

California Powerhouse: Skadden

By Hailey Konnath

Law360 (August 9, 2022, 2:02 PM EDT) --Skadden Arps Slate Meagher & Flom LLP's California team spent the last year cranking out massive technology deals and racking up courtroom wins for big-name clients, including working with Activision Blizzard on its planned \$68.7 billion acquisition by Microsoft and helping the NFL win a high-profile case brought by retired players.

The New York-based firm also represented laser company Coherent Inc. in its \$7.1 billion sale to II-VI Inc. and chipmaker Xilinx Inc.'s \$50 billion acquisition by multinational semiconductor Advanced Micro Devices Inc., earning the firm a spot as one of Law360's 2022 California Powerhouses.

Since expanding to California in the early 1980s, Skadden's attorney headcount in the state has grown to about 150 across its offices in Los Angeles and Palo Alto. Skadden was among the first New York-based firms to launch a Los Angeles presence, and since then has distinguished itself as a pioneer in entertainment and transactional work there, according to the firm. In the Bay Area, it has established a leading technology mergers and acquisitions practice, it said.

Skadden has a long history of working with the big names in California's most iconic industries. This past year, it secured the dismissal of most of the dozens of claims in multidistrict litigation against Hyundai and Kia over defective airbags. It also steered Netflix's acquisition of The Roald Dahl Story Co. Ltd., a move expected to help the entertainment company in the streaming wars against its rivals.

Jason Russell, head of Skadden's Los Angeles office, said the NFL case — in which former players said they were saddled with health problems as a result of taking prescription painkillers while playing for the league — was "hugely exciting."

"It's a great victory," he said. "Everybody was paying close attention to it."

And while the firm has its hands full on the litigation side, Skadden's practice in California is "incredibly varied," Russell said.

"We don't just do securities, we don't just do commercial disputes, we don't just do intellectual



property," he said. "We literally can do anything and everything and we think we do it really, really well."

Skadden M&A partners Kenton King and Sonia Nijjar told Law360 that the Activision Blizzard deal is the world's largest-ever technology deal as well as the gaming industry's biggest deal ever. On top of that, it's the largest deal of any kind since 2019, the largest-ever all-cash, public company deal, and the largest-ever acquisition by Microsoft, King and Nijjar said.

"It is a highly complex deal that implicated a host of intricate and thorny issues in various areas and across multiple jurisdictions," they said in a joint statement. "We had to deftly steer the intense negotiations necessary to pull off a deal of this size, including the requisite due diligence and comprehensive M&A agreements that anticipated intense regulatory scrutiny."

King and Nijjar added, "When the issues are complicated and the timeline is tight, that brings out the best in our team."

As for the Coherent deal, the company was initially planning on a \$5.7 billion sale to Lumentum, but that spurred competing proposals from MKS Instruments and II-VI. Ultimately, II-VI won the bidding war, Nijjar said.

"Throughout this dramatic and highly dynamic process, the team guided the Coherent board to advance its pending transaction while simultaneously evaluating the multiple competitive offers and maintaining each party's intense interest," she said.

The pair said they're aware that the companies Skadden represents in California and around the globe have their pick of the world's top attorneys. That said, "we like to think we are unmatched in terms of resources, that we have the ability to do the most complex deals and ultimately can offer some pretty sound legal and business judgment after so many decades in the trenches," they added.

And the future is looking bright, King and Nijjar said. The coming decade is expected to bring "tremendous growth opportunities" for Skadden in California, in particular in tech, media and entertainment, health care, private equity and emerging practice areas like fintech, they said.

Russell added that one of the best parts of working for Skadden is the sheer breadth of cases and matters it handles.

"You never see the same thing twice, and it's always interesting, it's always high-profile," he said. "It's an exciting time to be at Skadden."

--Additional reporting by Matthew Perlman, Max Jaeger and Emma Whitford. Editing by Adam LoBelia.