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A Portrait of a Plaintiffs' Firm: Seeger Weiss

Last week, I headed downtown to meet with [Stephen A. Weiss](#) and [Eric Jaso](#), partners at the [Seeger Weiss](#) litigation boutique. Weiss co-founded the firm with [Christopher Seeger](#) in 1999. Jaso, who [just joined](#) the firm from [Stone & Magnanini](#), is a friend and former colleague of mine from the U.S. Attorney's Office. They kindly agreed to be interviewed about what it's like to work at an elite, plaintiff-side litigation firm.

Here at Above the Law, we've always had strong coverage of the large, defense-oriented firms that collectively constitute [Biglaw](#). In the past few years, however, we have dramatically expanded our offerings related to [smaller law firms](#). We currently have three columnists — [Brian Tannebaum](#), [Tom Wallerstein](#), and [Valerie Katz](#)— writing in this space, in addition to the small-firm coverage generated by our other writers.

Consistent with this editorial expansion, I was eager to meet with Weiss and Jaso and hear about Seeger Weiss (which is relatively large for a [plaintiffs' firm](#), but small compared to a Biglaw firm). I've always wondered why more law school graduates don't go into plaintiffs' work and why we don't hear about this side of practice as much. It can represent a chance to do well while also doing good, by vindicating victims' rights or blowing the whistle on misconduct — especially in the [qui tam](#) practice area, a focus of Seeger Weiss.

Here's what Weiss and Jaso had to say....

Seeger Weiss is headquartered in lower Manhattan, in beautiful, sleek offices on the top floor of 77 Water Street. I met with Stephen Weiss and Eric Jaso in Weiss's corner office, which enjoys stunning views of the downtown skyline and the harbor. Weiss, a well-tanned, silver-haired man with a resemblance to Richard Gere, was looking dapper in a blue blazer and pale blue shirt, no tie.

Law runs in Steve Weiss's family. He's the son of [Melvyn Weiss](#), co-founder of one of the nation's most famous plaintiffs' firms, [Milberg Weiss](#) (now simply [Milberg](#)). For his first legal job, Steve worked as a Milberg messenger in the early 1980s.

Steve Weiss and Chris Seeger were classmates at [Cardozo Law School](#), from which they graduated in 1990. Both went off to work at large law firms, Weiss at [Fried Frank](#) and Seeger at [Shearman & Sterling](#). They stayed in touch, always thinking they might want to work together. In April of 1999, they co-founded Seeger Weiss.

"We wanted to embrace the best aspects of big firm life while jettisoning the characteristics we saw as unnecessary and unproductive," said Weiss, explaining the firm's philosophy. In terms of specialties, "we moved into practice areas that we enjoyed and found socially redeeming, not just ones that would be good for business."

Since its founding, the firm has flourished. It is now one of the larger plaintiffs' firms, with 35 lawyers, nine of them partners, working out of offices in New York, New Jersey, Pennsylvania and California. In addition to its *qui tam* work, the firm represents plaintiffs in a wide range of fields,

including mass torts, class actions, catastrophic personal injury, mesothelioma injury, and individual commercial litigation. According to Steve Weiss, working in so many areas isn't just enjoyable and interesting, but it's also a smart strategy; diversification has allowed the firm "to weather all kinds of legislative storms and business pressures."

Seeger Weiss has received recognition for its work from the media — such as the National Law Journal, which named the firm to its prestigious **Plaintiffs' Hot List** three years in a row, and from U.S. News, which named Seeger Weiss a **best law firm** — and from the legal community. For example, Judge **Anita Brody** (E.D. Pa.), in appointing Seeger Weiss as co-lead counsel in the NFL players' concussion injury litigation, commented on the record that "I would very much like one of co-lead counsel to be Mr. Seeger, Chris Seeger. I have to tell you, the ratings of people who have had MDLs [multidistrict litigations] with you involved have been very, very high, your law firm."

Chris Seeger oversees the mass tort side of the practice — one of the firm's strongest areas, due to the leadership role it played in the Vioxx® liability litigation that culminated in a \$4.85 billion settlement. Steve Weiss manages the class action cases and the qui tam docket — one of the fastest-growing areas for the firm, and the reason the firm **recently added** Eric Jaso, a qui tam specialist, to its ranks.

Seeger Weiss launched its qui tam practice in 2009, representing private individuals (aka whistleblowers) who call attention to fraud committed against the government. Under the **False Claims Act**, these qui tam plaintiffs, called "relators," are entitled to receive a portion of the recovered damages (generally between 15 and 25 percent). Given the size of some of the frauds committed against the government, the recoveries can be huge. But the risks to whistleblowers are huge as well. As Kashmir Hill and I wrote in a 2009 cover story for **Washingtonian magazine**, qui tam plaintiffs can go "from being senior employees at companies to mowing grass or bagging groceries after blowing the whistle on their employers."

