

Trial Ace: Quinn Emanuel's William Price

By **Matt Fair**

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When William Price was tapped to defend Micron Technology Inc. in an antitrust case seeking some \$12 billion in damages, the Quinn Emanuel Urquhart & Sullivan LLP litigator knew a loss would likely kill the company and devastate the economy of Micron's home base in Idaho. For Price, though, that kind of pressure is a motivator.

Price's win in the closely watched case, along with more than 40 other courtroom victories in his 30-plus years as an attorney, helped land him a spot on Law360's list of Trial Aces for 2015.

"The pressure is motivating," he told Law360. "If Micron had lost that case, they might've been out of business. They are a huge employer in Boise, where I had some relatives living, and I had a very real idea of the effect that it would have on that community. That kind of awareness doesn't go away during a trial, and the way it affects me is to motivate me to do the best I can to make sure the right side wins."



William Price

One need look no further than the numbers to see Price's unprecedented success in the courtroom.

The attorney joined a fledgling Quinn Emanuel in Los Angeles in the early 1990s, when he himself was just a young, budding trial lawyer, and has won 42 of the 47 trials he's worked on his career.

That's a nearly 90 percent success rate.

By the early 2000s, Price had racked up 35 consecutive wins dating back to his years as a prosecutor with the U.S. Attorney's Office for the Central District of California.

Firm leaders say Price's success in the courtroom has helped to establish Quinn Emanuel — which has grown to include over 700 attorneys from the 25 it had when Price came aboard in 1991 — as a go-to firm for high-stakes commercial litigation across the globe.

"One of the things that defines our firm is our ability to try cases," name partner William Urquhart told

Law360 in an interview. “We try and win an awful lot of lawsuits, and if you look back to where we started, more than anybody else Bill defines what our firm is, and that’s a firm comprised of a lot of first-chair trial lawyers.”

Price's success has earned him a spot as co-chair of Quinn Emanuel’s national trial practice.

In the Micron case in California state court, Price worked to defend the company against antitrust claims over an alleged conspiracy to butt rival Rambus Inc. out of the market for dynamic random access memory chips.

The suit accused not only Micron but also Samsung Electronics Co. Ltd. and Hynix Semiconductor Inc. of conspiring to muscle Rambus out of the market by inflating the price of the company’s RDRAM chips while lowering the price of competing DDR technology manufactured by the defendants.

In addition to the \$4 billion in compensatory damages Rambus was seeking in the case was the prospect of treble damages allowed under California antitrust law.

Further complicating the defense was Micron’s entanglement in a U.S. Department of Justice probe into the activities of chipmakers in 2002, after computer manufacturers complained that inflated DRAM pricing was hindering their success in the market. Micron cooperated in that probe, which led to Samsung's, Hynix's and Infineon's pleading guilty to price-fixing and coughing up hundreds of millions of dollars in fines.

Price said an integral part of his defense strategy was to not hide Micron’s involvement in prior allegations of price-fixing in the chip market.

“It was a huge part of Rambus’ case that Micron and others had manipulated the prices of DRAM chips,” he said. “It was a pretty easy case for Rambus.”

Instead, the defense argued that the prior price-fixing conspiracy — which involved inflation of DRAM prices — would actually have helped Rambus gain a foothold in the market, Price said.

In his closing argument, Price likened Rambus to “ghost riders” who board city buses after a crash and claim to have been hurt in the accident.

The defense also argued that Intel Corp., one of several companies to initially support an industrywide shift to RDRAM chips, had ultimately backed away from the technology for reasons totally independent from any alleged conspiracy among Rambus rivals.

The trial included testimony from an Intel engineer who told the jury that Intel had been extremely dedicated to the integration of the RDRAM technology but eventually decided to go another way after what he perceived as a lack of support from Rambus.

The engineer testified that Intel workers had to take medical leaves of absence and that the marriages of some employees were ruined because they were working so hard.

After a three-month trial and an additional eight weeks of deliberations, the jury rejected Rambus’ claims.

“You feel the pressure on these cases, particularly when they’re long,” Price said. “You don’t want to think, ‘Oh gosh, three months of my life has been wasted.’ You’d like to hope you accomplished something.”

Urquhart said Price’s singular talent was largely responsible for Micron’s victory in the case.

“Certainly after the fact people were pretty amazed with the result,” Urquhart said. “It was a very, very difficult case, and not many other trial lawyers would’ve won it.”

