

INTRODUCTION

We are proud to present *The Best Lawyers in America 2006*. For more than two decades, *Best Lawyers* has been regarded – by both the legal profession and the public – as the definitive guide to legal excellence in the United States. *Best Lawyers* has been featured in national newspapers and magazines such as *The New York Times*, *Forbes*, and *The Washington Post*, and now serves as the basis for more than 50 *Best Lawyers* features in regional newspapers and metropolitan magazines around the country every two years. Of all the attention *Best Lawyers* has received, however, we continue to be most gratified by the support of the thousands of attorneys who participate in our surveys and help make *Best Lawyers* what *Corporate Counsel* magazine recognized as “the most respected referral list of attorneys in practice.”

The twelfth edition marks the first *annual* publication of *Best Lawyers*, which has previously been published biennially. Changes in the legal marketplace, which grows bigger, more complex, and more fluid every year, have made this transition inevitable; while advances in technology, such as online voting, have made it possible.

As part of our continuing effort to keep *Best Lawyers* current with legal practice, we have also added 25 new specialties to the twelfth edition, bringing the total to 57. The new specialties – Appellate Law, Banking Law, Bet-the-Company Litigation, Biotechnology Law, Capital Markets Law, Communications Law, Corporate Governance and Compliance Law, Derivatives Law, Equipment Finance Law, Government Relations Law, Insurance Dispute Resolution, Insurance Law, International Arbitration, Leveraged Buyouts and Private Equity Law, Mass Tort

Litigation, Mergers & Acquisitions Law, Mutual Funds Law, Non-White-Collar Criminal Defense, Private Funds Law, Project Finance Law, Securities Law, Sports Law, Structured Finance Law, Technology Law, and White-Collar Criminal Defense – are in their nascent stages and will grow broader and deeper in subsequent editions. Not all of the new specialties are represented in every state yet, but we expect the trend toward legal specialization will continue everywhere.

COMPILING THE TWELFTH EDITION

Although this edition marks the first annual publication of *Best Lawyers*, the method used to compile it is fundamentally the same as it was when the first edition was compiled more than 20 years ago. Lawyers are chosen for inclusion based solely on a vote of their peers. Listings cannot be bought, and no purchase is required to be included. In this regard, *Best Lawyers* remains the gold standard of reliability and integrity in lawyer ratings.

The survey for the 2006 edition began with a nomination pool consisting of (1) lawyers who had been nominated *sua sponte* during the year since the previous survey; (2) lawyers who had been nominated for but not listed in the previous edition (lawyers nominated but not listed remain in the nomination pool for two editions, at which time, if they have not been voted onto the list, they are removed from the nomination pool, although they can be re-nominated); (3) new nominations solicited from the 18,500 attorneys listed in the previous edition; and (4) all lawyers whose names appeared in the eleventh edition of *Best Lawyers*. Nominees for the 25 new specialties were solicited from both previously listed attorneys and new nominees who received multiple nominations.

The voting pool consisted of all the lawyers listed in the previous edition. Also, nominees who received multiple nominations in the 25 new specialties voted within their specialties. Each year, half of the voting pool receives fax or email ballots; the other half is asked to vote by phone. For this edition, the following states were polled by phone: Alaska, California, Colorado, Connecticut, the District of Columbia, Florida, Hawaii, Illinois, Maryland, Massachusetts, New Jersey, New York, Ohio, Oregon, Pennsylvania, Texas, and Virginia.

Some lawyers were asked to vote only on nominees in their own specialty in their own jurisdiction. Lawyers in closely related specialties were asked to vote across specialties, as were lawyers in smaller jurisdictions. In a few instances, where specialties are national or international in nature, lawyers were asked to vote nationally as well as locally. Voting lawyers were also given an opportunity to offer more detailed comments on nominees. In all, more than 1.5 million individual evaluations were processed in compiling the new edition.

As in previous surveys, we provided voting lawyers with only the following general guideline for determining if a nominee should be listed among “the best”: “If you had a close friend or relative who needed a real estate lawyer (for example), and you could not handle the case yourself – for reasons of conflict of interest or time – to whom would you refer them?” All votes and comments were solicited with a guarantee of confidentiality – a critical factor in the viability and validity of Best Lawyers surveys since we began polling lawyers two decades ago.

To ensure the continued rigor of the selection process, we urged lawyers to use only their highest standards when voting, and to evaluate each attorney based only on his or her individual merits. The additional comments allowed us to more accurately compare and weigh voting patterns. Over the years, we have developed methodological tools to identify and correct for anomalies in both the nomination and the voting process, including the distortive impact of partner votes.

Ultimately, of course, a lawyer’s inclusion in these lists is based on the subjective judgments of his or her fellow attorneys. While it is true that the lists may at times disproportionately reward visibility or popularity, we remain as confident today as we were twenty years ago that the breadth of our survey, the candor of our respondents, and the sophistication of our polling methodology largely correct for any biases, and that these lists continue to represent the most reliable, accurate, and useful guide to the best lawyers in the United States available anywhere.

BESTLAWYERS.COM

The Best Lawyers in America 2006 will be available online at www.bestlawyers.com. Online listings make it possible for lawyers listed in the twelfth edition to provide additional biographical information that

cannot be included in the book due to space limitations. Lawyers can link their listings either to a custom-built Best Lawyers bio page or to an existing firm web page. Firm links are also available at BestLawyers.com.

THE EDITORS

Steven Naifeh and Gregory White Smith are both Harvard-trained attorneys. Mr. Naifeh worked briefly for the New York firm of Milbank, Tweed, Hadley & McCloy; Mr. Smith for the San Francisco firm of Morrison & Foerster. Between them, they have written twelve nonfiction books including four national bestsellers: most recently, *On a Street Called Easy*, *In A Cottage Called Joye* (Little Brown, 1996), and *Making Miracles Happen* (Little Brown, 1997). Their book *Jackson Pollock: An American Saga* (Clarkson Potter, 1990) won the Pulitzer Prize for biography and was a nonfiction finalist for the National Book Award in 1991.

The principal editors for the twelfth edition were William D. Brooks, Debra Bacon, Stephen Geddes, Marie James, Stephanie Parker, and Jeremy Wilson. The editors would like to acknowledge Stephen Geddes's special contribution in updating and streamlining a data-heavy process that is increasingly software- and Internet-dependent.