



WILLENKEN WILSON LOH & DELGADO LLP

A large, stylized 'W' graphic composed of several overlapping triangles in various shades of blue, serving as a background for the 'FAQs' text.

FAQs

WHO ARE YOU?

Before we get to that, we want to ask you a few questions, and the answers will determine whether you should continue reading more about us. We have no interest in wasting your time.



DO YOU BELIEVE THAT:

- all litigation matters, irrespective of size and potential exposure, require the retention of a large, branded firm?
- top-notch litigators can only be found at large, branded firms?
- a firm has to have been around at least long enough for one of the named partners to have expired before it should be considered?

If your answers to any of these questions is “yes,” then this book is not for you. Don’t bother reading it. Your time is better spent elsewhere.

On the other hand, if you are willing to try a non-branded trial firm:

- (1) with top-notch trial lawyers who have tried over 150 cases to verdict or judgment,
- (2) that gives great value for your business litigation dollar, and
- (3) is willing to work harder for a great result so that it can build its reputation, then you should continue reading this booklet.

You won’t find a better way to spend the next 7 minutes.



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WHAT TYPE OF WORK DO YOU DO?



Our practice is devoted exclusively to business litigation. Our areas of practice are broad, with particular focus on complex commercial and intellectual property matters. We have litigated cases before arbitration panels, administrative law judges, state and federal trial and appellate courts, and even the U.S. Supreme Court. Some of our cases have settled for the benefit of our client before a complaint was even filed. Others have proceeded to trial and appeal. We are just as skilled in writing a sophisticated motion as we are cross-examining a hostile witness. We are especially comfortable before a jury, and we will never encourage our client to take a settlement just to avoid a trial.





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WHY SHOULD I CONSIDER HIRING
YOU WHEN A NEW CASE COMES
ACROSS MY DESK?



We think there are **two reasons** why
you should consider us:

RESULTS and VALUE



RESULTS

Because we don't have 100-year old laurels upon which to rest, we have no choice but to build our reputation by consistently delivering a superior work product and great results. You will be hard pressed to find litigators with a greater desire to win.

Here are some examples of our recent results:

- Upon substituting in as counsel mere weeks before trial, obtained highly favorable settlement (about 2 percent of the demand) on eve of dispositive motion hearing in the Eastern District of Texas on behalf of the world's largest electronics contract manufacturer accused of fraud and breach of patent license agreement.
- Obtained a trial victory for one of the fastest growing ISPs in North America in a trademark infringement case in federal district court.
- Obtained a seven-figure stipulated judgment following pre-trial conference on behalf of the nation's largest gas distribution utility in an indemnification action brought against a leading call center technology vendor.





VALUE

We define value as providing a superior work product at a fair price. We get great results for our clients while charging rates that are discounted 20-30% from the rates of prominent national law firms.

But, of course, rates are only one piece of the puzzle. Value is also about doing what is effective to attain a great result. Attorneys with low billing rates who turn over every rock in discovery or file every possible motion don't provide value to their clients. All they're doing is taking advantage of billing opportunities.

We will turn over only those rocks, and file only those motions, which are necessary to win the case. Because we are experienced trial lawyers, we know what is – and is not – needed to build a winning case.

To us, the early resolution of a case—either through a favorable settlement or a motion to dismiss or a summary judgment motion—is not viewed as lost revenue. Instead, we believe it is the best way to build trust with our client.



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CAN YOU GUARANTEE MY COMPANY
A GOOD RESULT?



Of course not.

But, what we can guarantee is that you will receive our best effort and work product, every time out. We back up this guarantee by giving you a 15% “hold-back.” On each month’s bill, you have the option to hold back payment on 15% of our fees. At the end of the engagement, you pay us the 15% balance, but only if you are absolutely satisfied with our service. Period.

In every case, we put our “skin in the game” just like you do. We treat each client’s matter literally as if it were our own.

By the way, we should tell you how much money our clients have withheld to date: \$0.



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ARE YOU WILLING TO CONSIDER
BILLING ALTERNATIVES TO A
STRAIGHT HOURLY FEE?



Yes.

Depending on the case, we are willing to consider “soft caps” in which our already-discounted hourly fee is reduced even further after a certain number of hours have been billed to the case, or a certain budget level has been reached. If it is our judgment that a case could be resolved early on, we will stake our gain on it.

In appropriate cases, we have also offered various versions of a defense contingency arrangement, whereby we are paid a “success bonus” at the end of the case only if the client is happy with the result.





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WILL YOU WORK UP A CASE ONLY
TO INFORM ME ON THE EVE OF
TRIAL THAT WE HAVE TO SETTLE IT
BECAUSE WE CAN'T WIN?



No.

We are trial lawyers. Collectively, we have first-chaired over 150 trials and arbitrations. We do not shy away from trial work because we are afraid, unprepared, or nervous.

Conversely, we also will not sugar coat the truth because we think it might upset you. We offer our case evaluation early and will continuously modify that evaluation over time as more information is received. As a result, we may very well tell you that a case should not be tried, but we will do so as early as that becomes apparent and in a way to maximize our settlement posture.

To help you make the right decision in litigation, we combine our experience with decision tree technology to map out the financial consequences of each available strategic option. We believe in the simple premise that our clients should make informed decisions.





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I WANT TO GIVE YOU A CASE, BUT
I ALREADY HAVE AN INCUMBENT
FIRM WHO KNOWS THE COMPANY
WELL. WHY SHOULD I HAVE TO
PAY YOU TO LEARN MORE ABOUT
MY COMPANY?



You shouldn't.

