

Spring Brings New Growth...

Welcome to the Spring edition of *'Trainee Days'*. It seems fitting that as we began putting this edition together we had the words of Business Minister Baroness Vadera ringing in our ears about the *'green shoots of recovery'*.

At the firm we've certainly started to see a number of new instructions coming through the doors. Our Insolvency and Litigation teams, in particular, are handling some very challenging and interesting work.

Since our Autumn edition, many summer placement deadlines have come and gone. There will be those of you who've been racking your brains about all your past experiences in order to complete your forms. Two of our current trainees with very interesting and albeit 'non-traditional' backgrounds tell all about their previous careers/working lives. But what should ring true with current candidates is how they see their previous experiences in relation to the legal career they've started. There is something to be learned from every experience and the key is seeing how what you've done, gives you skills that every would-be lawyer needs (see pages 7 & 9). It can be quite humbling to read the amazing experiences some people have amassed in a relatively short space of time.

We've also taken the theme of 'those once working as lawyers who now do something completely different' for this edition's quiz – you know the drill – 10 questions, answers in an email to me (swarnes@eapdlaw.com) – there are 'pwizes' to be won!

For those that have already been through the summer placement interview experience and perhaps haven't secured the place they wanted, now is the time to start thinking about open days. These are another great way of finding out about a firm, getting a taste of the working environment and meeting members of the team. It's valuable 'face' time and an opportunity to get yourself in front of the great and the good of your chosen firms. As always we'll be hosting a series of open days over the coming months – check the website for dates and details of how to apply.

As well as Open Days, we provide a 'shop window' in *Trainee Days*, where you can get under the skin of some of our partners, associates and trainees. We continue by interviewing Chris Sage, an associate

in our Regulatory and Transactional Group, who has recently become a supervisor. Who better to 'do the Paxman' than Hannah Perkins, his recent trainee. Read his three useful tips for trainees on page 5. There's also an interview with one of our US colleagues who started with EAPD in September 2008. It is an interesting comparison with the UK 'Class of 2008'.

Lastly, with exam time looming for some readers we asked all our current trainees for their exam and revision tips. Read why a pint of tea is so important in these situations (plus other more 'valuable' advice) (see pages 8 & 9).

As this edition goes to press we are thrilled to announce further growth to the London office in the shape of a 16 strong trademark and brand protection team who are joining the firm's IP practice. The group is led by John Olsen, a widely recognised leading lawyer in his field. We will report more on this exciting development in our next issue (or you can check out the website for more information). In the meantime Sascha Grimm, a second year trainee currently on secondment in the New York office writes about the existing work in our IP practice in London on page 4.

All of this, plus the usual sports and social round up (including the infamous Trainee Winter Party) and Pro-Bono reports. It is a great issue, so you may want to get yourself that pint of tea to settle down with before reading. Enjoy!

Best wishes, Sarah Warnes,
Trainee Recruitment Manager

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Open Days:
23 April 2009
5, 11 & 18 June 2009

Training contract deadline:
31 July 2009

trainee.eapdlaw.com

Famous People in Law
QUIZ
Win £50 of iTunes Vouchers
See page 6

by Kendall Evans
1st Year Trainee

Pro-bono Update



We asked our trainees to tell you about their work highlights of recent months, you'll find them dotted throughout this issue.

In the Autumn issue of *Trainee Days* we reported on EAPD's involvement in Fair Trials International (FTI). EAPD has now been working with FTI for a year and a number of EAPD solicitors, trainees and paralegals give up their time to be involved in this worthwhile activity. To re-cap, FTI is an organisation that attempts to ensure individuals throughout the world receive fair trials according to international standards of justice.

Each Wednesday two volunteers spend the evening at the FTI clinic. Volunteers are on a rota so generally tend to visit the clinic once every few months. During my stints at FTI I have dealt with an individual arrested in Japan on a drugs offence, answering his emails and putting together a case summary of the individual's plight. I have also assisted the family of a British man arrested in Spain, who did not think he received a fair trial after being accused of sexually assaulting a hotel chambermaid.

Recently, our London office, as a result of our relationship with FTI, referred the case of William Coleman to our Hartford office. Three of our American colleagues, working closely with American Civil Liberties Union, are representing Mr Coleman who was sentenced in 2005 to eight years in prison for raping his wife, a conviction he says was an unjust outcome of a corrupt judicial system. He has been on hunger strike for 16 months and EAPD is assisting him in his legal challenge to continue his hunger-strike. This is a high profile and exciting case within challenging circumstances.

EAPD also contributes to LawWorks and the Citizens Advice Bureau (CAB). LawWorks aims to increase the delivery of free legal advice to individuals and groups in need. About once a month, an email is sent round setting out various legal issues that charitable organisations are looking for assistance with. As with any work undertaken, if you volunteer to take on a case you'll always get plenty of support and supervision but it really gives you the opportunity to have considerable control of your own caseload and trainees will often be the main port of call for the client. Vikki Courtney, a second year trainee,

has recently represented a small community association who had a dispute with an architect it had instructed to undertake some building works at its community hall. Vikki was responsible for drafting a Letter of Advice to the client (setting out its options), drafting a Letter Before Action to the other side and liaising with the architect's solicitors in an attempt to agree a settlement. Finally, the architect agreed to pay our client the majority of the amount of damages it had suffered as a result of the architect's negligence. Our client was very happy with the outcome, as it meant the association could continue with its charitable programme as planned.

CAB takes place on weekday afternoons from 2pm until 4pm at the Royal Courts of Justice. Individuals are allowed an allocated slot to speak to a solicitor about any legal issues they may have. Trainees accompany a solicitor, which is a great way to observe interviewing techniques, and often get involved in follow up work such as researching specific areas of law. I attended CAB last month with my supervisor and one case involved a gentleman whose mother had recently passed away. His mother's council house had ended up in the hands of his mother's carer. The gentleman wanted to bring a judicial review action against his local council for deciding in favour of the carer rather than him and his family. The facts of the case were very interesting and provided exposure to issues that are not faced on a day to day basis in our firm.

