



# Levine Kellogg Lehman Schneider + Grossman LLP

Leading with Decades of Experience

By Sue Reddy Silverman

**J**ust a few years ago, a group of prominent Miami attorneys, David Levine, Lawrence Kellogg, Thomas Lehman, Jeffrey Schneider and Stuart Grossman, began hearing the same feedback from clients: it is hard to find seasoned attorneys willing to devote meaningful time and energy to important “bet-the-company” cases.

More often than not, those cases were being handled by the senior partner’s younger and greener counterparts as part of the army of attorneys typically assigned to large cases. The younger attorneys would steer the case through the fog for awhile, waiting for the seasoned attorney to return to the helm — usually only at an important deposition or key hearing. As this chorus became louder



PHOTO BY: Greg Schneider

The Founding Partners (Left to Right): Lawrence Kellogg, Stuart I. Grossman, Thomas Lehman, Jeffrey Schneider, and David Levine.

and louder, Levine, Kellogg, Lehman, Schneider and Grossman decided to launch a new firm and rewrite the way traditional law firms operate.

“We’re all big firm veterans, so we’re used to providing a quality law product, but we realized that by establishing our own firm, we could offer something a little better,” Levine said. “When we started the firm, we rooted it in the notion that clients want to hire top-notch, experienced lawyers who will handle their cases day to day and from beginning to end. We have worked together for many years and wanted to establish a firm that blended our expertise and values, such as dedication, hard work, passion, creative thinking and efficiency, all wrapped around highly personalized client service.”

Levine Kellogg Lehman Schneider + Grossman LLP — or “LKLSG” as they like to call it — was formed in January 2010 on exactly that premise — that large, complex matters do not require hordes of lawyers and should not entail the exorbitant cost structure associated with large law firms. The results have been phenomenal, according to Schneider, the firm’s managing partner. “We’ve been able to offer our clients a rate structure and a depth that is difficult to find elsewhere,” he said. “And the clients appreciate it.”

***“I know the firm’s partners as adversary, as counsel, and more recently, as a mediator. The Levine Kellogg firm comprises . . . extraordinarily talented and experienced lawyers. They are bright, knowledgeable, practical minded, and, above all, client oriented,”*** said Francis L. Carter, Esq., Katz Barron Squitiero Faust.

### **Big Firm Experience, Boutique Firm Service**

LKLSG’s partners have decades of experience handling complex legal matters. Levine, Kellogg and Schneider have handled some of South Florida’s largest and most publicized receiverships, including Pension Fund of America, Inc., Mutual Benefits, Viatical Capital and Future First Financial Group, among many others. They have served as federal and state equity receivers and represented equity receivers in fraud cases brought by the Securities and Exchange Commission (SEC), the Commodity Futures Trading Commission (CFTC), the Federal Trade Commission (FTC) and the Florida Department of Financial Services.

Most recently, Schneider was appointed by both the SEC and the CFTC to serve as the federal equity receiver for Trade LLC – a \$27 million investment

## **A Familial Atmosphere**



**(Left to Right) Jason Kellogg and Larry Kellogg**

*in complex financial disputes, fraud cases, commercial transactions, violations of state and federal securities laws, business torts, class actions and employment disputes. His significant representations include Walt Disney Company, ABC, Inc., Nations Bank, Proctor and Gamble, and Smuckers, Inc. Jason formerly was an associate at the Miami office of Hogan Lovells.*

### **Levine Kellogg Lehman Schneider + Grossman LLP**

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*Lawrence A. Kellogg and Jason Kellogg focus their practices on complex commercial litigation matters in state, federal, and bankruptcy courts, as well as arbitration forums. Over the past 30 years, Larry has represented large companies*

### **What brought you two together?**

**Jason:** I always wanted to work with my dad, sorry, with “Larry.” He insists that I call him Larry now. His initial words of wisdom when I told him I was going to law school were basically that I needed to work hard and develop my own reputation so that I didn’t have to rely on him for a job. So I took my own path.

**Larry:** I was very wary of the nepotism label and how important it was for Jason to stand on his own merits. It can be tough for a son to follow in the footsteps of his father. Of course, there are a lot of success stories, but at the same time, I did not want him to have that pressure.

