

SPOTLIGHT—CORPORATE PARTNER: SUN CHEMICAL

By: Gilda R. Turitz | Sideman & Bancroft LLP



Melvin Cox

In the 38 years since Melvin (Mel) Cox started practicing law, he has seen – not surprisingly – many changes in the practice of law and particularly in the hiring of women and minorities in law firms, in-house and as outside counsel. Mel has been in-house with Sun Chemical Corporation for the last 22 years, and recently stepped down after 13 years as General Counsel in anticipation of his retirement in September 2010. He graciously shared his story and reflections about diversity in the profession and NAMWOLF.

Mel grew up in Wyoming and received his undergraduate degree in 1969 from the University of Wyoming, "which was not particularly diverse." He then attended Harvard Law School at the height of the Vietnam War, where for the first time he was exposed to a lot of new things that he had not experienced in Wyoming, including diversity in education. His law school entering class in 1969 had about 20% women and 5 to 8% minority students, then touted as a milestone, although the diversity numbers for the law school as a whole were quite a bit smaller. (In contrast, Harvard Law School's 2009 entering class had 48% women and 34% students of color.)

After Mel graduated from Harvard in 1972, he spent five years in private practice in Pittsburgh, Pennsylvania, and then went in-house with one of his clients. During the merger mania of the 1980's that company went away, and Mel joined Sun Chemical's in-house staff in 1989. He became



General Counsel in 1997. Sun Chemical is an international corporation which is the largest producer of printing inks for packaging in the world and also produces organic pigments – colors that go into ink, paints, cosmetics and plastics. Its legal department is relatively small, with six attorneys in the U.S. headquarters in New Jersey, one in Brazil and two in The Netherlands. Although they handle 60-70% of the legal work in-house, they hire outside counsel in the patent area and for major transactions such as M&A, as well as for litigation and areas where they do not have in-depth expertise in-house. In addition, as Sun Chemical has 300 locations worldwide including over 100 in the U.S., they have often needed to retain good counsel knowledgeable of local law in sites where the company has had a difficult but local legal problem. These issues tend to involve real estate, land use, environmental law, regulatory (such as food packaging), and employment. As Sun Chemical does not make consumer products and does not sue its customers, it engages in very little litigation.

Yolanda Coly introduced Mel to NAMWOLF as a vehicle for Sun Chemical to hire diverse firms. Mel has been attuned to diversity for his in-house staff; one thing he has tried to do is to "pick very, very good people and increase diversity in the department. By example, that attitude spills over to the rest of the company." Both the head of employment (who is a woman) and chief

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patent counsel are African-American, and Mel is gay. In retaining outside counsel, Mel has chosen attorneys for their skills and not necessarily “big name firms,” because as a client, he often gets better attention from smaller firms. The geographic diversity in NAMWOLF firms has been “terrific” and he has relied on the NAMWOLF directory and website to locate potential outside counsel.

Mel has enjoyed some excellent service from NAMWOLF firms because of their accessibility, responsiveness, and personal connection with their attorneys as his outside counsel. In his experience, very large firms tend to be difficult to access because so many people get assigned a piece of the work, which is to be expected in that environment. He always views outside counsel as another part of their department; he likes to share the work and have someone who can learn along with them. He finds that NAMWOLF firms hired as outside counsel do “partnering rather than preaching” in dividing up and sharing the work, instead of dictating to in-house counsel and their business clients. He has looked for long-term partnerships with his outside counsel to trade ideas back and forth, and appreciates not being left on his own to implement the ideas once they are generated.

Mel advises that counsel must fit the work to the client goal. One of his most disappointing experiences is to assign work and receive a product that raises more questions but does not resolve the issues on the table. It is vital that the client’s goals be understood. According to Mel, “[b]usiness people don’t want legal knowledge, they want to know what they can and cannot do. And they wanted it yesterday. A smaller law firm can relate to that.” The NAMWOLF firms Mel has used have staffed to fit the case; sometimes large firms have given him the impression that they want to cover every base so that they are not accused of missing something, and this does not necessarily “fit the work to the goal.”

During his career, the increase of women and minorities in law firms and their visibility has changed the attitude of people in corporations: that women and minorities have the same skills as everyone else. Business people and in-house counsel used to choose people with whom they interacted socially, but with law firms becoming more diversified, they have been compelled to recognize that there are capable diverse lawyers to hire. “The attitude has changed from an old

white men’s club to ‘find the best people’, and you can’t do that if you are excluding any classes of people.” To approach in-house counsel for consideration, NAMWOLF firms should recognize that all in-house counsel are always looking for good attorneys to retain and it is important to be visible. Mel sees writing articles and speaking at seminars and on panels as valuable ways for outside counsel to be noticed and remembered when a hiring opportunity arises. He especially found valuable -- a “triple win” -- law firms offering CLE to in-house counsel as giving substantive education, allowing the presenters to display their personality and expertise, and providing the opportunity to meet other attorneys in the firm. Mel definitely has been pleased with the growth in diversity in the profession demonstrated today, compared to his first real exposure to diversity when he entered Harvard Law School back in 1969.



Gilda R. Turitz is a business trial lawyer and the Litigation Practice Group Leader for Sideman & Bancroft LLP, a certified woman-owned law firm in San Francisco, California. She received the Glass Hammer Award of the American Bar Association, Law Practice Management Section for efforts to shatter the glass ceiling.



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The Executive Committee is accepting applications for the 2011-2012 NAMWOLF Newsletter Editor.

All interested firms need to submit a report to the Executive Committee with the following:

- Explain why your firm is interested in being the Editor of the Newsletter.
- Explain how your firm will serve as editor.
- List any ideas they would like to implement with the newsletter.

For additional information
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