

They've Got Next: **The 40 Under 40**40
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Stephanie Spies of Susman Godfrey

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Please describe two of your most substantial, recent wins in practice.

In the last year, I obtained two judgments exceeding \$1 billion. I was part of a four-person team that won a \$1.6 billion trial verdict for client BML Properties Ltd. in New York's Commercial Division on fraud and breach of contract claims arising from construction of the Baha Mar resort.

At trial, I examined three critical witnesses and drafted the in limine and post-trial briefs. The court's decision relied heavily on the "credible" testimony of the two expert witnesses that I presented, and on the testimony that I elicited on cross-examination of a defendant fact witnesses.

I also was part of a three-person team that represented client Everly Health in an AAA arbitration involving breach of contract and Lanham Act claims. At the arbitration, I examined five witnesses, including presenting Everly's damages expert and cross-examining the defendant's key financial witness regarding the Lanham Act damages, and helped draft Everly's pre- and post-hearing briefs.

The arbitrator awarded Everly over \$987 million in damages, relying on testimony I elicited. The defendant moved to vacate the award, arguing it was "over three times the largest Lanham Act award in history." But the court confirmed the award in a judgment valued at over \$1.03 billion.

What is the most important lesson you learned as a first-year attorney and how does it inform your practice today?

As a first-year associate, I was taught to focus on case-dispositive issues and to not get distracted by sideshow disputes—even (and especially) if the other side baits you. This lesson has informed every aspect of how I litigate cases.

When I focus only on important issues and do not go down the rabbit hole of pursuing every possible topic with the other side, I find that there are fewer discovery disputes, and the disputes that do occur can be handled more efficiently and collegially with opposing counsel.

Similarly, I find it more efficient and effective to focus on the key issues when making any strategic decision in a case, from deciding which questions to ask at a deposition, topics to cover with an expert witness, arguments to make in a brief, or points to make in an oral argument or opening or closing statement at trial. The fact finder (whether a judge or jury) is more likely to find in your favor when you present a clear path to victory based on the issues at the heart of the case.

How do you define success in your practice?

Like every litigator, I define success as obtaining a favorable outcome for my client. That outcome could come in many forms—a trial or appellate win, equitable relief, a favorable monetary settlement, a business solution, or anything in between. The goal is to advocate for your client and obtain the best resolution possible to the problem they've asked you to solve.

That said, I also define success in my practice as having fun and enjoying the practice of law. Litigation is by nature adversarial and often high stakes—especially in bet-the-company cases like the ones Susman Godfrey handles—and is therefore frequently contentious, stressful, and draining. Whenever I can find a way to achieve a favorable resolution for my client while still managing to have fun—whether that means enjoying the back-and-forth with a witness during cross-examination, joking with my coworkers and clients even in the heat of trial, or finding ways to laugh at myself when I make a mistake—I feel like I have truly succeeded as a lawyer.

What are you most proud of as a lawyer?

I am proud of the substantial judgments I've obtained for my clients, vindicating them after years of hard-fought battles to regain their reputations, businesses, or livelihoods. But I am even more proud of the way I've achieved those successes. All my trial wins—from the judgments in the thousands to the ones over \$1 billion—have been with very small trial teams (often four or fewer lawyers), where I was the only associate, and we were usually up against much larger teams at bigger law firms.

I am proud that no matter the number of disputes, witnesses, exhibits, briefs, or arguments, I was always able to keep a cool head even in the heat of contentious disputes or unfavorable rulings, master the facts of the case, work well with my teammates, and litigate the case as efficiently as possible to a favorable outcome. Those wins are a testament to the trust that Susman Godfrey placed in me as a young lawyer, just as much as they are to me.

Who is your greatest mentor in the law and what have they taught you?

Shawn Rabin, a partner at my firm, has been my greatest mentor over the last seven years. We have worked on six cases together, and in each one, he taught me something new about how to be a good lawyer.

First, Shawn is one of the best trial lawyers I have ever seen. He taught me how to conduct a great trial examination—from how to gain credibility with the witness and the judge early on, to effectively using deposition testimony, to developing your own questioning style that will most effectively disarm (or charm) a witness.

Shawn also taught me early on that communications with the court and opposing counsel should always be clear, concise, and free from unnecessary rhetoric or hyperbole. And he is one of the first people who taught me the critical lesson (mentioned above) to always focus on case-dispositive issues.

But Shawn has taught me more than just how to be a good lawyer. He has also been an incredible mentor to me, helping me navigate the pathway to partnership, advocating for me to get significant stand-up opportunities as a young lawyer, teaching me how to develop business and establish a rapport with clients, and, most of all, showing me that you can achieve big, difficult wins for your clients while still having have a lot of fun.

Tell us your two favorite songs on your summer music playlist.

"This Must be the Place" by Talking Heads. This was my dad's favorite song. He passed away a couple years ago, and I listen to it whenever I'm missing him. [And] "Levitating" by Dua Lipa: this song always puts me in a good mood, and I'm hoping to see her live at Madison Square Garden this fall.