

LAWDRAGON

Reinventing the Silicon Valley Office Model with
Gibson Dunn's Ashlie Beringer and Michael Celio



Ashlie Beringer and Michael Celio have spent the last several years building a new kind of Silicon Valley firm.

By Emily Jackoway

For more than 130 years, the legal world has had a constant: Gibson Dunn & Crutcher. The premier firm, which boasts nearly 2,000 lawyers across 21 global offices, maintains a reputation for excellence that has withstood the test of time.

As the firm has thrived, the world has changed. In Palo Alto, Gibson Dunn's tech-focused office operates in areas of law that couldn't have been conceived of in the 1990s, never mind the 1890s. As novel technologies like AI and cryptocurrency develop, new laws and regulations are coming down at a breakneck pace – and Silicon Valley is at the center of it all. Adaptability, creativity and speed are necessary traits for thriving in the region. “For some 130-year-old law

firms, there's a certain inertia," says the office's partner-in-charge, Michael Celio. "That's not Silicon Valley."

Celio, partner Ashlie Beringer and leadership throughout the firm have proven that's not Gibson Dunn, either.

Six years ago, there was a shift in the firm's Silicon Valley branch: A series of retirements brought about a natural turning point to the Palo Alto office. At the time, Celio was a partner at his previous firm, where he'd spent the last 17 years carving out a unique practice representing high-level Silicon Valley venture capital firms and their portfolio companies in difficult-to-define litigation. He didn't intend to move, but when the opportunity came to bring that practice to the international stage at Gibson Dunn, Celio took the plunge – primarily because the firm's leadership was offering him a chance to build out his vision for the definitive, next-generation Silicon Valley office.

Beringer shared a similar vision when she returned to the firm in 2020 as co-chair of the Privacy, Cybersecurity and Data Protection Practice Group and the founder and co-chair of the Crypto Taskforce. For Beringer, it was a homecoming; she had been with Gibson Dunn from 2008 to 2013, mainly in the Palo Alto office. In that time, she handled precedent-setting matters in the burgeoning digital space, including issue-defining wins for major companies like Apple, Yelp and Facebook. After defending Facebook in one of the first FTC privacy actions at Gibson Dunn, the company brought her in: She served for seven years as Facebook's deputy general counsel and a member of the core management team, representing the company during a vital period of change and regulatory scrutiny.

While at Facebook, Beringer noticed gaps in the market for Silicon Valley law firms. As the client, she wanted to find a single firm that could provide "an integrated solution set to our very critical problems, who understood our technology, who understood the regulatory landscape on a global scale," she explains. "I could get specialists in one market, but they couldn't traverse."

Informed by her experience in private practice and building a 180-person global team at Facebook, she set her sights on the same goal as Celio: building the office that would redefine operating in Silicon Valley.

Together, the pair had the expertise and passion required to realize that vision for a revitalized office. By bringing their vision to Gibson Dunn, they were able to dovetail the firm's strengths: its longevity and its capacity for innovation.

The crux of the model comes down to what Beringer terms "the electromagnet." The pair say that Silicon Valley as a whole was very inward-looking when they began practicing – but, over the years, it has exploded in global prominence. The electromagnet synthesizes the benefits of both those internal and external focuses within the microcosm of Gibson Dunn's Palo Alto office. By concentrating on the office's internal atmosphere and vision, they create a self-perpetuating energy that provides both a synergistic, exciting working environment internally and a dynamite team of lawyers navigating the globe for the world's top tech interests.

The formula, the pair explain, is built on three pillars: people, place and practice.

The “place” tenet shifted last fall. For the first time in 25 of the firm’s 45 years in the area, they moved the office from its home on Page Mill Road – the traditional Big Law row – to downtown Palo Alto. “Mike was a champion for getting out of the old world and into the center of life and vibrancy,” says Beringer. The shift downtown keeps pace with many of the attorneys’ clients, as venture capital firms and others move to more urban areas. It also generates a vibrant, communal office environment in an era where in-person collaboration is on the downtrend.