Finally, the firm is a participant in the Lloyds' Community Programme. EAPD is partnered with a Primary School in Bethnal Green and volunteers can either get involved with Reading Partners or Number Partners. Volunteers are paired up with a child whose first language is usually not English or who needs a little extra help with maths skills. Volunteers either listen to them read or play fun number games with them over lunchtime. I am a reading partner for a little girl called Saima and even in the three months that I have been volunteering I have seen a vast improvement in her reading.

Pro-bono is, and will continue to be, a core element of the EAPD philosophy. It is actively encouraged and easy to get involved. Also, since the merger, EAPD London has been participating in the firm's annual pro-bono awards which has added a little healthy competition between schemes and is a great way of recognising the contributions of so many EAPD people.

// I have covered a wide variety of work. In my first week I was required to research issues on vicarious liability to find out who was responsible for the actions of an employee at an oil depot. At the other end of the spectrum I have had to arrange for a Certificate of Service from the Seychelles to be couriered to Cyprus for a hearing in order that assets could be seized. //

Kendall Evans
1st Seat, Public International Law

// After drafting all the minutes, resolutions and forms for a complicated internal restructuring at a large client, the best moment came post-completion when we updated the company structure diagram and could see how our work had shifted companies around, scratched others off the register and made the group more efficient. //

Stephen Ixer
3rd Seat, Regulatory & Transactional

WORK HIGHLIGHTS

The Merger – One Year On



As many of you will know, and for the benefit of those who don't, on 1 January 2008 City law firm Kendall Freeman merged with Boston based firm Edwards Angell Palmer & Dodge (EAPD). One year on, two current trainees, **Vikki Courtney** and **Andrew Short**, discuss their experiences of the merger and how they think it has impacted on life at the firm.

HAVING APPLIED to, been interviewed by, and accepted a training contract with Kendall Freeman, it was a considerable surprise to hear that I would be joining a large American firm. Given the reputation that American firms have, I was slightly concerned that the firm would lose the culture that was pivotal in my decision to apply to Kendall Freeman in 2006. However, the firm was very good at keeping us 'impending trainees' fully informed with developments. We were personally informed as soon as the merger was announced and were invited to the firm to speak with a number of our future colleagues to help put our minds at rest.

I started at EAPD in September 2008 and am currently coming to the end of my first seat. I can't deny that there have been some changes since the merger from a trainee's point of view, but apart from a few technological glitches in the changeover period, all the changes have been for the better. Trainees can now look forward to a wider scope of practice areas, more international work, and even the opportunity to go on an overseas secondment; something which no doubt will be an attractive option for many graduates.

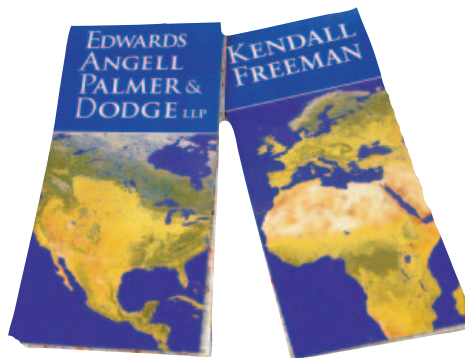
My first seat has been in the regulatory and transactional group of the IRD. As this department is now the entire firm's access to corporate law in the UK, the amount of work has been increasing and has been widening in scope. The London office now has corporate matters involving UK law referred to it from across the firm in addition to the work generated internally. A good illustration of the changes in the work that the merger has brought to the IRD are the 'But For' Awards. These are awarded where matters are generated which would not have occurred 'but for' the merger. So far, 52 'But For' Awards have been acknowledged.

Since the merger, the client base has grown considerably as UK lawyers have been introduced to US clients and vice versa. From an individual UK lawyers' point of view, this has meant an increased effort on the marketing side to build relationships with the firm's US lawyers and US clients and most seminars held by EAPD now include collaborations from across the firm's 11 offices.

Whilst there has undoubtedly been

considerable changes, it is important to note that the ethos of the firm has remained the same. For example, there has been no change to the number of target billable hours within the London office and the training contract itself still remains much the same, albeit with extra opportunities. It is inevitable that the merger will continue to impact the firm over the coming months and years. However, so far, the changes have only been for the better.

Andrew Short, 1st Year Trainee



I STARTED my training contract with Kendall Freeman in September 2007. A few months after starting, the merger with EAPD was announced. Understandably, there was a lot of excitement amongst trainees but also a degree of trepidation. After all, we had chosen to start our careers at a medium sized City firm specialising in a few select areas of law and were now going to form the London arm of a large full service American law firm. We had many questions; Would our hours change? Would there be an opportunity to work abroad? Would we be adopting an 'American style' of working?

After the announcement in November 2007, we had various consultations with senior members of the firm and trainee recruitment who helped answer any questions we had. This was really useful and prepared us for the inevitable changes that lay ahead. When we arrived back in our seats after the new year break, we were greeted with a bottle of champagne, EAPD stationery and an EAPD mug!

But, other than the new mugs and stationery, how has trainee life at what was once Kendall Freeman really changed?

Over the past year, as well as the inevitable technical and administrative changes (such as the incorporation of new phone and time-recording systems) there have been some more significant developments. The firm sent its first London trainee on secondment to the firm's New York office in May 2008, another trainee is now on secondment to the New York Intellectual Property (IP) Department and trainees in the Insurance/Reinsurance Department (IRD) had the opportunity to attend the IRD retreat in Connecticut in February 2008. An associate is also currently on secondment to our new Hong Kong office. As a result of the merger, the London office now boasts an IP department to build upon the success of the firm's IP reputation in its US offices. There are also plans to branch out into other service areas, such as private equity, in which many of our US offices have well-established and successful practices. These developments enable us to offer our international clients a truly global service.

However, other than the opening up of new work and travel opportunities, there hasn't been a significant shift in the London office's 'working environment'. As much of the work that Kendall Freeman used to do was international and many of its clients were based overseas, there has been no significant changes to the number of hours trainees are expected to put in. Moreover, I think the London office is keen to retain the successful working practices of pre-merger days, whilst embracing new innovative ways of working. The size of the trainee intake will remain relatively small to provide trainees with a collegiate and hands on training experience. The type of work and amount of responsibility that Kendall Freeman trainees experienced will remain the same. All in all, there is a feeling that current and future EAPD trainees now have the best of both worlds - the old Kendall Freeman working environment, but part of a larger 'family' which will provide trainees with even more exciting opportunities.