**Jason:** It has really worked out. I’ve been at two great firms, learning from great attorneys. Then last January, I got a very surprising call from Larry saying that he was starting a new firm with David, Tom, Jeff and Stu, and I said “sign me up.” I’ve known David and Tommy since I was six years old. David used to come to my little league games. Stu and I often got together for Dolphins games, and Larry has always raved about how great a lawyer Jeff is. So it was an opportunity I could not pass up.

### **And how has this worked out for you, Larry?**

**Larry:** Very well. We’re very focused on the same goal, and we work well together. We work to get to the bottom of the issues and resolve the case. The results have been great so far. One of the things that the new firm has allowed us to do is take on cases from the plaintiff’s side. We’re able to be a little more entrepreneurial. Jason and I have been working together on those types of cases, including a class action on behalf of Latin American investors who lost money in the Madoff scandal, and a business torts suit against a major computer manufacturer.

### **What about you, Jason?**

**Jason:** I’ve learned a tremendous amount from him. People used to always tell me “Your dad is a terrific lawyer,” and while I always knew he was a wonderful father and role model, now I honestly know what they’re talking about from a professional perspective.

### **Do you think there will be a “next generation” of Kelloggs at LKLSG?**

**Larry:** Who knows? I have two younger children who are still in school, and five grandchildren now. While the groundwork was laid with Jason joining the firm, they can be whatever they want to be...just as long as they’re happy.



fraud based in Palm Beach Gardens involving more than 800 investors worldwide. “I find receivership work to be the most rewarding because we have an opportunity to recover stolen funds for defrauded and innocent investors,” says Schneider, co-chair of the firm’s Receivership Group.

The firm also has an abundance of what has become exceedingly rare among commercial litigators: trial experience. Larry Kellogg estimates that he has tried more than 100 cases in his career, with dozens of them before juries. Kellogg’s trial experience includes such notable cases as the ESM fraud case, involving reverse repurchase transactions arising out of a \$300 million securities fraud. He also represented Mrs. Joy Culverhouse in litigation involving the estate of her late husband, the former owner of the Tampa Bay Buccaneers. After a several-week trial, Kellogg successfully obtained judgments and subsequently collected, as part of a global resolution, \$11.5 million and \$25 million on behalf of Culverhouse.

***“Larry Kellogg is one of the Florida legal community’s most unappreciated assets,”*** said client Hugh Culverhouse, Esq.

Kellogg, Schneider, and Grossman, along with the firm’s other trial-savvy practitioners, have tried cases involving complex financial disputes, fraud, commercial transactions, theft of trade secrets, intellectual property, violations of state and federal securities laws, business torts, class actions and employment disputes. “Our job as lawyers is to resolve disputes as efficiently as possible,” Grossman said. “But in certain cases when that’s just not

possible, our clients know that they have experienced trial lawyers who can ‘take it to the mat,’ so to speak.”

Grossman also represents national and local companies in various employment-related issues, including discrimination and harassment claims, covenants not to compete and employment agreements. He is viewed as the firm’s up-and-coming rainmaker and is known for his determination and drive in addition to his universally likeable personality.

Founding partners Levine and Lehman enjoy a national reputation for handling complex, six- to nine-figure bankruptcies for a variety of clients, including airlines, cruise lines, retailers, developers and other major commercial entities.

Lehman represents trustees, secured and unsecured creditors, acquiring entities and debtors in high profile bankruptcy cases, Chapter 11 reorganizations, liquidations of corporations and partnerships, loan work-outs, debt restructuring and related adversary proceedings. He has an extensive practice, representing borrowers and other targets of lenders in distressed debt and loan dispute situations. That experience has proved invaluable in the recent economic climate. “So many companies have been affected by the downturn,” Lehman said. “But for many, there still is a way out. Our firm is able to aggressively represent them in negotiating with or litigating against their lenders.”

Among some of his significant representations are serving as lead counsel for the debtors-in-possession in the Chapter 11 reorganizations of South Motors Companies and Beverage



PHOTO BY: Robert Klemm

**The Receivership Group (Left to Right): Patrick J. Rengstl, Jeff Schneider, and Brandon M. Thompson**



PHOTO BY: Robert Klemm

**The Associates (Left to Right): Amanda Quirke, Brandon M. Thompson, Amanda Frazer, and Jennifar Hill**

Canners International Corp., the representation of management in the Chapter 11 reorganization of Model Imperial, Inc., and an out-of-court restructuring for New Piper Aircraft Corp.