As for the “practice” aspect, recent victories prove the electromagnet is a success. Last year, Celio and team achieved a landmark 9-0 victory on behalf of Slack in the U.S. Supreme Court. The win is precedent-setting for companies and investors and has drawn attention to the high-level work the office is undertaking. Beringer, meanwhile, has repeatedly deflected FTC and other regulatory actions for clients facing high stakes, multi-jurisdictional investigations, and is a go-to strategic advisor for myriad public company boards and executive teams on regulatory, product, AI and cybersecurity risk and strategy.

As far as “people,” Celio, Beringer and the team they’ve brought together are the heart of the office.

Lawdragon: Tell me about meeting each other. How did you know you wanted to realize this vision together?

Ashlie Beringer: When I met Mike, I immediately saw that he and I together would be greater than the sum of our parts. We shared a common enthusiasm about building an indigenous practice that served indigenous clients, but with a global capability.

Michael Celio: When I met Ashlie, I thought, “Yes, this is exactly who I need to build the next step.”

I knew she was special because of her in-house experience – she knew how to see things from the client’s side – but she was also of this place. Silicon Valley is unique. We wanted to build an office that really understood Silicon Valley, but that could also leverage the brilliance that exists at our firm more broadly on behalf of our incredible clients. We like to think of ourselves as sort of the yeast to help a firm that was obviously incredibly successful before we got here to continue to be successful growing.

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In law firms, there's an awful lot of things that people do because it's the way it's always been done. What Ashlie brought us from Facebook is the ability to ask, “Why do we do that?” She was the seed of it, but the rest of us have taken on the mantle of being thoughtful about why we do things so we can provide the best client experience.

LD: Okay, so great lawyers, knowledge of the area and expanding out to a global presence. What else is involved in making that great Silicon Valley firm?

MC: It's the electromagnet. I loved that term from the second I first heard Ashlie say it. It's the idea that if you hire people who are the best at what they do and who love what they do, there's an infectiousness and a joy you can build around that to create something absolutely electric.

AB: Mike and I are big believers in in-office culture – the alchemy of innovation that is enhanced by being together in person. But I was rejoining the firm in the depths of Covid. So, we decided that during that time we were going to build for the future, because there was going to be a surge of opportunity with this intense need for people to reconnect. So, we started meeting once a week to design the blueprint for the future of the office. Every time we would get together, there would just be this infusion of energy around this vision. We really locked on this idea that we're going to flip the switch on the electromagnet – creating an office with people that have this energy, this shared vision, and that would develop its own internal catalytic engine – which is exactly what happened.

We each went out and found people that fit that model to become part of that electrical core. I hired Vivek Mohan, who had been in-house at Apple and had actually been my outside lawyer when I was at Facebook. Vivek is intensely practical, incredibly strong on the tech, and one of the sharpest lawyers I've ever worked with on any issue. We recognized the power of bringing in ex-in-house tech lawyers and executives, and hired Jane Horvath, who was Chief Privacy Officer at Apple. We continued to build the team out so that we had ex-regulators as well as ex-in-house. We were bringing in people who had that same energy and vision and created this momentum that we've continued to capitalize on, and it cascades down through the entire office.

MC: I found one of my great competitors, Jessica Valenzuela, who I've been pitching against for years, but who I knew to be an absolutely spectacular lawyer. She's really the next generation of talent. By drawing in the right people, you expand opportunities and joys.

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LD: Then, tell me about location. You moved from Page Mill Road to a new office in downtown Palo Alto.

MC: So, it was the people, but it was also the place. We moved out of Page Mill Road, where so many firms were. Page Mill is this long, five-lane road with big buildings, with no creature comforts, and with no reason to ever be there. Instead, we are now in the heart of the central street of the central city of Silicon Valley.

