

The Big 50 lose fewer attorneys

Largest firms drop 52 lawyer positions in Missouri; Bryan Cave falls to No. 4

BY DAVID BAUGHER • Special to Missouri Lawyers Weekly

Hope for the job market for lawyers took the form of fewer jobs eliminated as Missouri firms rode out the diminishing shockwaves of the recession.

The Big 50 again dropped Missouri attorney jobs in 2011, but the decrease was smaller than the previous year's. Headcount fell by a total of 52 lawyers last year, compared with a decline of 87 the year before. Offsetting some of the decreases at the largest Missouri-based firms were increases at relative newcomers to the market, such as South Carolina-based Ogletree, Deakins, Nash, Smoak & Stewart and Kansas City firm Dunn & Davison, which formed in 2009.

"I think there is a recovery going on," said Gregg Lemley, managing shareholder for the St. Louis office of Ogletree Deakins, a labor and employment firm. "Just like in the marketplace generally, there are going to be areas that recover more quickly and those that lag. Certainly I wouldn't say it's recovered, but I do see improvement."

Ogletree Deakins tagged Missouri as a growth market, adding eight attorney positions in Missouri and hopping 10 spots up the rankings to take a No. 22 slot, tied with three other firms. But "growth market" is not a phrase the largest Missouri-based firms would use for the state, judging by their headcount changes (see related story on MOney 20 firms' growth in other states).

Husch Blackwell, with 407 lawyers, remains atop the Big 50 list, which is ranked by Missouri attorney headcount, despite dropping 29 attorneys from the previous year's numbers. St. Louis legal giant Bryan Cave also shed 14 Missouri attorneys and moved from second place to fourth in the Big 50, partly due to a change in reporting to full-time equivalents for the year. Full-time equivalent numbers take into account how long an attorney has been at a law firm and how many hours he or she works.

Three firms joined the Big 50 this year, including Dunn & Davison, which has more than doubled in size to 24 attorneys since its launch. Dunn & Davison joins the list in a No. 41 slot, tied with fellow newcomers Morrow Willnauer Klosterman Church and Stueve Siegel Hanson, both in Kansas City.

Brian Dunn, managing partner of Dunn & Davison's Kansas City office, said areas like health care, for-profit schools and banking were



Brian Dunn and Jeffrey Davison's firm, Dunn & Davison, joins the Big 50 after growing through mergers since its formation in 2009. Photo by Karen Elshout

6,867

Total attorneys Big 50 employed in 2011

5,941

Total support staff Big 50 employed

3,913

Total Missouri attorneys Big 50 employed

18.6

Percent of Missouri lawyers Big 50 employed

-87

Change in Big 50 Missouri attorney headcount in 2010

-52

Change in Big 50 Missouri attorney headcount in 2011

doing well. He also noted that the firm had been through a few mergers since its creation in 2009, giving it a bigger headcount and an expanded presence in the state.

“What we’re doing is basically forming the big firm without the big firm,” he said. “We’re combining practices with some other people who seem to fit into what we need so we can provide all services but without making the commitment to the big firm hierarchy and superstructure.”

He said the prospects, however, in areas like construction remain “grim,” though he noted that overseas projects have helped cushion the blow.

“We’ve been able to avoid the downturn somewhat because of that,” Dunn said. “They are still building in Brazil and Qatar. We’ve been able to keep that part of our practice somewhat active, but the local building just hasn’t been there.”

The Lowenbaum Partnership, a labor and employment boutique, and Morrow Willnauer Klosterman Church, which focuses on civil litigation, workers’ compensation and corporate law, also joined the Big 50 for the first time. Three firms — Moser & Marsalek, McCarthy, Leonard & Kaemmerer and Baty, Holm & Numrich — dropped off.

A precipitous headcount loss caused the exit of Moser & Marsalek, which focuses on insurance defense and other civil litigation. The firm lost nine attorneys, leaving it with 14, according to a tally from the firm’s website. Peter Spataro, president of the firm, did not return calls requesting comment.

The firm’s office in O’Fallon, Ill., was taken over by Sandberg Phoenix & von Gontard at the beginning of 2011. With the exit of the three attorneys who worked at that office, Moser & Marsalek no longer had a real estate practice, Spataro said at the time.