Levine, the most senior member of the firm and co-chair of the Firm's Bankruptcy and Receivership Groups, focuses on receivership work and creditors' rights. He has served as a federal equity receiver in numerous eight and nine figure fraud cases, including Viatical Capital, Inc., Future First Financial Group Inc., Comcoa, TransAmerica, Medco and SunState. He has helped to marshal and distribute tens of millions of dollars to defrauded victims throughout the world. Levine also represents a wide range of commercial clients in complex loan and business workouts and business and bankruptcy reorganizations.

### **A Desire to Mentor . . . and Grow**

With the founding partners' stated goal to give clients the full benefit of their experience, they also wanted to foster a new generation of legal minds and build a firm that shares the same outlook and values. So they put together a team of young partners and associates who are hard working and eager to contribute. And they know that LKLSG will grow as the young partners and associates grow.

Given the opportunity to create a new model, the partners have committed themselves to working with and mentoring the firm's young lawyers, rather than relegating them to a life of document review.

"We are going back to the way that we were taught — the way David, Larry and I came up together 30 years ago," said Lehman, referring to the days when he, Levine and Kellogg were young associates at what was then one of Miami's biggest firms, Mershon Sawyer Johnston Dunwoody & Cole. "The partners worked closely with the associates, and taught them. We want to bring that back."

"We were at a point where we wanted the opportunity to build something up with young people," says Kellogg. "I had done it before at my previous firm. I remember that excitement — how thrilling it was when a client walked in the door and hired you, how great it was to have a group of lawyers all pulling together, and the satisfaction that brings. I wanted to experience that again."

With that philosophy, a corporate culture has emerged at LKLSG that is common at small firms, but generally unheard of in large legal practices — an atmosphere that is collegial and familial.

That said, LKLSG's first hire was Jason Kellogg, the son of founding partner Larry Kellogg. "Jason is a great lawyer and we



were delighted that he decided to join the firm,” said Levine of the younger Kellogg, who joined the firm from the prestigious international firm of Hogan Lovells.

To solidify the firm’s core and round out the practice areas, the partners brought in a number of other driven attorneys. Partner Robin Rubens bolsters the firm’s bankruptcy group, having worked with Lehman and Levine for the past 10 years on various large-scale bankruptcies, including the Blue and Green Diamond condominium project on Miami Beach. She began her career as a clerk for Sidney M. Weaver, the Southern District of Florida’s

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former chief bankruptcy court judge, and for Paul G. Hyman Jr., who currently heads that court.

Newly minted partner Patrick Rengstl has developed into an experienced and effective receivership attorney. “Pat’s a bulldog,” said Schneider. “If there’s a recovery to be made, he will find it.”

Jezabel Llorente, of counsel, joined the firm last year and concentrates on employment and appellate work. Llorente worked with the founding partners at their prior firm and taught civil procedure to Rengstl and Jason Kellogg as a professor’s assistant back in law school.

Associate Amanda Quirke has already begun to make a name for herself in the land use and zoning field in a number of high-profile cases. She is currently representing a large landowner in a lawsuit filed by the U.S. Government challenging the landowner’s vested development rights on over 250 acres in South Miami-Dade County.

Clients repeatedly sing the praises of Associate Amanda Frazer, a former newspaper reporter turned hard-nosed litigator. And Associate Jennifar Hill is a linchpin in the firm’s bankruptcy group.

The firm has also hired top-notch junior associates like Brandon Thompson, who was editor-in-chief of the University of Miami Law Review. For Thompson, the opportunity to learn from these legal stars has resulted in an unparalleled opportunity. “In some places, you’re assigned a mentor and they take you out to lunch once a month to ask what you’re doing. It’s not like that here. The lawyers are genuinely interested in my development, both as a lawyer and a person,” he added.

LKLSG’s latest recruit, Andrew Brown, recently joined the firm upon graduating from the University of Florida Law School, where he was an executive editor of the Law Review and an inductee into the University of Florida Hall of Fame.