Vikki Courtney, 2nd Year Trainee

by Sasha Grimm
2nd Year Trainee

Intellectual Property Department

In March 2008, the EAPD London office took a step in a new direction by creating an Intellectual Property (IP) practice to join the firm-wide IP Group. The IP Group in the US is a well established department made up of over 100 lawyers and patent attorneys and going back more than 35 years. The practice is extremely broad and covers both contentious and non-contentious work across many jurisdictions. It handles all types of IP rights, including trademarks and branding, copyrights, patents, and licensing. Undoubtedly for the London office, the inception of this new practice, and the fact that it is now part of such an experienced group, signals exciting opportunities ahead.

In particular, the US has a very strong patent practice in the field of Life Sciences. The focus on patent work in the US is reflected in the UK developments. In addition to the London IP department, a patent practice has been founded in Southampton, called EAPD Innovations LLP. The practice consists of three patent attorneys (two of whom are also Partners in EAPD) and four paralegals and is particularly focussed on Life Sciences and Biotechnology patent work in Europe and the UK. The work undertaken in Southampton can range from drafting the patents themselves and defending them, to challenging competitors' patents.

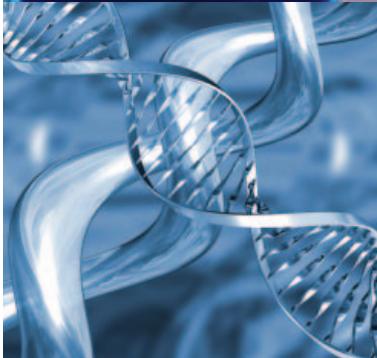
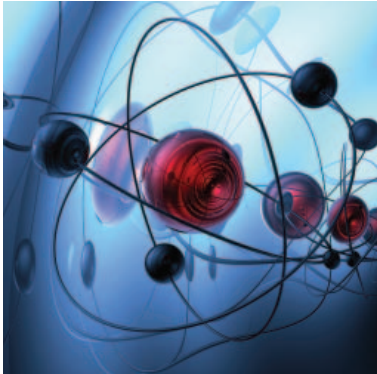
One of the firm's other major strengths is its trademark practice. In the US there is a Trademark Group which advises clients on how they market their products, or more specifically their trade marks, service marks, trade names and domain names. And just a week ago, a 16 strong trademark and brand protection team, headed by the widely recognised expert, John Olsen, joined the London office. The work undertaken includes advising on and undertaking applications and registrations, as well as dealing in infringement actions. It is of the utmost importance that clients are able to build up, maintain and protect their brands, and the practice works with clients on all aspects of this.

The London IP practice reflects the diversity of the US IP Group by covering the same broad spectrum of work. I have been sitting in the IP department in my third seat, and the work I have undertaken has been extremely varied. Throughout my seat I have been working on two pharmaceutical patent oppositions taking place in India, which has required learning about Indian patent law (very similar to – and indeed based upon – English patent law, but with a few peculiarities), as well as learning about the subject matter of patents with respect to HIV drugs. Although I do not have a scientific background, this was not necessarily a disadvantage, as the work undertaken was of a much more legal nature. Having said that, it did require me to dredge up my long-buried memories from GCSE Chemistry...with a little help from Wikipedia.

I have also been involved with 'soft' IP work. I have assisted in preparing an advice note for passing off in a case where one company had a name and logo very similar to our client's. As our client had not registered their logo or name as a trade mark, the only course of action open to them was to undertake a claim for passing off. A registered trademark is a monopoly right which allows the owner to easily prevent someone from having a mark similar to theirs. A passing off action is much more difficult to sustain. It requires the claimant to show that they have goodwill in their mark, that there is a misrepresentation to the public to make them think that the defendant's goods or services belong to the claimant (and there is therefore a likelihood of confusion), and they must also be able to point to some loss or detriment to their goodwill as a result. As litigation is costly and undesirable for clients, the advice also looked at alternative ways of handling the matter from a more commercial viewpoint.

The most recent work I have been doing is for a charity in the US who are staging a major concert to raise money featuring two very well known singers. Our job is to draft all the various contracts, which include the promoter's agreement, the sponsorship agreement, the artists' agreements and the agreement with the venue. This has necessitated taking many factors into account. In addition to each party's obligations, the specific IP issues relate to copyrights and securing permission to use the artists' images or trade marks. As well as securing permission from the artists, there are external factors to consider. For example, any public performance of music also requires a licence to be obtained from the relevant collecting societies, who then pay royalties to the artists and publishers from the money for these licences. In this case, licences need to be obtained for both the live performance at the venue, and also the streaming of the concert on the internet.

In summary, the IP department's work covers all aspects of IP law including patents, trade marks, copyrights and related commercial issues. Historically, it is one of the firm's core strengths and promises to be an exciting addition to the London office.



Sports Update

5-a-side
Football

As the transfer window slams shut EAPD looks set to continue its recently improved form and mount a serious-to-fair title challenge. Captain/manager/visionary Christopher 'Peaso' Pease refused to panic-buy insisting that his current crop of players was more than adequate for the season ahead.

EAPD currently occupies third place in the legal league and their new brand of football (starting to score and conceding less), has forced a series of good results including a very memorable 5-1 victory.

On the rare occasions that the opposing strikers have managed to surpass the human fort that is Sam 'I don't do losing' Tacey, Donald 'the tower' McDonald and Andrew 'not so' Short, Welsh squash international Rhys 'dinner plans' Davies has shown skills not normally associated with Welsh goalkeepers. Chris Collins has exemplified the versatility of a Swiss army knife, finding himself in literally every position on the pitch and alongside him Jonny McDonald has put in a dutiful service for Queen and Country.

Peaso has taken advantage of EAPD's wide recruitment net and 2008 saw the signings of Kendall Evans and Paolo Ceroni, from Kenya and Italy respectively. Language difficulties have been blamed for the Italian's ill preference for passing, while others blame his pursuit of the Golden Boot trophy which is currently held by Jamie 'Bergkamp' Humphreys. Recently back in the squad is Spanish flare player Antonio 'Cesc' Suarez-Martinez whose marathon fitness was slightly unwelcome. Any disapproving comments have not yet been voiced through fear of the 'hair-dryer treatment'....