JOINING THE BIG 50

| Firm | Headquarters |
|------------------------------------|--------------|
| Dunn & Davison | Kansas City |
| The Lowenbaum Partnership | St. Louis |
| Morrow Willnauer Klosterman Church | St. Louis |
| Stueve Siegel Hanson | Kansas City |

LEAVING THE BIG 50

| Firm | Headquarters |
|-------------------------------|--------------|
| Baty, Holm & Numrich | Kansas City |
| Moser & Marsalek | St. Louis |
| McCarthy, Leonard & Kaemmerer | St. Louis |

‘A STABILIZATION’

The general employment situation at firms has at least hit equilibrium, said Ogletree Deakins’ Lemley.

“It’s certainly a bottoming out of the cuts and a stabilization in terms of less or no cutting and, in some areas, growth,” he said.

Ogletree, which exclusively does management-side labor and employment, may have been helped by its practice as well as its boutique-style business model, Lemley said.

“There’s a trend nationally of migration of lawyers from large, multipractice firms or smaller boutique firms to national boutiques because the business model works particularly well for this area of the law,” he said.

The market remains challenging for

attorneys who were out of work, particularly for new graduates, because there’s a glut of experienced talent, Dunn said. He said he’s been seeing a lot of resumes of late from graduates in top law schools, something very unusual at a firm of Dunn & Davison’s size.

“This is the first time in my life I have not been advising young kids to go to law school because it is really tough to get a job,” he said.

Russell Welsh, chairman of Kansas City-based Polsinelli Shughart, agreed that while demand for associates with a few years under their belts was starting to bounce back, it was still a hard road for those fresh out of school.

“Business in quite a few practice areas has picked up in the last 12 months, but firms, including ours, have been more cautious in hiring first-year lawyers in part because clients are concerned about having too many young lawyers on their files,” he said. “We’re responsive to that.”

‘ACTIVE MARKET FOR LATERALS’

He said those in the partner ranks making mid-career shifts were faring better.

“There is an active market for laterals right now, both partners with business experience and some in the specialty areas where additional depth is needed to support existing clients,” he said.

Welsh said health care continued to be a big area and that real estate was coming back. He noted that financial services still seemed healthy, as well, though the practice area was not growing at the rate it had been over the past two years.

In the end, how well a firm does may depend on one factor above all else.

“Fortunately, our clients are starting to do better, and that helps all of us,” Welsh said. **MO**

“ There are going to be areas that recover more quickly and those that lag. Certainly I wouldn’t say it’s recovered, but I do see improvement.”

Gregg Lemley, managing shareholder for the St. Louis office of Ogletree, Deakins, Nash, Smoak & Stewart

► **BIG 50 HEADCOUNT FIGURES** are based on full-time equivalents for the fiscal year.
 Big 50 research by David Baugher and Heather Cole. **Names in red are newcomers to the Big 50.**