We recognize that incumbent outside counsel have the “knowledge advantage.” They know the company, its philosophies, its lawyers, and perhaps even some of its employees. **We can learn that (quickly) as well, and we'll do it on our own dime.**

When we receive an initial case from a corporate client, we will not bill for the first 20 hours of work we do getting to know your business. That gives us an opportunity to learn more about your company, and you don't (because you shouldn't) pay for it.





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I WANT TO GIVE YOU A CASE,
BUT IT'S NOT IN LOS ANGELES.
CAN YOU HANDLE A CASE
OUTSIDE OF LOS ANGELES?



Absolutely.

Our Firm's technology allows our lawyers to work remotely from anywhere in the world, and the advent of electronic court filings links courtrooms to our office. In addition, when a case requires the assistance of local counsel, we have relationships with competent counsel throughout the country upon which we can rely.

Here are some of our recent representations outside of Los Angeles:

RECENT REPRESENTATIONS

- Defended a corporate class action defendant in an unfair competition case before the Superior Court of San Francisco.
- Defended a corporate defendant in over 130 anti-trust class action cases pending before roughly a dozen states and later transferred to the Northern District of California under the Multi-District Litigation rules.
- Represented a defendant in a patent license dispute in the Eastern District of Texas.
- Defended a trademark infringement matter in the Southern District of Florida.
- Defended a trademark infringement matter in the Eastern District of Michigan.
- Defended a patent infringement matter in the District of Colorado.
- Prosecuted a breach of contract action on behalf of national retail chain in the District of Nevada-Las Vegas.
- Represented grand jury witnesses in the Southern District of Florida and the Southern District of New York.



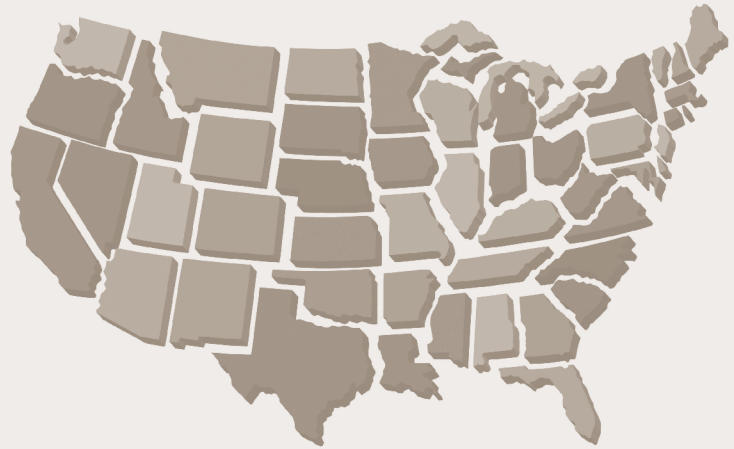
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BUT, FOR CASES OUTSIDE OF
LOS ANGELES, ISN'T IT MORE
ECONOMICAL FOR ME TO HIRE
SOMEONE WHO IS LOCAL RATHER
THAN PAY YOUR TRAVEL TIME
AND COSTS?



Not necessarily.

Depending on the case, we will waive the travel time and costs incurred as a result of handling a case in California outside of Los Angeles County.





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I WANT TO GIVE YOU A CASE, BUT
I'M CONCERNED ABOUT THE SIZE
OF YOUR FIRM. WHAT IF THE CASE
"BLOWS UP"?



Even in many of the large cases we have handled – cases where our client’s exposure can be measured in the hundreds of millions of dollars – we were able to staff those cases efficiently and effectively with two-person teams all the way through trial. This is because all of the Firm’s lawyers are seasoned litigators; we don’t hire first- or second-year associates. **Nevertheless, all Firm lawyers have enough flexibility that we can timely expand any team in the event an “all hands on deck” call goes out.**

That being said, in those exceptional situations where a “deeper bench” is required, we are well prepared. In particularly document-heavy cases and Multi-District Litigation matters, we have successfully paired up with larger firms who provide necessary backroom support, while we focus on strategy and substantive litigation tasks and first-chair the trial.



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YOUR FIRM SOUNDS GOOD, BUT
EVERY LAWYER DOING A PITCH
TELLS YOU THEY ARE THE BEST.
SO HOW DO I DISCERN TRUTH
FROM PUFFERY?



Great question.

In fact, we are hard pressed to imagine that any of the lawyers you meet regales you with stories of excessive hourly rates, mediocre results, and lackluster attorneys. Not surprisingly, they, too, are touting their top lawyers and impressive victories.

Our suggestion: Verify. Upon request, we'll give you a list of our client references, with numerous leading corporations among them. Please, call them. Ask them about us. Ask them about our work product. Ask them how responsive we are. Ask them about the results we got for them. Take their word, not ours.

Verify.



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IF I DECIDE TO RETAIN YOU, MY
DECISION WILL BE JUDGED BY YOUR
PERFORMANCE. HOW CAN I BE SURE
I'M MAKING THE RIGHT DECISION?



We understand the dilemma of in-house counsel and the pressure to select competent outside counsel that will resolve litigation in a cost-effective manner. We also understand that a mistake in judgment in selecting counsel can have disastrous results for the company, its employees and for the decision-making lawyer.

To help you make an informed choice of counsel, we ask for the opportunity to bid on your potential case. Our bid will be comprised of our substantive case evaluation, proposed strategy and preliminary budget.

Should you decide to retain us, we will have already advanced the ball, at no cost to you, by creating a case plan. If you decide not to retain us, you will have a sneak preview of our analytical capabilities, as well as a potential case plan that you can pass along to whomever you do retain, all free of charge.

Either way, there is no downside to you. But, if history is any indication, we're likely to make you an offer you can't refuse.



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