Since launching its qui tam practice in 2009, Seeger Weiss has worked on more than a dozen such cases, with about a quarter of the firm's lawyers having involvement in the qui tam area. In recent years, Steve Weiss has spent anywhere from 40 to 60 percent of this time on qui tam matters. There are strong synergies between the firm's qui tam cases and some of its other areas of practice. For example, the firm's expertise in pharmaceutical tort matters has allowed its lawyers to become experts in drug regulation, FDA law, and other health care law issues that are often implicated in qui tam litigation arising out of health care fraud.

Eric Jaso

Steve Weiss met **Eric Jaso** in connection with one of his qui tam matters. "I got to know Eric, I got to see him operate, and I observed his great judgment and acumen," said Weiss. "We had a lot of lawyers interested in joining us, but we quickly came to the conclusion that Eric would be the best fit."

Jaso did his due diligence on Seeger Weiss before joining the firm, and he was very impressed with what lawyers and judges had to say about the firm. They are “lawyers of their word,” one prominent defense litigator told Jaso.

Before jumping over to plaintiffs’ work, Weiss and Jaso spent many years building their reputations at large law firms — Weiss at Fried Frank, and Jaso at [Boies Schiller, Latham & Watkins](#), and [Cravath](#). I asked them: How does working at a plaintiff-side boutique compare to working at a defense-oriented Biglaw firm?

“My time at Fried Frank was a great learning experience, but I felt stifled by the hierarchy that necessarily pervades big-firm culture, especially in New York,” said Weiss. “Young lawyers are not encouraged to extend their wings and become autonomous.” (I suspect that [Gregory Berry](#) would agree.)

Jaso concurred: “There’s an entrepreneurial spirit here that you don’t see in big firms.” And he noted that there’s less pressure to conform at a small firm. Jaso pointed out that even though he is a conservative Republican — a former prosecutor who worked with [Ken Starr](#) on the Whitewater investigation, as well as with such prominent Republicans as [Chris Christie](#) and [Michael Chertoff](#) — he feels perfectly comfortable at Seeger Weiss, even though it’s a plaintiffs’ firm with a predominantly Democratic group of lawyers.

And the feeling is mutual. “We found it very appealing that Eric was something different,” said Weiss. “Here’s a lawyer who is known and trusted by the Republican establishment, with some 20 years of experience in practice.”

Another different between Seeger Weiss and Biglaw: having individuals as clients.

“Whistleblowers are very brave people,” said Jaso. “They’re working at major companies and trying to do the right thing. In the health care world, they are concerned with truth, accurate information, and patient welfare. They come forward because they want the truth to come out, not just because of the money.”

But the monetary rewards matter too, Weiss noted: “To motivate people to put at risk their careers and their families’ well-being, they have to be appropriately compensated. That’s why the relator provisions of the False Claims Act are so important.”

Given that plaintiffs’ work can be both financially rewarding and personally fulfilling, I asked Weiss and Jaso: why don’t more top law school graduates go directly into this field, instead of working at large law firms first?

In a nutshell, it’s all about the numbers. First, large firms, even in the wake of the recession, have greater hiring capability. “Fried Frank hires more lawyers in a single year than the number of lawyers who work here at Seeger Weiss,” said Weiss. Second, law students today graduate with huge student debt — and “they’ve all heard about how much the big firms pay.”

In addition, as noted by Weiss — who serves on the board of directors of Cardozo, his alma mater — law schools have an “institutional bias” toward Biglaw firms. There’s much more of a pipeline to

feed students into Biglaw. Many professors are alumni of large firms. And large firms can afford to send their lawyers around the country to conduct on-campus interviews.

Although Seeger Weiss has tended to hire lawyers with several (or many) years of experience, the firm has hired a few associates directly out of law school in the past. It does expect these young lawyers to hit the ground running, even if they're coming straight from school.

"At big firms, it's rarely the case that junior lawyers are given assignments of high importance and discretion," said Steve Weiss. "None of that is true here. We give responsibility to our lawyers in accordance with their skill and discretion. We regularly have first-year associates doing depositions and going to court."

Different lawyers may be doing the work at an elite boutique like Seeger Weiss compared to a Biglaw behemoth. But the commitment to excellence remains the same.

"There's a reason why even defense lawyers say good things about us," said Weiss. "We do good work. We're not aggressive for aggression's sake. We respect the practice and have a long view for our careers. We don't behave in a way that might give us a short-term advantage but hurt us over the long term."

Jaso agreed. "As a lawyer," he said, "your reputation is your currency."

(You can learn about Seeger Weiss at its [website](#). You can read more about Eric Jaso and the firm's qui tam practice by flipping ahead to the press release on the next page.)