Recently the 5-a-side team enjoyed a long overdue social night devouring a curry and sipping a few beers. Cheers!

THE SEAT SUPERVISOR

Chris Sage

Associate, London Regulatory & Transactional Group (part of the Insurance & Reinsurance Department)



Chris has recently become a seat supervisor for the first time. **Hannah Perkins** completed a seat with Chris and asks him a few questions about his role as both a corporate lawyer and a supervisor.

Q1 How do you remember your trainee days?

Fondly, if a little vaguely now. It was an exciting time, and my intake definitely lived by the motto "work hard, play harder!"

Q2 Why did you choose regulatory and transactional work as a practice area?

I think it chose me – I was never cut out to be a litigator! I really enjoy the blend of law and creativity involved in the advice that we give to clients. Some of the work we do, particularly on the alternative risk transfer side, is really cutting edge.

Q3 What skills do you think make a good R&T lawyer?

Commerciality is essential: you have to be able to put yourself in your client's shoes and understand what it is that the client is trying to achieve. Sometimes, when a problem comes up, you may be able to suggest an alternative solution that is better for everyone.

On the flip side, attention to detail is also vital: if anything goes wrong with the deal, those pesky litigators will be poring over your contracts to find any loopholes!

Q4 What has been your most enjoyable piece of work to date?

There have been a lot of highlights. As a trainee, being on the team that did the largest ever AIM float (at the time) for the Insurance Company PRI stands out. Since qualifying, I've been fortunate to do a lot of work for several clients at Lloyd's, which is a very interesting place to do business.

Q5 Corporate law is widely known for its long hours. What is the most that you have worked without sleep?

The closest I've been to an all-nighter was leaving Linklaters' offices at 7am, going home to shower and change and then getting back to the office at 9am. I'd guess

that was about 38 hours without sleep, but not quite all work.

Q6 How are you finding your new role as a supervisor?

It's great. Teamwork is a big part of what we do and it is good to be able to share the work that I am doing with a trainee. I'm also hoping that I will hear a little bit more of the office gossip a little earlier now – I had got rather out of the loop.

Q7 What three tips would you give a trainee so they could be more useful?

The most important things are:

- *Be keen:* not everything you do will be interesting, but you won't get the interesting stuff unless you've shown yourself willing and able to do whatever work you are asked to do;
- *Take pride in your work:* everything you do will be important, even though it may not be obvious how;
- *Be interested:* it is important to understand why you are doing what you are doing, rather than just following instructions – more than once I have had a trainee suggest a better way of doing something I have asked them to do – and that makes a great impression.

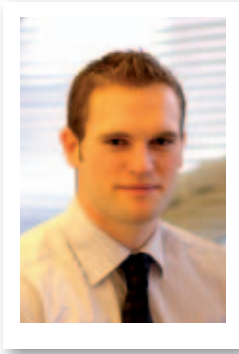
Q8 Have you heard any car crash trainee horror stories over the years and, if so, please tell...

I couldn't possibly comment!

Q9 Finally, when you are not at work how do you like spending your time?

With a six month old baby son at home, I don't have any spare time!

Time outside the office is dedicated to him and my wife. At weekends, we just like to go to places, whether that is wandering around interesting parts of London, heading out into the countryside or down to the south coast for the day.



by Chris Pease
2nd Year Trainee

Secondment

Going on secondment is both a daunting and exciting prospect no matter who you are or what stage of your career you are at. My experience was certainly no exception. I spent the initial few days and weeks of my time finding my feet and learning how to cope without some of the luxuries one can become accustomed to in private practice.

However, once I had been given the time to adjust to the difference in work I began to really enjoy the additional responsibility and freedom I was given, and soon felt at home within a small and relaxed, but hard-working team.

Working in a small office inside the world's best known department store was slightly surreal at times. It is easy to forget that you are working for a store that is regularly visited by royalty and celebrities. A short walk down the corridor and onto the shop floor will soon remind you of the history and reputation you are dealing with. It is hard to complain about finishing the working day and being able to pop along and see the likes of Eva Mendes or Paris Hilton on the way out!

All those within the legal team seem to have found a great balance of treating their work seriously whilst also being fun to work with and easy to get on with. Being in such a small department, it did not take long before I felt part of the team. I was made very welcome and subjected to countless stories of dating life, weird dreams and drunken Polish antics. Unfortunately, this familiarity also involved persistent abuse being aimed at my lack of fashion, particularly my footwear! Luckily, the generous discount offered as a staff member allows such things to be remedied without going outside.

The work I encountered during my secondment was really varied. The range of work included issues relating to intellectual property, company commercial, corporate, employment, litigation and consumer law, although some issues I dealt with did not fit into any of these areas and were simply unusual queries or issues that made for entertaining reading and resolution. The variation was something I really enjoyed and it meant having to learn how best to juggle a number of different matters that were all completely different from one another. Being exposed not only to strictly legal problems but also to matters that were more commercially focussed was also refreshing because it required me to look at issues from a different perspective than I would normally do.

In addition to enjoying my six month seat, I was also able to learn a great deal. This was largely down to the responsibility I was given and the constant communication I was required to keep with colleagues and those instructing me. What is perhaps most useful is that you are able to experience work from a client's perspective and to gain a better understanding as to the wants and needs of the client. I would recommend a secondment to any trainee and am grateful to have had the opportunity. My only criticism is that the time passed too quickly!

Famous People in Law QUIZ

Below are a selection of questions concerning famous people who all once worked as lawyers.

- Q1 Which author, whose name is synonymous with legal thrillers, wrote his first novel whilst practicing as a lawyer in a small Mississippi law practice?
- Q2 Which prestigious ex-lawyer and previous First Lady met her husband whilst studying at Yale Law School?
- Q3 Which barrister and MP has held the positions of Foreign Secretary, Leader of the House, and Home Secretary and now heads a rather "Orwellian" named department?
- Q4 Which famous Italian tenor spent a year as a court-appointed lawyer before embarking on a career in music?
- Q5 Which former US President previously practiced law for nearly twenty-five years in the State of Illinois?
- Q6 Which British barrister turned gastronome is the youngest woman ever to be called to the Bar?
- Q7 Which barrister turned statesman studied at UCL in London in the 1880's, returned to his homeland to practice as a civil rights lawyer and was assassinated in 1948?
- Q8 Which famous WAG of a former England football manager has her own legal practice specialising in high value property deals?
- Q9 Which famous comic presenter of a well-known 'improv' show was called to the Bar and practiced criminal law?
- Q10 Which former US attorneys currently reside at 1600 Pennsylvania Avenue NW?

