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Latham partner joins Chapin Fitzgerald Sullivan

By DOUG SHERWIN

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SAN DIEGO — Veteran San Diego litigator Kenneth Fitzgerald has left the law firm **Latham & Watkins** to become a named partner in a boutique firm launched by his mentor.

Fitzgerald, who spent the previous 20 years of his career at Latham, joins the litigation firm **Chapin Fitzgerald Sullivan**. The firm was founded by Ed Chapin and the late Jay Wheeler, Fitzgerald's mentor who died suddenly in January 2008.

Fitzgerald worked as an associate under Wheeler at Latham & Watkins in the early 1990s and views this move as "a homecoming, in a sense."

"He taught me how to try cases," Fitzgerald said of Wheeler. "When he started Chapin Wheeler, he and I talked about possibly practicing together someday. Tragically, he died before that could happen."

Fitzgerald tried a variety of commercial and intellectual property cases while at Latham. In his new position, he intends to pursue plaintiffs' litigation as well as commercial defense work, including IP disputes involving trade secrets, copyright, trademark and trade dress infringement issues.

"I always dreamed of having my own law firm and having the free-

dom and autonomy to be entrepreneurial with the practice of a law," he said. "I had a fantastic opportunity to team up with two of the best trial lawyers I've ever seen in the courtroom in Ed Chapin and Jill Sullivan, and I thought I would have a lot of fun practicing with them in a small-firm environment."

Fitzgerald likes the flexibility that a boutique firm gives him with regard to alternative billing arrangements as well. A small firm also presents fewer client conflicts.

"I think Latham is the finest large law firm in the world but inherent with large law firms are conflicts, which preclude me from taking on matters on wanted to take on," he said. "I wanted to try cases in a different environment, but I love Latham and I think the world of the firm. I had a great experience there. I'm sad to be leaving in a lot of ways, but this is a once in a lifetime opportunity, and I'm taking it."

At Latham, Fitzgerald represented prominent clients such as **Credit Suisse**, the National Football League, **Oracle**, **Safeway**, **CIBC** and **DirecTV**.

With his extensive trial experience, he was often brought in to try cases that other litigators had worked through discovery and

motion practice.

"Ken is an important addition to our firm," Chapin said. "He brings a depth and breadth of litigation knowledge and trial experience that are incomparable. He has a remarkable ability to connect with juries and a talent for telling his clients' stories that will benefit all the firm's clients."

Fitzgerald began his career at Latham in 1990, after a clerkship with Judge Howard Turrentine in the U.S. District Court for the Southern District of California.

At Latham, he amassed a record of more than 20 jury and court trials, and worked on a wide variety of cases.

"Ken's arrival signals a new phase for our boutique practice that extends well beyond the addition of a partner and new name on our letterhead," Sullivan said. "Ken is highly regarded in our community and has a body of trial experience that is rare among big firm litigators. He has established himself as one of the nation's top lawyers handling complex and sophisticated litigation across multiple sectors for a wide range of clients. We are thrilled he is joining us."

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