



SAMPLE COMPLETED PRACTICE DEVELOPMENT PLAN

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I. Introduction

II. Relevant Experience

- Over 13 years experience in litigation of complex commercial disputes in state, federal and international forums.
- Concentration in public procurement, commercial litigation and international arbitration in technically oriented areas, e.g. computer systems, papermaking and finishing equipment, satellite systems, and large construction projects, representing both plaintiffs and defendants including insurers.
- First chair responsibility in vast majority of matters and co-counsel for trial of others.
- Management of numerous multi-million dollar disputes including supervision of all attorney and paralegal staff in research, briefing, and discovery.

III. Business Development Goals & Strategies

Throughout the last seven years, I have consistently generated new clients, expanded the business of existing firm clients, and received repeat business from existing clients.

The business is concentrated in the computer, construction, and real estate development industries. In addition, I foresee the ability to develop work from the entertainment, paper, and banking industries as a result of past representations and long standing personal and professional relationships with decision-makers in these businesses.

These clients, prospective clients and the legal services they require are described in more detail on the following pages.

A. Portable Business

- Federal computer systems contractor

Source of business at client is the General Counsel and Corporate Secretary, a former colleague and friend for over 10 years. Legal work performed included several bid protests at the GAO and GSBICA on procurements for computer systems, advice concerning preservation of intellectual property rights while pursuing contracts with foreign governments and miscellaneous mechanics lien matters. Average billings during past five years of \$83,000.

- Owner of numerous shopping centers throughout D.C. metropolitan area

Contact is the CEO and I am currently lead counsel in three large commercial lease cases set for jury trial in September, 2003. Value of time for remainder of matters estimated to be \$50,000 or more.

- Shopping center developer

Contacts are the President and Vice-President known for over 10 years since first representing Vice-President's electrical contracting firm on public contract claim. Legal work performed included defense of suit by former leasing agent, resolved successfully on motion to dismiss, and renegotiation of numerous loans with acquisition and construction lenders. Average annual billings for past three years of \$7,000.

- Real estate development firm

Firm in process of launching new and large business as consultant to asset managers for RTC and others. Current and past matters handled included business formation, land-use issues, application to RTC for qualified contractor status and advice of preferences accorded to minority and woman-owned businesses in public procurement. Average annual billings for past 5 years was \$1,000. Client's planned new business venture would suggest increased need for legal services.

- Miscellaneous clients with need for advice on public contracts, construction claims, professional ethics, dissolution of businesses and law firms, estate planning and estate

administration. Average annual billings for past five years of \$15,000. The principals of these clients are either personal friends, professional acquaintances, or friends from law school, college or before.

B. Potential New Business

- Major entertainment syndicator and distributor with corporate headquarters in New York.

Contact is the CFO and has been a close friend for over 13 years. Legal needs include: advice concerning FCC matters, purchase and sale of broadcast facilities, investments in information super-highway technologies, and general commercial litigation. Corporation has only one in-house lawyer and refers most legal work outside. Recent approach to CFO gained assurance of favorable introduction to company's General Counsel. Best estimate of legal work on an annual basis at beginning of relationship is \$75 - 100,000 with growth potential through cross-marketing.

- Paper manufacturers and related entities

Management of multi-year international arbitration regarding sophisticated paper manufacturing equipment resulted in numerous contacts in the paper manufacturing industry including leading consultants and high level executives as a number of paper mills in the U.S. and abroad. Although projected annual billings are not readily capable of approximation, consultants in case have already expressed intention to refer work on further matters. (The last matter referred to current firm involving papermaking industry generated at least \$1.2 million in billings over 2 year period.)

- Major Finnish manufacturer of papermaking and finishing equipment

Throughout course of major ICC arbitration, developed strong contacts with in-house counsel and other corporate executives at this existing firm client. This company routinely has numerous cases pending throughout the U.S. or at the ICC and there is strong potential for mining these contacts for similar work. The annual billings for such work can be substantiated as indicated above.

- **Regional banking institutions**

Bank's representation initiated by colleague who has teamed with me in efforts to move to another firm. Present potential exists to expand representation in commercial litigation. Reasonable target range for expansion of this business if \$50-100,000 annually.