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email your answers to Sarah Warnes at:
SWarnes@eapdlaw.com

Careers Before The Law

Officer in the British Army

There are some who choose to practice law with neither interruption nor distraction whereas others choose to delay the calling with a gap year or two. Some of us however, get a little carried away and turn potential gap years into fully fledged first careers. EAPD always welcomes training contract applications from people who do not necessarily fit the typical 'early 20's graduate' mould. Here, Stephen Ixer (see page 9) and I, the firm's other incumbent 'second-hand' trainee, reveal what we turned our backs on for the bright lights of the city and a training contract with EAPD.

Before taking the LPC and joining EAPD as a trainee in September 2008 I spent six years serving as an infantry officer in the British Army, commencing the Commissioning Course at Sandhurst in January 2002.

Following Sandhurst and a further five months' infantry training, the first job of any infantry officer on arrival at their battalion is that of a platoon commander. I arrived at my battalion in June 2003 and had already been told that we'd immediately be deploying to Iraq, where following the end of the war fighting phase, a new deployment of troops were being sent to commence peace support operations.

This meant I was in the fortunate position that my first proper job in the Army was commanding my platoon of 30 soldiers, patrolling the streets of Basra, and trying to maintain security in the face of what was then an unsophisticated but rapidly developing insurgency. Iraq in 2003 was a surreal place in which one day we'd be raiding a house for illegal weapons and the next attempting to stop the local children joy riding the trains!

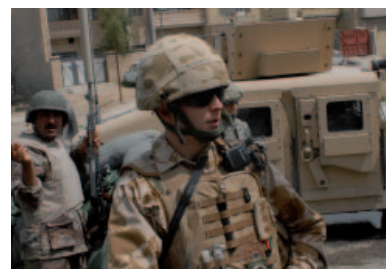
On return from my first tour, I had a number of more civilised years, during which I was promoted to Captain and, for a brief period, to Major whilst in Africa training the Malawian Defence Force. I also got to spend a couple of months training in the jungles of Borneo during which I re-lived the joy, not experienced since my student days, of only having one shave every ten days!

In December 2006 I returned to Iraq for a second time. This tour was the most challenging and yet rewarding time I spent in the Army. I was attached, along with a 15 man team of British and American soldiers, as coalition military adviser to a British

trained Iraqi Army infantry battalion as they formed part of General Petraeus' 'Surge' into Baghdad. Working and living so closely with the Iraqi and American soldiers was an amazing experience and although the unit sustained heavy casualties, there was a genuine feeling that we were having an impact on security in the local region. Even a tour like this was not without humour. I remember explaining to a local bigwig in very broken Arabic that I believed we could work closely as 'friends'. He remained forthcoming but seemed to look at me a little quizzically. It was only later that our interpreter explained that in northern Iraq, the phrase (which I'd taken from a card we'd been issued with in Basra) was more commonly used to describe the relationship of boyfriend and girlfriend!

I returned from Iraq in June 2007 and then left the Army in September to commence my LPC. I'm certain that a few years in the Army provided me with a sound foundation for a career in law. Some people regard moving from a military to a legal career as pretty unusual, however I could always see parallels between the two professions. After all they both involve solving problems, often when other avenues have been exhausted. Moreover, not only has it helped give me the skills to work under pressure but it instilled in me a desire to 'get the job done', no matter how hard you have to work and sometimes by finding intuitive solutions. At a firm like EAPD who frequently work to resolve clients' complex problems, this seems to be something that the partners and associates do every day, and even as a first seat trainee you're expected to contribute the ideas you have.

by Jonny MacDonald
1st Year Trainee



// I have been assisting my supervisor in a matter involving the recovery of funds held in an off-shore jurisdiction that were mis-appropriated by an individual situated in the highest echelons of a former dictatorship. The current government had obtained a freezing injunction over the funds whilst bringing proceedings against the accused in the home jurisdiction. Following an adverse judgment against our client, I was asked to complete the first draft of instructions to Leading Counsel (or Queens Counsel (QC)) to advise on an appeal to the Privy Council. A QC is often asked to provide an opinion as to the merits of a case or of a course of action due to his/her expertise in that particular field.

My instructions had to provide a comprehensive background to the dispute, along with the recent developments in the case and the exact nature of the adverse judgment. I thoroughly enjoyed the task as it allowed me to demonstrate my knowledge of the dispute, along with my ability to know which questions or issues were of particular significance. //

Rhys Davies, 1st Seat, Commercial Litigation

WORK HIGHLIGHTS



Revision/Exam Techniques

The sun has begun to show its face, this can only mean one thing - EXAMS! Here is some timely advice from those who have done it all before (our current trainees):

Sports Update

Squash

15 January 2009, saw the first squash evening of the year. A ragged band of racket enthusiasts and novices set off across the river in search of the promised land. Finding Cottons just across London Bridge was the easy part, the squash was yet to come.

Old rivalries between corporate partners Simon Williams and Ashwani Kochhar resurfaced, whilst David Kendall was relieved to hear that Sarah Warnes was a late withdrawal through injury, increasing the odds of him finishing the evening unscathed (see the Autumn edition of Trainee Days). The trainees of 2008 had a point to make and Sascha Grimm was so keen to make her mark that she commuted from Southampton.

A 'round-robin' system ensured that everybody played each other. Simon and Ashwani could not leave it at one match, and their second saw the honours even, giving both equal bragging rights in the corporate department. Rhys Davies had made it his mission to complete a clean sweep which he managed, despite the best efforts of Paolo Cerroni, who decided that underhand tactics could be used to sideline the favourite. After nearly 3 hours of squash, everyone was happy to retire to the bar for a well earned pint and a packet of crisps - the traditional nutrition of well-honed athletes across the UK! A special mention to Graham Waller who amused the 3rd floor the following day with his memorable John Wayne walk.