| 2012 rank | 2011 rank | Firm city | Leader(s) | Equity partners | Non-equity partners | Of counsel ¹ | Associates | Total attorneys | No. change since 2011 | Support Staff | Missouri attorneys |
|-----------|-----------|--|--|-----------------|---------------------|-------------------------|------------|-----------------|-----------------------|---------------|--------------------|
| 1 | 1 | Husch Blackwell Kansas City/St. Louis | Maurice Watson; Gregory Smith | 158 | 169 | 29 | 164 | 520 | -29 | 688 | 407 |
| 2 | 3 | Polsinelli Shughart Kansas City | Russ Welsh | 107 | 178 | 51 | 171 | 507 | 13 | 561 | 335 |
| 3 | 4 | Shook, Hardy & Bacon Kansas City | John Murphy | 116 | 85 | 104 | 167 | 472 | -13 | 863 | 303 |
| 4 | 2 | Bryan Cave St. Louis | Don G. Lents; Robert M. Thompson; Diana M. Vuylsteke; Robert L. Newmark | 205 | 144 | 190 | 344 | 883 | -14 | 1012 | 301 |
| 5 | 5 | Thompson Coburn St. Louis | Thomas J. Minogue | 145 | 61 | 7 | 96 | 309 | -10 | 358 | 227 |
| 6 | 6 | Armstrong Teasdale St. Louis | Mike Chivell | 80 | 46 | 24 | 80 | 230 | 8 | 248 | 224 |
| 7 | 7 | Stinson Morrison Hecker Kansas City | Mark D. Hinderks | 121 | 54 | 30 | 70 | 275 | -7 | 345 | 195 |
| 8 | 8 | Lathrop & Gage Kansas City | Joel Voran | 85 | 65 | 57 | 86 | 293 | -9 | 270 | 184 |
| 9 | 9 | Lewis, Rice & Fingersh St. Louis | Jack Pruellage | 84 | 20 | 11 | 45 | 160 | 0 | 131 | 159 |
| 10 | 10 | Greensfelder, Hemker & Gale St. Louis | Board of Directors | 60 | 26 | 2 | 56 | 144 | 1 | 126 | 123 |
| 11 | 11 | Brown & James St. Louis | T. Michael Ward; Joseph Swift | 19 | 24 | 1 | 65 | 109 | 0 | 85 | 96 |
| 12 | 12 | SNR Denton US ² | Elliott I. Portnoy; John Snyder; Jennifer Marler; Joseph Andrew | 26 | 21 | 11 | 32 | 613 | 0 | 62 | 91 |
| 13 | 13 | Spencer Fane Britt & Browne Kansas City | Mike Saunders | 60 | 0 | 16 | 24 | 100 | 3 | 105 | 79 |
| 14 | 15 | Evans & Dixon St. Louis | Mark R. Kornblum; Robert W. Haeckel; Robert J. Wulff ; Greg Godfrey; James E. Godfrey | 23 | 13 | 8 | 33 | 77 | 2 | 54 | 77 |
| 15 | 13 | Sandberg Phoenix & von Gontard St. Louis | John S. Sandberg | 24 | 13 | 7 | 37 | 81 | -5 | 85 | 71 |
| 16 | 16 | Gallop, Johnson & Neuman St. Louis | Sanford Neuman; Tom Campbell | 16 | 21 | 11 | 12 | 60 | -13 | 43 | 60 |
| 17 | 18 | Baker Sterchi Cowden & Rice Kansas City | Thomas N. Sterchi; Karen D. Griggs | 12 | 15 | 6 | 16 | 49 | 0 | 43 | 49 |
| 18 | 19 | Gilmore & Bell Kansas City | David Queen; Joe Norton | 21 | 15 | 0 | 13 | 49 | 0 | 41 | 42 |

1. Includes counsel and staff attorneys.

2. Except for total attorneys, figures are for Missouri only.



Q&A: John F. Wilcox Jr. Dysart Taylor Cotter McMonigle & Montemore

John F. Wilcox Jr. is one of the new leaders of a Big 50 firm; he took office Jan. 1 as managing director of 20-attorney Kansas City firm Dysart Taylor Cotter McMonigle & Montemore. He spoke about the 78-year-old general practice firm's past and future.

Q. Montemore recently joined your firm's name. What does that mean for your firm?

A. Since Marty [Montemore] has been a director of the firm since 1987, the board decided to recognize his dedication and service to the firm by adding his name.

Q. How has the firm changed through the years?

A. We've been around since the 1930s and have changed names a number of times. We have done trucking and transportation law since the firm's inception, and we've grown

from there. Now, you name a specialty area, and we do it.

Q. What do you see as your firm's biggest challenges? And how are you tackling those challenges?

A. Alerting existing and potential clients of the advantages our firm has to offer is a challenge. Like everybody else, we are looking into new ways of marketing. That means everything from traditional marketing to expanding into social media.

Q. Fast forward 10 years. What does Dysart Taylor Cotter McMonigle & Montemore look like?

A. The attorneys at Dysart Taylor form a tightknit group. While we will continue to grow through hiring associates and laterals, I would suspect that much of the firm's makeup will remain the same. With that said, the law firm will remain true to its core principles of providing clients with outstanding legal service at a reasonable cost.