PHOTO BY: Robert Klemm

**The Bankruptcy Group (Left to Right): Robin Rubens, Tom Lehman, Jennifar Hill (not pictured: David Levine)**

The plan to hire and nurture young talent has worked splendidly thus far, says Grossman. “We added some impressive young associates and now have a roster that represents every level of legal expertise, from top to bottom.”

“The lawyers at LKLSG are outstanding professionals and individuals and I have always enjoyed working with them over the years,” said Harvey W. Gurland, Jr., Partner, Duane Morris.

### **Not Your Usual Start-Up**

Forming a new firm in the depth of the recession would be a gamble for anyone, but it is particularly unusual in the legal field. “Lawyers are usually risk averse,” said Levine. “And we chose to do this just as the Great Recession had kicked in when a lot of law firms were laying people off – much less starting a new one. But by nature we’re all very entrepreneurial people and had faith in the model that we wanted to create.”

Some of the usual fears associated with starting a new firm were allayed by the fact that the five founding partners have been friends and colleagues for years. The firm was buoyed not only by the 30-year relationship between Levine, Kellogg and Lehman, but also by the fact that all five founders worked together for more than 10 years at the highly-regarded Tew Cardenas firm in Miami. Schneider and Levine’s ties reached back to their days at the international law firm of McDermott, Will & Emery, where Levine had been the managing partner and Schneider his associate.

According to Grossman, the decision to do this was a “no-brainer.” “Being a lawyer is a tough job,” he said. “But it becomes easier when you enjoy the people you work with. I don’t think there’s been a day that has gone by that I haven’t had a good laugh with Jeff or David or the others. It relieves the stress and allows us to do a better job for our clients.”

The firm plans to grow. In fact, it already has, notes Levine. “We’ve grown by about a third since we started,” he said. “We’re at about 15 lawyers now, so we have reached the critical mass and can effectively service our clients on even the largest matters. And they get a more personal touch and a more focused touch. We’re at our client’s beck and call, days, nights and weekends, and we make sure we respond instantly.”

## **At a Glance**



### **In His Own Words: Brandon Thompson, Associate Levine Kellogg Lehman Schneider + Grossman LLP**

By Sue Reddy Silverman

*Brandon Thompson graduated in 2010 near the top of his class from the University of Miami Law School where he was the editor-in-chief of the Law Review and received numerous honors, including induction into the National Order of the Coif, the Dean’s Certificate of Achievement in Labor Law and the C.A.L.I. Excellence for the*

*Future Award in Public Sector Employment Law.*

### **With your resume, you could have your pick of law firms, why did you choose to join a brand-new start-up like Levine Kellogg Lehman Schneider + Grossman?**

The firm was highly recommended to me by many people whom I admire and respect. I also looked at the partners’ resumes and legal representations and that impressed me as well. They have a spectacular reputation across the board. When I saw how broad their experience was, and the different areas I’d be able to work in, I was convinced this was the firm for me, even before I interviewed with them.

### **What did you learn when you actually met with them?**

I discovered that while the partners had varied practice areas, they shared the same goal: starting a law firm that would do great work and develop great lawyers. They had a sense of pride for both each other and the firm. For them, this firm wasn’t just about the next day or the next dollar; it was about creating something that would last long after they retire. I enjoyed that immensely and found it to be contagious. They also imparted to me the role that every lawyer in the firm played in providing the best service to the clients.

### **Now that you’ve been at the firm about a year, what are your thoughts?**

I can say with 100 percent confidence that this year has exceeded all my expectations of what it would be like to work as a young associate. I’ve gotten to work on the broadest range of cases and do more than I ever imagined. I enjoy the challenging work and complex cases.

### **Can you give us an example?**

My first assignment was to take primary responsibility for the initial drafting of a federal appellate brief. I also was given the responsibility of conducting an evidentiary hearing against a much more senior opposing counsel. I got to take our witness’s testimony and give opening and closing arguments, which was a great experience. The partners here will let you take on as much as you can handle, and they’ve always got your back when you’re trying something new. I’ve been able to do a lot more than I expected in my first year out of school, and when my law school friends hear about it, they’re very surprised.

### **What is the LKLSG advantage for a client?**

Because we are a smaller firm, we are able to take a personal interest in every case. It’s a great place to work and the level of service we provide is outstanding. I’m proud to be a member of this firm.