- **Miscellaneous**

Colleagues from prior firms, bar, or contacts from political and other community activities have routinely referred work from year to year. There is reasonable expectation for that trend to continue and generate approximately \$15,000 annually.

C. Past Development of New Business from Existing Clients

- Retained as lead counsel by nation's largest shopping mall owner/developer to defend \$7,000,000 claim filed in U.S. District Court for Western District of Maryland. Generated approximately \$70,000 in fees.
- Selected by general contractor to manage, litigate and resolve over 40 mechanics lien claims on luxury mall in Montgomery County. Generated approximately \$65,000 in fees.
- Selected by bankruptcy trustee to act as lead counsel in 6 construction claims. Recovered substantial sums for estate through settlement and generated over \$300,000 in billings.
- Retained by computer systems and software developer to prepare and negotiate two claims against State of Maryland. Generated approximately \$30,000 in fees.
- Developed bankruptcy business from major, mid-western bank following representation as local counsel in litigation of disputed claims to condemnation proceeds in excess of \$2,000,000. Value of additional work generated was approximately \$30,000.
- Requested by numerous existing firm clients to perform all facets of mechanics lien work including filing, litigation and negotiation of claims. Generated approximately \$75,000 in fees.

- Current firm frequently requests my participation in presentations to public contractors, construction industry prospects, and other clients.

D. Business Development Plan and Geographic Orientation

My overall plan is to continue to develop a practice in complex civil litigation with particular emphasis in the near term on: public contractors and banking institutions in the D.C. Metropolitan area, a Fortune 100 entertainment company headquartered in New York and the paper industry in the U.S. and abroad.

Despite the recessionary slow-down in commercial construction projects, appropriations in Virginia, Maryland and D.C. for public projects, highways, universities and prisons are particularly strong. These projects are likely to generate significant contractor claims over the next 3-5 years. Through presentations to local trade associations, publications and the handling of client matters I have gained visibility as an expert on procurement law at the federal and state level and believe I am well-positioned to obtain a share of the anticipated work on public projects in the metropolitan area.

In addition, Northern Virginia is becoming the regional headquarters for a number of significant banking institutions previously with law firms out-of-state. I anticipate that a share of the work for these banks will ultimately be placed with regional firms. Through a combination of my expertise with that of a colleague who has already enjoyed success in obtaining transactional work from these banks, we plan to obtain a substantial share of the banks' litigation work as well.

A more specific description of the steps I plan to continue to develop this business is set forth below.

- **Maintain Referral Network of Attorneys**

Preserve access to a pool of litigation through informal "membership" in a referral network of attorneys. The leadership positions held in bar activities (Chair of VSB 8th District Disciplinary Committee and of Section on Construction and Public Contract Law) put me on a "short list" of those to whom other attorneys refer matters on which they have conflicts. I maintain close contact with friends who are attorneys and make point of calling ahead when travelling to their area and getting together with them. (Recent referral of the client with a German judgement for enforcement in D.C.

came from a high school classmate who is an international attorney in New York.)

- **Expansion of Client's Own Business**

Pursue whatever measures possible to expand the markets of existing clients. Discussions with in-house counsel reveal that their ability to send more legal work to outside firms is dependent upon expansion of the client's existing markets. Past efforts to expand markets for one client through introduction to another client overseas led to a request for legal advice to protect intellectual property rights when doing business abroad.

- **Practice as ADR Neutral**

Obtain share of practice in mediation of complex construction and other disputes through court and private referrals. This element of the plan recognizes a recent trend toward resolving complex disputes through ADR at some juncture during litigation. Should the market in complex litigation shrink in the future, a secondary market for ADR professionals knowledgeable about the industry and applicable legal principles is likely to grow and it will be important to have a share of that market. Completion of certification requirements as an ADR professional (mediator or neutral) anticipated by end of April 2003.

- **Cross-Selling**

Investigate existing and former clients' legal needs and familiarize these clients with capabilities of the firm and attorneys appropriate to individual clients' needs.

IV. Summary

In short, the qualifications I bring to any business development effort are substantial experience in complex commercial disputes as first-chair and overall manager, portable client relationships and several significant relationships with decision-makers at prospective clients in diverse industries which present substantial business development potential.