Nancy Hull Rigdon,
Special to Missouri Lawyers Weekly

| 2012 rank | 2011 rank | Firm city | Leader(s) | Equity partners | Non-equity partners | Of counsel | Associates | Total attorneys | No. change since 2011 | Support Staff | Missouri attorneys |
|-----------|-----------|---|---|-----------------|---------------------|------------|------------|-----------------|-----------------------|---------------|--------------------|
| 18 | 17 | Lashly & Baer St. Louis | John Fox Arnold; Ken Brostron | 32 | 0 | 2 | 8 | 42 | -10 | 39 | 42 |
| 20 | 19 | Seigfried Bingham Levy Selzer & Gee Kansas City | Joseph L. Hiersteiner | 25 | 0 | 4 | 9 | 38 | -4 | 25 | 38 |
| 21 | 21 | Pitzer Snodgrass St. Louis | Donald O'Keefe | 14 | 0 | 3 | 18 | 35 | -2 | 43 | 35 |
| 22 | 23 | Carmody MacDonald St. Louis | Ronald E. Rucker; David H. Luce; Kevin J. Williams; Donald R. Carmody | 14 | 3 | 0 | 17 | 34 | 0 | 27 | 34 |
| 22 | 24 | McDowell Rice Smith & Buchanan Kansas City | R. Pete Smith | 23 | 8 | 3 | 5 | 39 | 2 | 2 | 34 |
| 22 | 32 | Ogletree, Deakins, Nash, Smoak & Stewart ² Greenville, SC | Kim F. Ebert; Patrick F. Hulla; Gregg M. Lemley; Tim A. Garnett | 5 | 12 | 4 | 13 | 597 | 8 | 33 | 34 |
| 22 | 22 | Senniger Powers St. Louis | Keith A. Rabenberg | 9 | 8 | 0 | 17 | 34 | -1 | 40 | 34 |
| 26 | 26 | Berkowitz Oliver Williams Shaw & Eisenbrandt Kansas City | David Oliver | 20 | 2 | 0 | 9 | 31 | 0 | 23 | 31 |
| 26 | 27 | Danna McKittrick St. Louis | Ronald N. Danna; Leland Curtis | 8 | 11 | 0 | 12 | 31 | 1 | 27 | 31 |
| 26 | 27 | Kutak Rock ² Omaha | David A. Jacobson | 15 | 5 | 2 | 9 | 410 | 1 | 26 | 31 |
| 29 | 29 | Foland, Wickens, Eisfelder, Roper & Hofer Kansas City | Joseph J. Roper | 7 | 4 | 3 | 16 | 30 | 3 | 25 | 30 |

