in the unscripted television space, advising on several combinations as the industry was rolled up into fewer companies, he said.

Mayerson added that the firm’s history of forward-looking work has enabled it to attract Silicon Valley companies that need not just a breadth of knowledge of how the entertainment industry works, but also attorneys with some foresight and flexibility on what directions their business may take.

That’s how companies like Amazon and Netflix get on board, turning to the firm for advice about how to expand their programming from the traditional forms of television viewing, for example, Mayerson said.

“There’s more to Loeb & Loeb,” Mayerson said. “We come from a culture of absolute excellence.”

--Additional reporting by Erin Coe and Bill Donahue. Editing by Edrienne Su.