While the stakes were certainly high in the Micron trial, Price said it was nothing like the pressure he felt in a recent case defending the former CEO of PetroTiger Inc. from a possible 20-year prison sentence for Foreign Corrupt Practices Act violations.

The case in New Jersey federal court accused Joseph Sigelman of paying a \$300,000 bribe to an employee of Colombia’s national gas company to secure a \$39 million contract for PetroTiger. Prosecutors also alleged that Sigelman hid a kickback scheme from investors who funded an acquisition that helped PetroTiger enter South America’s lucrative oil and gas industry.

“This was an individual that I’d gotten to know,” Price said. “I’d gotten to know his wife. I’d met his kids. I have two girls, and throughout the preparation for that trial, I just kept thinking about how it would have affected my life if I hadn’t been able to raise them, or the effect it might have had on them if I hadn’t been around. That was pressure.”

The government’s case was pinned in no small part on testimony from former PetroTiger general counsel Greg Weisman, who agreed to cooperate with the FBI in exchange for a plea deal. Price was able to stop the case in its tracks after getting Weisman to admit during cross-examination that he’d offered false testimony about whether federal investigators instructed him to keep working for Sigelman after agreeing to cooperate with authorities.

When Weisman testified that he’d been told to keep working at the company even after signing on as an informant, the defense team went to the government to ask who had given him the instruction.

“The government came and told us that there was no such person,” Price said. “No one in the government had ever told Greg Weisman to commit a serious ethical breach by continuing to work at the company while he was, behind the scenes, an informant for the FBI. We simply had him admit that he’d given false testimony under oath to the jury. At that point, it was a good time to resolve the case.”

Even the judge hearing the case couldn’t ignore Price’s prowess during the cross-examination, referring to it at one point in the proceedings as a “bloodletting.”

Sigelman pled guilty to a conspiracy charge and admitted to willfully avoiding knowledge that the official PetroTiger had paid off was an Ecopetrol SA worker. Prosecutors, meanwhile, agreed to drop money-laundering and wire-fraud charges.

A possible 20-year sentence in the case was ultimately reduced to three years of probation plus restitution and fines.

Price, who earned his law degree from Yale Law School, said that a penchant for performance helped drive him into the legal professional and, more specifically, into becoming a trial attorney.

“When I was in sixth grade, my mom told me, ‘You’re either going to be a preacher or a lawyer,’” he said. “I liked to engage in debates, and I guess I always enjoyed an audience.”

Serving as a clerk to U.S. District Judge Stanley A. Weigel in San Francisco, though, Price saw that there was ample room to establish himself as a singular talent in the courtroom.

“I wanted to see people do trials,” he said. “That was a great experience mostly because it gave me confidence. There weren’t a lot of people who were very good at trials, it seemed to me.”

When interviewing for his first job out of law school, he said he specifically sought out firms who would promise that he’d get a trial within three years.

He first ended up with Brobeck Phleger & Harrison LLP, where he said he was able to take one case to trial before being assigned to a multidistrict antitrust litigation program. There, he thought it would be years before he’d again see the inside of a courtroom.

From Brobeck he joined the U.S. attorney’s office, where he tried a variety of white collar business cases.

While he said he loved the job, the lure of a bigger paycheck sent him back to private practice with Milbank Tweed Hadley & McCloy LLP.

“I got a call from a headhunter asking if I was interested in coming back to private practice,” he said. “I said, ‘I love this job, I wouldn’t leave this job for twice the money.’ She said, ‘What about three times?’”

It became clear after a short time at Milbank Tweed, however, that it would be some time before he’d be able to try a case on his own.

While working on a case involving claims against Bank of America Corp. over student loans, he said he was approached by Urquhart with a job offer.

“So I joined Quinn,” Price said. “The firm just exploded after I was there a couple of years, and our main focus became making sure we were a firm you could go to if you were unfortunate enough to have to go to trial, and really specializing in presenting cases to juries.”

Urquhart said that Price personified the reputation for courtroom prowess that the firm worked to convey.

“If you speak with anybody who’s ever tried a case with him, they’ll say he’s the best they’ve ever seen. Period,” Urquhart said. “His brain is just wired differently from regular people.”

--Additional reporting by Ben James and Jeannie O’Sullivan. Editing by John Quinn and Edrienne Su.