| 2012 rank | 2011 rank | Firm city | Leader(s) | Equity partners | Non-equity partners | Of counsel | Associates | Total attorneys | No. change since 2011 | Support Staff | Missouri attorneys |
|-----------|-----------|--|--|-----------------|---------------------|------------|------------|-----------------|-----------------------|---------------|--------------------|
| 29 | 24 | The Stolar Partnership St. Louis | Jay L. Levitch; Thomas E. Venker; K. Edward Holderle | 26 | 0 | 0 | 4 | 30 | -2 | 30 | 30 |
| 31 | 33 | Boggs, Avellino, Lach & Boggs St. Louis | Beth C. Boggs | 4 | 3 | 1 | 20 | 28 | 3 | 21 | 28 |
| 32 | 29 | Paule Camazine & Blumenthal St. Louis | Donald W. Paule | 18 | 1 | 2 | 6 | 27 | 0 | 30 | 27 |
| 32 | NR | The Lowenbaum Partnership St. Louis | R. Michael Lowenbaum | 27 | 0 | 0 | 0 | 27 | 2 | 13 | 27 |
| 32 | 29 | Williams Venker & Sanders St. Louis | Paul Venker; Robert Bassett; Steven Wasserman | 10 | 5 | 1 | 11 | 27 | 0 | 37 | 27 |
| 35 | 46 | Wagstaff & Cartmell Kansas City | Thomas W. Wagstaff | 8 | 5 | 6 | 7 | 26 | 6 | 26 | 26 |
| 36 | 37 | Franke Schultz & Mullen Kansas City | John Franke; John Schultz; John Mullen | 12 | 0 | 1 | 12 | 25 | 3 | 23 | 25 |
| 37 | 35 | Brinker & Doyen St. Louis | Gary P. Paul | 6 | 4 | 1 | 13 | 24 | 1 | 13 | 24 |
| 37 | 42 | Brown & Crouppen St. Louis | Ron Brown; Terry Crouppen | 2 | 2 | 2 | 18 | 24 | 3 | 75 | 24 |
| 37 | 42 | Foley & Mansfield ² Minneapolis | Daniel Donahue | 2 | 8 | 1 | 13 | 123 | 3 | 33 | 24 |
| 37 | 33 | Herzog Crebs St. Louis | Peter W. Herzog; M. Ann Hatch; A. Fuller Glaser Jr. | 7 | 7 | 0 | 10 | 24 | -1 | 25 | 24 |
| 41 | NR | Morrow Willnauer Klosterman Church Kansas City | James C. Morrow | 6 | 0 | 3 | 14 | 23 | 0 | 20 | 23 |
| 41 | NR | Stueve Siegel Hanson Kansas City | Patrick Stueve; Norman Siegel; George Hanson | 12 | 0 | 4 | 9 | 25 | 3 | 16 | 23 |
| 41 | NR | Dunn & Davison Kansas City | Brian H. Dunn; Jeff Davison | 5 | 0 | 6 | 13 | 24 | 5 | 22 | 21 |
| 44 | 37 | Riezman Berger St. Louis | Frederick J. Berger; Richard N. Tishler; Nelson L. Mitten; Mark Temkin | 11 | 3 | 0 | 7 | 21 | -1 | 20 | 21 |
| 44 | 37 | Rosenblum, Goldenhersh, Silverstein & Zafft St. Louis | Carl Lang; Michael Markenson; Roger Herman | 15 | 0 | 3 | 3 | 21 | -1 | 14 | 21 |
| 44 | 37 | Summers Compton Wells St. Louis | Robert F. Summers | 16 | 0 | 2 | 3 | 21 | -1 | 18 | 21 |
| 47 | 42 | Dysart Taylor Cotter McMonigle & Montemore Kansas City | Robert W. Cotter; John F. Wilcox Jr. | 15 | 0 | 3 | 2 | 20 | -1 | 13 | 20 |
| 47 | 42 | McMahon Berger St. Louis | Thomas O. McCarthy | 10 | 2 | 1 | 7 | 20 | -1 | 10 | 20 |
| 47 | 49 | Neale & Newman Springfield | Paul White | 13 | 0 | 1 | 6 | 20 | 1 | 24 | 20 |



Q&A: Thomas E. Venker Jr. The Stolar Partnership

Eight firms on the Big 50 have one or more new managers since the ranking last was published, largely because of scheduled transitions. One of the firms is St. Louis-based The Stolar Partnership, which in 2009 established a three-person leadership committee with staggered elected terms. Thomas E. Venker Jr., who joined the committee in November, answered questions about the direction of the 30-attorney corporate firm, which has a transactional focus.

Q. You switched to a new leader selection system a couple of years ago. How has that worked out?

A. It is working in the way we anticipated. As with any leadership changes, there is a big learning curve, and we are working our way through that.

Q. As you size up your firm, what makes you the most proud?

A. The legal work we do and the quality of our lawyers and staff. They are top-notch. I think we do a really good job with business

acquisitions and sales and the nonprofit area.

Q. What are the most significant obstacles facing your firm?

A. We are looking to build our firm and expand not only the clients we serve, but our attorneys who serve them. The current economic environment is making it more challenging to do that.

Q. What are you doing now to lay the groundwork for future success?

A. From the standpoint of younger lawyers,

we are keenly aware of the importance of technology. And we are trying to make sure that our technology allows them to work in a way that they find efficient. We are not always looking to do things the way we always have. In terms of maintaining our clients, we have databases that help us respond to their needs more quickly than we have in the past.