You read these articles where firms are saying, "Oh, we can't get people to come back into the office." We've got the opposite problem. We have days where we're full up. We're turning conference rooms into offices. I spend zero time chastising associates for not being in the office because we created something that's enjoyable. We created a place where people get an experience they can't have in their pajamas at home. Then, you have to be working on the most interesting cases, too.

LD: Tell me about taking that model to the global stage.

AB: Both Mike and I are leaders in global practices. So, although the electromagnet was turned on in Palo Alto, we have global teams that support the tech industry. I've led several global regulatory investigations into AI providers, focusing on the ways that they train their models. That is the kind of issue that not just the FTC and the California AG and the new CPPA are interested in, but also the European data protection authorities and the European Commission, each focused on a different angle. We have successfully been able to achieve what other firms have not: a globally coordinated strategy that deflects and resolves regulatory interests around the globe because we have built out a team that has such strong lawyers in D.C., Europe, the UK and Asia, where the most active regulators sit.

I meet regularly with my colleagues around the world to build out this unprecedented map of AI risks and requirements that are mapped to global regulation and risk vectors that are regionalized. But it's not only mapped globally; it's done in a way that is useful to our clients because it's actually mapped to the product features and issues that drive their internal strategies, as opposed to just dry recitations of the law. It's grappling with the intersection of the law and the technology and doing that at a global scale. So, although we are indigenous in our practice, we are exporting that throughout the firm.

LD: Looking more specifically at those major matters, tell me about representing Slack before the Supreme Court last year.

MC: That's a perfect example of the exact place in the market we want to be. Slack was backed by several of my big venture clients, but we still had to go in and pitch against the very best firms in the world for that case. Everybody understood that it was the first company to go public through a direct listing, which is an innovative way to go public.

The challenge that you're up against in litigating a case like this is that you're making an argument that can be seen as somewhat technical. Your client needs you to be good at the law, but that's not enough. There are plenty of people who know the law. You need to know why it matters. What we had to explain was, why is it a good thing that direct listings exist? Why is this pro-social? Why does this advance human thriving? Translating that to an argument that the 9th Circuit and the Supreme Court ultimately could accept was a real challenge. We were really proud we were able to do that. That has become our calling card for litigating the biggest, most cutting-edge cases, and that's part of the electromagnet.

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LD: Ashlie, what cases have you been working on that utilize that human, storytelling element?

AB: I can't get into too much detail, but I defended a client that is a major priority of the Biden administration and was subject to a top-priority FTC investigation that swept every aspect of the company. Ultimately, after two years, we were able to convince them to stand down and focus on peers of our client rather than our client. That is truly an unprecedented outcome, and it speaks to our ability to tell a compelling story that puts our clients' innovation at the center. To build empathy and enthusiasm for the challenges of breaking ground in a new industry. You win by both understanding the law and jurisdictional authority of your regulators deeply, and also by winning their hearts and minds.

LD: Looking ahead, what trends are you seeing in your practice and in Silicon Valley overall right now?

AB: We are seeing regulators shift very heavily into a focus on generative AI, which is catalyzing new legislation. Our clients are also either already being investigated by enforcing agencies who are grappling with how they're going to hone their powers, or we are advising clients on strategies that will help them be on the front foot as these new laws come online.

LD: And how is the firm adapting to this new world of tech?

AB: We have an incredible new team leading our tech efforts across the firm. We are building best-in-class AI-based bots to create tools that are trained on our proprietary knowledge base, which is entirely unique. We are betting on our inputs, modeling our fluency with tech by building AI tools that are best in class for our area of the law.

MC: There are people in our industry who are scared of AI because they think, "Oh, it'll take our jobs." It's never going to replace the people who partner with our clients. The thing that AI so far has not been able to do, and I suspect probably never will be able to do, is that human component. It's what we've been talking about: Creating that thing that makes life and the practice of law so much fun.

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