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Greenberg's 'point of the spear'

ATTORNEY KNOWN FOR CALM LEADERSHIP OF CALIFORNIA LITIGATION PRACTICE

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Staff writer

When he was growing up, kids from the neighborhood would knock on Kurt Kappes' door and ask him to come outside and play. He would turn them away because he preferred to read. His favorite topic: military history over the last five centuries.

Kappes is now a managing shareholder in the Sacramento office of Greenberg Traurig LLP, an international firm with 1,900 attorneys in 38 locations. The Sacramento location has about 19 attorneys.

Kappes, who has been at the firm for six years, is the "point of the spear on the California litigation practice," said Brian Duffy, CEO of the firm, which has locations in the U.S., Latin America, Europe, the Middle East and Asia. He praised Kappes for his ability to calmly direct a group of strong personalities.

"Trying to lead lawyers is not an easy job," Duffy said. "They tend to have strong opinions about things. (Kappes) listens, builds consensus and parks his ego at the door."

Kappes specializes in commercial and insurance litigation, business torts, product liability, contract disputes, and labor and employment.

He also has been a visiting professor at University of California Davis School of Law since 2010 and teaches a class in trade secrets and employee mobility law.

Kappes grew up in Cedar Rapids, Iowa, and moved to Wilmington, Del., in 1970 at age 9. The move enabled him to visit Civil War battlefields and history museums. His father worked for the state of Delaware as a social services director, and his mother was a stay-at-home mom.

Kappes joined the debate team in high school and fell in love with the intellectual rigor of public discourse. He dove into complex policy topics such as penal reform, energy independence and health care. He competed in debate tournaments across the country and during summers attended a month-long debate camp at Harvard University.

"I liked being able to walk around an issue," he said. "I did a lot of research, a lot of writing and just a lot of thinking. And there was a lot of verbal banter, which I still enjoy."

Kappes graduated from Butler University in Indianapolis in 1983 with a degree in history. He went to law school at Northwestern University, where he met Janet, his wife of 30 years. While in school, Kappes was recruited by global law firm Baker Botts LLP, which he joined in 1986.

Kappes had other offers from firms across the country, which included options like Chicago and Hawaii. But the young couple picked Dallas because the city represented the most promising option for both their careers — his in law and hers in nursing.

Kappes worked on some big cases at Baker Botts, including one in which he was part of a team representing General Motors Co. in a noncompete case the company brought against Ross Perot, the former presidential candi-



KURT KAPPES

Managing shareholder, Sacramento office of Greenberg Traurig LLP

Age: 55

Education: B.A. in History/English, Butler University; J.D. from Northwestern Pritzker School of Law

Career: Worked at several law firms throughout career. Worked at Baker Botts LLP from 1986-1989. Was at Wilke Fleury from 1990-1993 and at Seyfarth Shaw LLP from 1993-2010. Has been at Greenberg Traurig LLP since July 2010.

Personal: Lives in Davis with his wife, Janet. They have a 20-year-old daughter who is studying journalism at Northwestern.

Passion: Reading rare books, especially out-of-print historical texts

Something colleagues would be surprised to learn about you: "I have been running for 30 years and running every day for over five years."

date and founder of Electronic Data Systems Corp.

During those years, Kappes said he was tightly wound and sleep-deprived. "I went through a lot of legal secretaries when I started working because I was really high strung," he said, joking that learning how to relax "was pounded into me."

One way he relaxes is by jogging. Kappes runs up to five miles every day, sometimes waking up as early as 3 a.m. for his morning jog. "It's the only way I can start the day," he said.

As they prepared to raise a family, Kappes and his wife moved to Sacramento in early 1990 to be closer to her family in Woodland. Once here, Kappes took a job with the local law firm Wilke Fleury. After three years, he was recruited to the Sacramento office of Seyfarth Shaw LLP, where he litigated cases related to trade secrets.

Robert Milligan, a partner in Seyfarth's Los Angeles office, described Kappes as a natural teacher. Kappes trusts his protégés with hands-on learning experiences that many attorneys are not willing to offer, he said. "Lawyers can be control freaks, and the fact that he was willing to share his experience builds trust," Milligan said.

While at Seyfarth, Kappes litigated several suits defending insurance companies. The key to convincing a jury to side against a sympathetic client, is to "humanize corporations," he said.

"You try to demonstrate that these are just people

trying to do their jobs. It's an interesting challenge," said Kappes.

After 17 years at Seyfarth, Kappes joined Greenberg Traurig, where he has worked since 2010. CEO Duffy praised Kappes for his leadership ability as well as his ability to win the loyalty of his clients.

One such longtime client is ECI Software Solutions Inc., a Fort Worth, Texas-based provider of e-commerce and business software.

In the courtroom, Kappes doesn't exude "glitz and glamor," said ECI general counsel Gordon Kushner, who described Kappes as a matter-of-fact trial lawyer.

He cited a 2013 case in Delaware in which ECI was defending itself against a charge that its relationship with another firm made them one company. In a matter of minutes, Kappes convinced the judge that the two companies were distinct and won the case.

"He didn't do it with a lot of flash and pizzazz and theatrics like the plaintiff lawyer did. He simply focused on the facts and presented material that was critical to us for the case," Kushner said.

The toughest part of his job, Kappes said, is letting go of work at the end of the day. "He enjoys working," said his wife, Janet, "and so once he gets involved in something, he delves into it and it's hard to pull him away."