Nancy Hull Rigdon,
Special to Missouri Lawyers Weekly

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|-----------|-----------|--|-----------------|-----------------|---------------------|------------|------------|-----------------|-----------------------|---------------|--------------------|
| 47 | 46 | Slagle, Bernard & Gorman Kansas City | Ernie Yarnevich | 16 | 0 | 1 | 3 | 20 | 0 | 18 | 20 |
| 47 | 49 | Stone Leyton & Gershman St. Louis | Steven M. Stone | 8 | 5 | 2 | 5 | 20 | 1 | 10 | 20 |

ST. LOUIS

| Rank | Firm | St. Louis attorneys |
|------|---|---------------------|
| 1 | Bryan Cave | 228 |
| 2 | Thompson Coburn | 227 |
| 3 | Husch Blackwell | 206 |
| 4 | Armstrong Teasdale | 182 |
| 5 | Lewis, Rice & Fingersh | 131 |
| 6 | Greensfelder, Hemker & Gale | 123 |
| 7 | Polsinelli Shugart | 85 |
| 8 | Brown & James | 79 |
| 9 | Sandberg Phoenix & von Gontard | 71 |
| 10 | Evans & Dixon | 62 |
| 11 | Gallop, Johnson & Neuman | 60 |
| 12 | SNR Denton US | 54 |
| 13 | Stinson Morrison Hecker | 43 |
| 14 | Lashly & Baer | 42 |
| 15 | Pitzer Snodgrass | 35 |
| 16 | Carmody MacDonald | 34 |
| 16 | Senniger Powers | 34 |
| 18 | Danna McKittrick | 31 |
| 19 | The Stolar Partnership | 30 |
| 20 | Boggs, Avellino, Lach & Boggs | 28 |
| 21 | Paule Camazine & Blumenthal | 27 |
| 21 | Williams Venker & Sanders | 27 |
| 23 | Brinker & Doyen | 24 |
| 23 | Brown & Crouppen | 24 |
| 23 | Foley & Mansfield | 24 |
| 23 | Herzog Crebs | 24 |
| 23 | Lathrop & Gage | 23 |
| 28 | Spencer Fane Britt & Browne | 22 |
| 28 | Riezman Berger | 21 |
| 28 | Rosenblum, Goldenhersh, Silverstein & Zafft | 21 |
| 28 | Summers Compton Wells | 21 |
| 32 | McMahon Berger | 20 |
| 32 | Stone Leyton & Gershman | 20 |
| 34 | Baker Sterchi Cowden & Rice | 14 |
| 35 | Ogletree, Deakins, Nash, Smoak & Stewart | 12 |
| 36 | Gilmore & Bell | 9 |

KANSAS CITY

| Rank | Firm | Kansas City attorneys |
|------|--|-----------------------|
| 1 | Shook, Hardy & Bacon | 303 |
| 2 | Polsinelli Shugart | 221 |
| 3 | Husch Blackwell | 164 |
| 4 | Stinson Morrison Hecker | 148 |
| 5 | Lathrop & Gage | 138 |
| 6 | Bryan Cave | 73 |
| 7 | Spencer Fane Britt & Browne | 55 |
| 8 | SNR Denton US | 47 |
| 9 | Seigfreid Bingham Levy Seltzer & Gee | 38 |
| 10 | McDowell Rice Smith & Buchanan | 34 |
| 10 | Baker Sterchi Cowden & Rice | 34 |
| 12 | Gilmore & Bell | 33 |
| 13 | Berkowitz Oliver Williams Shaw & Eisenbrandt | 31 |
| 13 | Kutak Rock | 31 |
| 15 | Foland, Wickens, Eisfelder, Roper & Hofer | 30 |
| 16 | Armstrong Teasdale | 29 |
| 16 | Lewis Rice & Fingersh | 29 |
| 18 | Wagstaff & Cartmell | 26 |
| 19 | Morrow Willnauer Klosterman Church | 23 |
| 20 | Ogletree, Deakins, Nash, Smoak & Stewart | 22 |
| 20 | Franke Schultz & Mullen | 22 |
| 22 | Stueve Siegel Hanson | 21 |
| 23 | Dysart Taylor Cotter McMonigle & Montemore | 20 |
| 23 | Slagle, Bernard & Gorman | 20 |
| 25 | Dunn & Davison | 16 |

SPRINGFIELD

| Rank | Firm | Springfield attorneys |
|------|-----------------|-----------------------|
| 1 | Husch Blackwell | 30 |
| 2 | Neale & Newman | 20 |
| 3 | Lathrop & Gage | 19 |

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R

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