All Sports Updates
by Paolo Cerroni
1st Year Trainee

Revision

As clichéd as it sounds, the key to success really is in the preparation. People who say they only started revision the day before an exam and come away with a high score are usually lying. I would generally sit down about 3-4 weeks before a big exam to start reading through my notes to get an estimate on how much I knew (or usually how much I didn't!) and could then start to devise a mental plan of how much material I had to get through.

There's a lot of benefit to be had from reading past papers and the model answers to those questions. Also, although you should never try to second guess questions or selectively revise, certainly in law exams, there is usually a choice of questions which gives you some scope to revise thoroughly those topics which are very likely to be covered. Remember however, you should always spend enough time on all topics to be confident enough in providing a solid answer.

Vikki Courtney, 2nd Year Trainee

Revision

Producing a good set of notes to use as a building block for any revision was, I found, the most efficient way to revise.

Exams

I think what is integral to any exam technique is ensuring that you try to keep within the time limits for each question. This is especially true when sitting the LPC exams. You should always work out how many questions there are and divide the time accordingly and in proportion to the marks.

Emma Richardson, 2nd Year Trainee

Revision

If you revise at the university library avoid sitting near your friends, you'll only end up building paper aeroplanes (mine once flew 16.5 yards). Instead, revise somewhere quiet and meet your friends for lunch and dinner breaks as a reward. Also, perhaps purchase a pint-sized mug - revision without tea... well I don't even want to think about it!

Paolo Cerroni, 1st Year Trainee

Revision

Condensing down and down and down is the way that works for me and I always tried to ultimately fit a whole subject on a single sheet of A4. Cramming right up to the last minute really does work!

Stephen Ixer, 2nd Year Trainee

Revision

The most useful piece of advice I could give for law revision (especially on the GDL) is to be organised. Use the time throughout the course to make sure lecture notes are up to date and complete. If possible start making revision notes as you go along. This will save a vast amount of time when the exams are looming given the enormous volume of work there is to learn. If you can get into the habit of this early on, it will make life much easier.

Exams

During the exam itself, timing is crucial. All too often I have heard people not finishing the last question or even worse not even being able to attempt it. Always keep an eye on the clock and work out roughly how long you should be spending on each question. It's much more important to make a good attempt at 2 questions rather than 1 great attempt and 1 non-attempt!

Andrew Short, 1st Year Trainee

Revision

For open book exams, where you're told to base your exam preparation around answering the types of questions that were covered in the classes (such as the College of Law exams), don't waste time re-doing the general reading from the textbooks. Instead start by practicing how to answer the questions. You'll be surprised how much information, which you think you've forgotten, you've actually retained. You can then turn to the textbooks to target specific gaps in your knowledge. After wasting some early revision time using the textbooks, I found that this was a much more efficient way of revising.

Jonny McDonald, 1st Year Trainee

Revision

One piece of advice, aside from drinking lots of coffee, is to really make use of immediate sources available to you such as past examination papers and examiners' reports. Past papers are great at enabling you to identify topics and themes that regularly come up in exams. At times, exam questions can be quite formulaic so it can assist you in distilling from broad topics what questions are likely to arise and how they will be presented to you in the exam hall.

Examiners' reports are handy for noting where in past examination papers previous candidates have lost marks and not performed so well. This will give you a "heads up" of areas to concentrate on for your upcoming exam and possibly what to write if a question arises that has been perceived as trickier in the past. And remember, it is generally easier to pick up marks in an exam on questions where others are likely to perform badly!

Hannah Perkins, 2nd Year Trainee

Revision

The night before try to get as much sleep as possible. Although it's often tempting to stay up late to revise, there really is a lot to be said for entering the exam room with an active unsleepy head. Make sure that you have checked the time, date and place for the exam – there's nothing worse than being in a flap before an exam because you can't find the exam room, or you have gone to the wrong place.

Exams

Give yourself enough time to properly read the question. We often answer exam questions on what we would like the question to say, not what it actually says! A good tip I discovered was to read all the questions on the exam paper first, subconsciously giving my brain time to think over the questions to come whilst answering the previous ones. Finally, my personal downfall was messy or illegible writing; it is important to try to be as neat as possible because if the examiner can't read what you've written they can't give you the marks.

Jo Love, 1st Year Trainee

Revision

My revision techniques always seemed a bit haphazard at the time but I realised that if it works for me then why change it? I write everything down and go over and over and over the work. I also attempt to break up the boredom of revision by doing revision questions. Even if I hadn't learnt the answer as a result of my revision the mere action of looking it up often instilled it in my brain. Don't forget to have a break and a KitKat – otherwise nothing will go in. Finally, remember to relax - getting stressed about exams never helped anyone.

Kendall Evans, 1st Year Trainee

Exams

Never leave the exam before the end. If you manage to finish early, there is a strong temptation to be done with it, hand in your paper and escape. However mind-crushingly dull the prospect, it is worth re-reading and checking everything, making sure you've answered all the right questions and ticked all the right boxes. At the time, this may feel like a waste of half an hour of your life, but it will put your mind at ease during the weeks of waiting for results.

Donald McDonald, 1st Year Trainee

Revision

Revision is a very personal experience, often undertaken just as the weather turns from gloomy dark days to glorious British sunshine. This fact often makes it more difficult to motivate yourself to revise. My personal recommendation would be a comprehensive revision timetable combined with a system of revise and reward. Ensure that you try throughout the year to keep abreast of topics to minimise the amount of material that you need to learn from scratch. Then ensure that you reward yourself with ample tea-breaks, TV breaks and other such treats whilst revising - as long as the rewards are not lengthier than the revision!

Rhys Davies, 1st Year Trainee

Careers Before The Law

Journalist

I wasn't born a lawyer. No one in my family was a lawyer, and I never knew any lawyers. So when a school teacher suggested that I read law at university, I thought it sounded rather dull and politely ignored him.

Graduating instead with a degree in geography, I preferred to see some of the world that I had studied rather than embark on a GDL 'conversion course,' and thus my second opportunity to be a lawyer was also missed.

