

Rising Star: Winston & Strawn's Scott Glauber

By Ian Thoms

Law360, New York (March 16, 2012, 5:49 PM ET) -- Even early in his career, Winston & Strawn LLP partner Scott Glauber showed a knack for understanding complex legal issues and delivering clear, concise and winning arguments on behalf of his clients, including McDonald's Corp. and LG Electronics, making him one of Law360's five class action attorneys under 40 to watch.

Glauber, 39, who also appeared on Law360's 2011 list of rising stars, has successfully defended major corporate clients in some of the most-watched class actions in recent memory, including the Countrywide Financial Corp. subprime case and the so-called McDonald's obesity case.

"Scott has been one of our top performers since he arrived," said Lawrence R. Desideri, managing partner of Winston & Strawn's Chicago office. "He's the real deal."

Glauber got a chance to show off his chops in 2008, representing auditor Grant Thornton LLP in the Countrywide class action. Early in the case, Glauber and attorneys for the 50 other defendants, including Citigroup Inc., JPMorgan Chase & Co. and Merrill Lynch, filed their customary motions to dismiss.

But Glauber's motion wasn't like the others. Unlike his peers, he shot for a dismissal with prejudice and, based on the strength of his writing and arguments in court, won his motion. All the other defendants lost theirs, and most ended up settling the case for \$600 million.

"We approached it as if getting out of the case was a real possibility," Glauber said. "And fortunately we were able to persuade the judge."

Desideri and fellow Winston & Strawn partner Bruce Braun credited Glauber's writing ability, in particular, with his ability to win cases like Countrywide.

"You can't write a long, detailed and boring brief when the judge is deciding 51 motions to dismiss," Braun said. "You have to be really clear and concise and direct."

And that's the way Glauber has written since he started at Winston, according to Desideri.

"I noticed it the first time he wrote something for me," he said.

Glauberman joined Winston & Strawn in 1999, after two years clerking for U.S. District Judge Marvin E. Aspen of the Northern District of Illinois, and graduating from Harvard Law School in 1997.

Since then, he has secured a ruling in the Supreme Court of Illinois that changed the way jurors in the state are instructed on potentially dangerous products, convinced a judge not to certify a class of New York residents who blamed McDonald's marketing for their weight gain and defended LG in a range of consumer class actions.

Glauberman was still an associate in 2002 when the McDonald's obesity case got under way. The putative class action was the first of what was expected to be a wave of suits bringing health and obesity claims against fast food chains, Glauberman said, but it turned out to be the only one of its kind.

Glauberman says he is drawn to class action work for a number of reasons. He appreciates that strategic approaches can make a difference in whether a class wins certification, which typically determines whether a case continues, and that class actions tend to stay at the forefront of the discussion in the legal profession.

"I find class actions interesting because they raise fundamental issues of fairness for all sides. That keeps class action on the cutting edge of the law," Glauberman said. "And it's a place where good lawyering can make a difference."

Glauberman has been showing off plenty of that good lawyering in his time at Winston & Strawn, and his colleagues expect that to continue.

"He has been on a trajectory that has been unmatched by anyone else," Braun said. "He's the complete package."

--Editing by Andrew Park.