

MVP: Gibson Dunn's Scott Edelman

By Sarah Jarvis

Law360 (November 21, 2019, 4:51 PM EST) -- Scott Edelman of Gibson Dunn & Crutcher LLP's trial practice helped clear Korean ramen maker Ottogi Co. Ltd. of price-fixing allegations in a \$500 million antitrust class action last December, making him one of Law360's 2019 Trial MVPs.

HIS BIGGEST CASE OF THE LAST YEAR:

Edelman said he was especially proud to have helped secure Ottogi's trial victory because the case — which he said may be the first time two different class actions, one involving direct purchasers and one involving indirect purchasers, went to trial at the same time — had numerous moving parts.

When the case was filed, the Korean Federal Trade Commission had found that Ottogi and other companies engaged in a price-fixing conspiracy. But the Korean Supreme Court later reversed that finding and threw out the charges, Edelman said.

Edelman said he and his colleagues initially planned on keeping that information out of the suit, unsure of how the jury would respond to it. But once the judge decided to bring that information into the suit, he said he had to put it into context for the jury, including with the testimony of a representative of one company that admitted to a conspiracy in exchange for leniency.

He said he had to explain to the jury that the witness was saying what he promised to say as part of a cooperation agreement with the plaintiffs in the U.S. case. And the witness' during cross-examination were made through an interpreter, adding additional challenges to the case.

"There were a lot of bullets that were sprayed our way, and we were just really excited when the jury saw through the optics of everything," Edelman said.

HIS BIGGEST CHALLENGE OF THE LAST YEAR:

Edelman said the Ottogi case was his most challenging of the year, in part because of the translations

The MVP logo features the letters 'MVP' in a bold, blue, sans-serif font. A red circle is drawn around the 'V', and a red arrow points upwards from the bottom right of the circle.

Scott Edelman
Gibson Dunn

needed for Korean documents and witnesses testifying in Korean. He also said there was a large volume of information to work with, since the judge allowed the parties to discuss the background regarding the KFTC and Korean Supreme Court.

"It was challenging to organize that and synthesize it for the jury in a way that would help them make sense of the evidence," Edelman said. "While I had the opportunity of making the closing argument and opening statement, it was really a team effort of a lot of people behind the scenes."

WHY HE'S A TRIAL ATTORNEY:

Edelman said he's drawn to the public performance aspect of trial work, especially emoting and connecting with jurors.

"I like that probably more than anything else that I do in my professional life — having the opportunity to get up and try to connect with them and form a bond that becomes really personal for the period of time that you're in trial," Edelman said.

He said that if he's lucky enough to earn a jury's trust, he works to present his arguments and evidence in a credible and sincere way, without overreaching, to maintain that trust.

HIS ADVICE FOR JUNIOR ATTORNEYS:

Edelman earned his law degree from the University of California, Berkeley School of Law, clerked for a federal judge in Los Angeles for a year, and then in 1985 joined Gibson Dunn, where he's been ever since. He said that over the years, he's learned to not always view the other parties' counsel as an enemy, adding that even in a big city, law can feel like a small community.

"Your adversary today is going to be the soccer mom that you're going to see on the field on Saturday," he said. "Adversaries could become friends; they can become clients; they can be co-counsel on the next case, so it's important to always treat people with dignity and respect."

— *As told to Sarah Jarvis*

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2019 MVP winners after reviewing nearly 900 submissions.