

THE **RECORDER**



ATTORNEY OF THE YEAR FINALIST:

Kalpana Srinivasan, Susman Godfrey



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Kalpana Srinivasan has carved out a niche for herself as a dedicated attorney that won't shy away from complex litigation or highly technical cases.

A finalist for the California Legal Awards' Attorney of the Year honor and the managing partner of Susman Godfrey's 150-strong litigation bench since 2020, Srinivasan still works in the firm's trial practice, mainly focusing on antitrust, class actions and intellectual property cases.

Srinivasan represented publicly traded financial services company Intercontinental Exchange (ICE) in a matter against the U.S. Federal Trade Commission last August, where the FTC was challenging ICE's \$13.1 billion buyout of mortgage tech firm Black Knight (also a client of Srinivasan's). The settlement involved Srinivasan carefully negotiating divestment of certain Black Knight assets in a way that both

appealed regulators and kept valuable portions of the business intact for acquisition, she said.

"Before we got to the hearing, I was able to work with the FTC to obtain a consent order, and I actually got them to dismiss the injunction before we even had finalized the consent order, which was really important, because that allowed the merger to go through," Srinivasan said, adding that there were some "time exigencies around it, it had a deadline to close."

While she "would have been happy to try a case against the FTC," Srinivasan said confidently, she noted the settlement was the best option for both parties as it allowed them to execute the merger as planned, and on time.



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Srinivasan added, “it was a big merger so it was very fast-moving and we were both getting ready for a preliminary injunction proceeding in federal court dealing with some administrative issues with the FTC, and then at the same time trying to figure out if we could come to some kind of resolution with the government, all over a relatively short period of time” of a few months.

“I haven’t normally been in the business of defending mergers, but I was brought in to try a complex case—the preliminary injunction proceeding—and in the course of that work, defined a common ground with the government so that this merger could go forward,” she added.

To achieve a resolution with the regulators, Srinivasan embraced communication. “There may be cases where their objective is never going to align with your clients’, but maybe there’s a case where there’s some place where there could be some overlap between what their objective is ultimately and what your client is considering or willing to do,” she said. By acting as a liaison between the FTC and her client, Srinivasan was able to facilitate a dialogue and determine what the true “bottom line” for each party was and what her client was willing to divest to get the merger to make the cut.

“In every discussion, the dialog is critical, because you can’t always presume to know the answer,” she said.

Taking on Cisco

Srinivasan also eagerly embraces technical cases that could easily perplex a jury. Her more recent work includes a [\\$65.7 million win for Paltalk Holdings](#), a New York-based communications tech company that sued San Jose, California-based communications conglomerate Cisco Systems for infringing on its patents in the use of its popular Webex video conferencing platform. Paltalk won the patent infringement verdict in September.

To achieve the verdict, Srinivasan relied on a mountain of evidence and a packed slate of witnesses. “You do need to be able to translate” tech jargon to juries, Srinivasan said, noting she often uses analogies related to their real-world experiences to make a point. Coupling clever rhetoric with “good evidence internal documents from Cisco talking about the critical features of their system and how they aligned with what’s in the patent” with expert witnesses who could explain the source code helped drive the jury to find in favor of Srinivasan’s client, she said. A jury has “to have a certain amount of confidence in the expert that’s guiding them through the analysis. That’s pretty critical,” Srinivasan said.

She noted that Susman showed plenty of source code at the Cisco trial to prove that the tech giant did infringe on its client Paltalk’s patent. Her outsider’s perspective helped the jury understand the highly techni-

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cal nature of the case—"I didn't get a technical degree, so I think of it in the way of, 'what if I had to explain it to somebody who wasn't familiar with the case,' it's so critical to find the right balance between explaining and talking down to your jury," Srinivasan said.

Srinivasan said her approach to managing trials and the firm at large is largely one of dedicated delegation. She noted she's keen to "triage" work when needed and isn't against relying on associates to help at trial. "Our view of cases as a team is very holistic," she said, adding that she tapped a third-year associate to put the first witness, the CEO of Paltalk, on the stand during the case against Cisco.

"I think the jury or the arbitrator, they like seeing different styles [and] different people, but it also makes it fun to practice that way, to see people approaching issues differently [and] to see your younger lawyers learning as they grow," she said.

Beating the Bottom Line

Srinivasan was nominated for California Attorney of the Year in part because of her influence on the firm's bottom line. She presided over Susman's most profitable year ever in 2023. The firm tried at least 23 cases

that year and more than doubled both its revenue and profit per equity partner.

In 2023 [Susman's revenue jumped 98.9% year over year](#) to \$744.2 million in 2023, and profit per equity partner more than doubled, up 103.5% to roughly \$7 million per equity partner in 2023, despite the firm adding 7.1% more equity partners in the last year. At the time, Srinivasan told the Texas Lawyer that Susman Godfrey had upped its contingency work, noting some 71% of fees came from contingency, while 21% accounted for fixed-fee hybrid work and only 8% was hourly billing.

The spike in profits was driven by lucrative cases presided over by Susman, including securing [a \\$787.5 million verdict](#) for client Dominion Voting Systems, which sued Fox News for defamation last April.

"The firm has had a couple of its most successful years ever in the nearly 45-year history of the firm," Srinivasan said of Susman. "It is really wonderful for me to be able to be part of that, to help guide and lead the firm to that point [where] we're able to achieve those kinds of results because of this incredible group of lawyers and staff that we have here that are committed to our common enterprise."