The News THE BUSINESS JOURNAL OCTOBER 2, 2009 sanjose.bizjournals.com

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Lincoln offers a 4-year parttime, evening study program with affordable tuition. Students typically attend classes three nights per week between the hours of 6:40pm to 9:30pm

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### Tuesday, October 27 • Fairmont Hotel Registration 7:30AM • Program 8:00 - 9:30AM

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LESS IS MORE: Robert Vantress said he will charge at least \$100 per hour less for existing clients than he did at his former firm.

# **Valley litigator opts for change,** employs leaner business model

BY WILLIAM-ARTHUR HAYNES

SAN JOSE - Another seasoned Silicon Valley attorney is leaving a larger legal practice to offer services for lower rates to small and midsize businesses

Robert Vantress, a veteran trial attorney and co-founder of Silicon Valley Law Group, announced Sept. 28 that he would split from the firm he helped build to launch the San Jose-based Vantress Law Group PC. He characterized the new firm as a highly specialized litigation firm with representation comparable to that of a big firm but at a much lower cost.

The firm, which has 15 attorneys, will concentrate on intellectual property, labor and employment, and real estate law.

Lee Green, San Jose-based general counsel of shoe manufacturer K-Swiss, called Vantress a "top-drawer litigator" whose "trial light is always on."

"I don't think I have ever worked with anyone who can outwork Rob or who has ever been better prepared," Green said. "His experience and skills were critical to K-Swiss in our long trademark and trade dress litigation against Payless ShoeSource and our very successful settlement of that case.

Vantress is the latest in a number of Silicon Valley attorneys who have opted for leaner business models and focused practices to appeal to clients looking for cost-effective pricing models in today's economic climate.

In looking for an alternative to his former firm, Vantress spoke to some large law firms about the possibility of joining them. Those conversations ended when they expressed their need to bill him out at least \$100 more per hour than the \$560 he charged at the Silicon Valley Law Group.

"That indicated to me that some firms maybe weren't getting the trend," he said. "I really thought this was a time for change. The best way for me to participate in that change was to open my own shop.

Vantress said his new standard hourly rate for existing clients would be at least \$100 less than what he charged before, and the practice will offer alternatives to the billable hour, which has come under fire for being unpredictable and inefficient. For new clients, the rate will be casespecific, "but I'm prepared to offer that discount in most cases," Vantress said.

Jim Chapman, a co-founder of Silicon Valley Law Group, said there's a place in the market for smaller firms, but it's a trade-off.

'Yes, he can be quicker and nimble and



Jim Chapman

flexible with fees, but what do you do for the resources?" said Chapman, who left Silicon Valley Law Group in 2007 to found Nixon Peabody LLP's Palo Alto office. "Someplace like Nixon Peabody has a lot more resources and deeper bench, but we charge a lot more.

Vantress, like founders of other small firms, said he'll staff cases with contract attorneys rather than hiring fulltime associates or partners.

Chapman said he met Vantress during Silicon Valley Law Group's founding, which included much talk about legal philosophy and how to run the firm.

"He's one of those bulldog litigators that gets a hold of something and doesn't let go," Chapman said. "He out-prepares and outworks his adversaries.

Typically, those adversaries were larger companies represented by attorneys from Morrison & Foerster LLP, Orrick Herrington & Sutcliffe LLP and other big corporate law firms.

"Â lot of lawyers from large firms see a small firm and they start laughing because they think highly of themselves," Chapman said. "At the end of those cases, I can guarantee no one was laughing."

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#### CLARIFICATION

When the San Jose City Council voted on banning most singleuse shopping bags on Sept. 22, it ordered city staff to prepare an ordinance for the ban and voted to require that an environmental impact report be prepared prior to action on the ordinance itself. A story in the Sept. 25 edition did not include those provisions.

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