I ended up in South America, working as a reporter first at a local newspaper and then as a freelancer for various publications. It was a fascinating time: coups, bombs and strikes and a would-be dictator. But after a while I started to see that lots of the day-to-day problems, from crime to gridlocked streets, stemmed from weak institutions, and in particular a weak legal system. The police were corrupt so individuals had little respect for the law (and ignored traffic lights); the courts were biased so businesses could not rely on a contract being enforced; the legislature was impulsive so laws were often unworkable or unenforceable.

I wasn't the only person who could see the negative effects of a weak and fragile legal system. Many of the politicians and economists I interviewed for stories were clamouring for change and had all kinds of plans on how to improve the status quo. They were also mostly frustrated,

as the necessary reforms were nigh impossible without political power or government support. As an observer and a reporter it was depressing, and not being legally trained myself meant there was little I could do. But my interest in the law had awakened and I began to appreciate the strength of the English legal system. My interest developed the more I investigated. I applied to do the GDL via a correspondence course stretched over two years, easing me gently into legal ways of thinking, and I began to seriously consider a career in law.

I nearly decided against it when I saw what the training contract application process was like, and then again when a round of applications bore no fruit. Thankfully, I changed my strategy and applied to firms that welcomed individuality and non-law backgrounds. Furthermore, I found that my journalistic skills were easily transferable to law: review and analysis, language and grammar, asking questions and extracting key information. These skills helped me through the interview process and, after moving back to the UK to complete the LPC, have been put to good use during my training contract.



by Steve Ixer
2nd Year Trainee

“ A highlight of my first seat was drafting our client's response to a letter of claim. The insurance in question had gone a bit wrong, and it wasn't really clear who had to pick up the tab for significant unexpected liabilities. It was one of those cases where, although they weren't obvious at first sight, by thinking hard you could come up with some cracking arguments why our client didn't have to pay. It's exciting to see cases develop, from piecing together what's going on and analysing the law, to consulting counsel and weighing up litigation. ”

Donald McDonald
1st Seat, Insurance Litigation

by Paolo Ceroni
1st Year Trainee

Social Update 2009

Usually the weather alone can be trusted to make sure that the winter months are dull and miserable but with the added impact of the economic downturn there has been no greater need for some social entertainment to lift the mood again.



“The Winter Party provided an opportunity for current trainees and supervisors to meet those beginning EAPD training contracts in 2009 and 2010 in a relaxed and hopefully enjoyable atmosphere.”

Firm Quiz

In November the new trainees hosted a quiz where each trainee had their own topic of questions ranging in difficulty level from ‘student pub’ to ‘university challenge’. Despite strong opposition, the appropriately named ‘Team Colin’ won with Commercial Litigation Partner and quiz guru, Colin Joseph, securing his 653rd successive EAPD quiz victory.

Christmas Party

The night began with a champagne reception where a selection of canapés were served by some very familiar waiters in the form of senior partners. Father Christmas handed out the firm’s ‘secret Santa’ presents - some useful, some appreciated and some just outright ridiculous. After the presents, it was time to move into the main room and enjoy the vast bar that was accompanied by an impressive buffet. There was a large reindeer ice luge which had the added feature of dispensing a chilled shot of port or vodka for those who dared to taste. The luge provided a refreshing drink for some and an equally refreshing shower for others depending on their individual ability to operate the dual functioning reindeer.

The Nintendo Wii tennis proved a popular form of entertainment as did the ever popular karaoke booth, increasingly so as the night progressed. Further singing was provided by the partners from the London, Southampton and US offices by video link who sang a special EAPD rendition of ‘The Twelve Days of Christmas’. A particular highlight was the partners’ cocktail bar where partners paired up to concoct some potent drinks for the brave to hold and in some cases drink. Each partners’ own unique and elaborate styles soon emerged and the ‘Spiller Special’ ensured that the Co-Chair of Regulatory & Transactional Group, Richard Spiller, won the award for best cocktail barman. These cocktails were also largely at fault for some very glazed eyes the next day.

The evening was enjoyed by all and the ‘moves’ on the dance floor will live long in the memory thanks in no small part to a number of now ‘less popular colleagues’ with cameras.

Gangsters and Molls Party

After only two weeks of the new year it was again time for a party and the current trainees invited their supervisors and future trainees to join them at the Press House Wine Bar for a very ‘hush hush’ prohibition themed Winter Party. The evening saw attendees dressed as gangsters and molls sporting pinstripe suits, braces, faux cigars and of course the odd plastic Tommy gun that an unnamed partner (Antony ‘Tough Tony’ Woodhouse, yes, there were even gangster names a-plenty) had lying around for ‘just this kind of occasion’.

A bar full of ‘imported’ drinks was provided, catering for everyone’s tastes. For the more elegant stars of the underworld a waiter mixed a selection of bootleg cocktails. A buffet offered some tasty canapés to enjoy and particularly popular were the roast beef filled Yorkshire puddings, bellissimo!

The gangsters and molls jumped at the chance to show off at the shooting gallery whilst others preferred to occupy the Roulette and Blackjack tables. Three of the future trainees were rewarded for their skills / luck on the Roulette and Blackjack tables with prizes, namely an i-pod alarm clock, a collection of classic gangster DVDs and a bottle of the well stashed imported tippie.

The Winter Party provided an opportunity for current trainees and supervisors to meet those beginning EAPD training contracts later this year and in 2010 in a relaxed and hopefully enjoyable atmosphere. As the evening drew to a close and the gangsters made their getaway, a passing 1920’s policeman enquired about the origin of the imported bootleg stash to which he received the reply “forgeddaboutit!”

Associates’ Dinner

On Thursday 5 February 2009, EAPD hosted its Annual Associates’ Dinner. A four-course meal was prepared accompanied by a selection of wines and champagne. The evening was ‘almost’ as civilised as it sounds and was a really good way for the first year trainees in particular to build relationships with associates from other departments that they had not yet worked in. As the fourth course of wine and cheese was cleared away and the ‘my i-pod has the best music’ battle at the stereo became a little tiring, most moved on to a nearby 80’s themed venue to share the dance skills of the EAPD collective with the wider public. Thankfully, there were far fewer cameras present this time!

WORK HIGHLIGHTS

Recently I have been assisting Laurence Harris and Antonio Suarez-Martinez with advising a prominent Saudi family in respect of allegations of funding terrorism. This has included assisting with writing response pleadings, locating and reviewing publications written about our client and researching UK libel issues.

Emma Richardson, 3rd Seat, Commercial Litigation

Gangsters & Motts
Winter Party

CLASS OF FALL 2008

Emily Wasserman

Associate in Insolvency and Restructuring (Boston Office)



Emily Wasserman is an Associate in Insolvency and Restructuring in our Boston office. She joined EAPD in the Autumn of 2008 ("Fall" to our US buddies) after completing a Summer intern place. Fellow new starters **Donald McDonald** and **Jo Love** from the London office interviewed Emily to see what life's like across the Pond for the Class of 2008.

Donald: What was your route into law?

Emily: I studied theatre and political science at college. After graduation I went to New York and took three years off. I did a different thing every year I was there. I was in advertising, then I was a playwright and then I went into PR. I also spent a little while managing a gym! Finally I went to Duke University for Law School.

Jo: So what made you pick EAPD?

Emily: If I said it was because I wore purple sparkly eye shadow to my interview and they still liked me, would you believe me? Seriously, I really like the people here and thought they were much more dynamic than lawyers at other firms. They had lives outside of being lawyers, and recognised that to do your job well you have to be happy and in order to be happy you have to have a balanced lifestyle. However, they still work hard and they are very smart. I really like the atmosphere.

Donald: You don't have training contracts in the States, do you? So how did you know you wanted to be in insolvency?

Emily: Normally, during the summer internship, people lean towards either business law or litigation. I liked everything, so didn't mind where I ended up. However I knew nothing about insolvency law as I had studied national security law and terrorism policy when I was in law school, so there was definitely a change! But with the economy how it is right now, it's an exciting place to be.

Jo: Now for some more random questions! What do you have in your fridge at the moment?

Emily: That's embarrassing! I have a lot of condiments, lots of mustard - I really like mustard. I have beer glasses because I like my beer chilled and I have some smoked salmon. That's literally all.

Jo: What did you want to be when you were 10?

Emily: When I was 10 I wanted to be Gavroche in Les Miserables. I thought that would be so cool!

Donald: Do you have a claim to fame?

Emily: Yes maybe. I'll tell you my law claim to fame. I was a Bailiff for Justice Alito from the Supreme Court. Also, I was Duke Law Idol...which probably means nothing to you. It was a Duke University version of American Idol and I was it.

Jo: What did you sing?

Emily: I sang Highway to Hell by AC/DC and Son of a Preacher Man by Dusty Springfield.

Jo: Great songs! What's your favourite thing to do outside work?

Emily: I'm pretty chilled, like to hang out with friends, listen to music. I've got into playing games. I recently played this board game called Settlers which is a combination of Monopoly and Risk. I know it sounds totally dorky! I really love music and used to study music pretty intensely when I was growing up. Recently I picked up my violin after such a long time and I'm starting fiddle lessons again now. These are a few of my favourite things!

Donald: Do you have a favourite British song or film or TV programme?

Emily: My favourite band of all time is the Rolling Stones. My favourite song is Sympathy for the Devil. And I love Eddy Izzard, I can't stop watching *Dress to Kill*.

Jo: And the final question. Do you think the world will look any different in four years time?

Emily: I think there's a lot of progress ahead, but I don't know how long it's going to take. I definitely think that Obama needs to be President for eight years if we're going to make real progress. I also hope that people are patient, because I think they have such high expectations. It's going to be hard work and quite a sacrifice but things can change, so hopefully they will!



Secondment to Shell

For my third seat at EAPD I was seconded to the legal department of Shell, sitting with a lawyer in the Downstream UK team. "Downstream" basically covers refining and the sale of finished oil products and chemicals to business customers and on forecourts across the UK.

The range of work undertaken in my team was broad and there are several areas of law that secondees would do well

to brush up on before arrival, such as data protection, consumer protection and the sale of goods. I had a dim recollection of some of these from law school, while others were entirely new to me. Shell has such diverse business interests that there will always be new legal issues arising: one of my first tasks was to carry out research into whether a strawberry-shaped air freshener breached consumer safety regulations! As big a challenge as understanding the actual law, is getting to grips with Shell itself. Knowing the structure of the group, its practices and procedures and the people in the legal team and business is imperative.

During the first three months, much of my time was spent reviewing, drafting and negotiating commercial contracts. These included contracts for the procurement of goods and services for Shell's Stanlow refinery, bulk electricity purchasing contracts and sponsorship contracts. During the last three months, as the country tipped into recession, I found myself spending more time on insolvency-related issues and small disputes. I also assisted the lawyers in my team with research and compliance and corporate matters.



The secondment experience was great for my development as a lawyer in two ways. First, the level of responsibility was generally greater than as a trainee in private practice and a good stepping-stone towards being a qualified lawyer. The expectation was that I would get on with things without being prompted — clients would phone me direct for advice and I was sometimes left to negotiate contracts with minimal supervision. If problems arose, everyone in the team was happy to help but my first port of call was usually the library. Secondly, I learned to adopt a more commercial approach to my work. Clients wanted to know the legal position but the commercial position was, first and foremost, their main priority.

On a final note, Shell Centre offers some great facilities when you're not working, including an indoor pool and five-a-side football pitches. The super-subsidised canteen, however, puts those who use it at risk of putting on the infamous "Shell stone". That said, at least my wallet is a bit heavier too, unlike those seconded to the famous department store where the temptations to spend, spend, spend are far greater...

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by Theo Godfrey
2nd Year Trainee

Recently I made an application to the Companies Court to approve the remuneration figures of the Provisional Liquidators of a Lloyd's corporate member. I enjoyed the level of responsibility I was entrusted with in managing what was a time sensitive application. The task involved a lot of client contact and I was dealing with two clients directly and enjoyed the challenge of catering for their individual needs. I was also responsible for drafting all of the court documents which was really interesting and a good opportunity to improve my drafting skills. //

Paolo Cerroni, 1st Seat,
Insurance Insolvency

WORK HIGHLIGHTS

We hope you have enjoyed this issue of Trainee Days. If you have any comments or ideas for our next issue please contact trainee recruitment. To apply for a training contract complete the online application form at: <http://trainee.eapdlaw.com>

Open Days: 23 April 2009, 5, 11 & 18 June 2009
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