



NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, *Corporation Counsel*

Press Release

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For Immediate Release

**THELEN REID & PRIEST LLP JOINS FORCES WITH NEW YORK CITY
IN MAJOR FIREARMS CASE**

***TOP NATIONAL LAW FIRM DONATES SERVICES IN CASE INVOLVING
IMPROPER MARKETING & DISTRIBUTION OF FIREARMS***

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New York, Oct. 12, 2004 – The New York City Law Department announced today that top national law firm Thelen Reid & Priest LLP will act as co-counsel to New York City in the City's civil action against gun manufacturers and distributors for fostering the illegal firearms market. Thelen filed its Notice of Appearance this morning in Brooklyn Federal Court – the same day that the City anticipates receiving important gun-tracing data from the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives.

The City's suit, *City of New York v. Beretta, U.S.A., Corp. et al.*, seeks to enjoin sales and distribution practices of firearms manufacturers and distributors that cause and contribute to the public nuisance of illegal guns. Relying in part on analyses of the ATF gun tracing data, the City, with the help of Thelen, plans to show that the firearms industry could adopt simple, inexpensive practices to limit the availability of their products to criminals. The City seeks the court-ordered imposition of those practices, thereby choking off the flow of illegal guns into New York City. The City is not seeking monetary damages. The case, now in discovery, has a trial date scheduled to begin in Brooklyn Federal Court on April 4, 2005.

Thelen Reid will be donating legal services as part of the office's "Corporation Counsel Public Service Program," a unique initiative based on the public service/corporate mindset embraced by Mayor Michael R. Bloomberg. The program was launched in May 2002 by Corporation Counsel Michael A. Cardozo and has resulted in more than 30 firms donating millions of dollars in legal services to the City.

"We are pleased to have the prominent law firm of Thelen Reid & Priest helping to represent us in our fight to stop the scourge of illegal firearms in the City," noted Corporation Counsel Cardozo. "Although overall crime in the city continues to decline, the use of illegal firearms continues to be a major problem. Illegal guns are used in a large number of murders and other violent crimes, and we must do everything possible to prevent them from coming into this City. The experience that Thelen Reid brings will benefit us greatly in pursuing litigation to protect the City."

The Thelen Reid team will be led by Michael S. Elkin, a partner and the Chair of Thelen Reid's 160-plus attorney Litigation Department. "Taking on such a well-organized and funded gun industry to get it to change its old ways of doing business will require a formidable effort," said Elkin. "We have top-notch trial experience and resources to assist the City in winning this landmark case to shut down illicit handgun trafficking."

Working with Elkin on the trial team are Thomas P. Lane, a Litigation Partner, and Associates Jason Butler and Gabe Nugent. Law Department attorneys include Gail Rubin, Chief of the Affirmative Litigation Division; Eric Proshansky, Deputy Chief of the same division; and Richard Costa, Assistant Corporation Counsel, also of the same division. Thelen Reid is donating up to \$1.5 million in legal services, and should its contribution exceed that level, then Thelen Reid will provide services at a 20-percent discount.

Thelen Reid has been a long-time supporter of the Legal Community Against Violence (LCAV), a public interest law center dedicated to preventing gun violence. Founded by lawyers, LCAV grew out of a terrible tragedy – the July 1, 1993, assault weapon rampage that began at a law firm in San Francisco, where 10 partners now at Thelen Reid formerly practiced.

Thomas J. Igoe, Jr., Chairman of Thelen Reid & Priest LLP, noted “Thelen Reid attorneys have been involved in efforts to prevent gun violence for many years, and we are proud to join New York City in its efforts to stop the illegal marketing and sale of firearms.”

New York City is a leader in the development of law enforcement techniques to halt gun violence. The City lawsuit, intended to bolster the already successful efforts of the New York City Police Department in reducing shootings in the City, will now benefit from the added efforts of lawyers in one of New York City’s leading private firms.

The Law Department’s Corporation Counsel Public Service Program grew out of the strong interest expressed by law firms that aided the Law Department after the Sept. 11, 2001, tragedy. With over 30 participating firms, the program functions as a public/private initiative, where law firms either take cases in-house or volunteer attorneys to work at the Law Department for set amounts of time (usually three to six months), thus enabling the office to manage its ever-growing legal caseload. “High caliber attorneys are offered a unique chance to give back to the City of New York in the spirit of public service and bolster their legal and trial experience, while the Law Department also gets top-notch lawyers,” Corporation Counsel Cardozo noted. “It’s a win-win situation for both sides.”

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600s, the Department’s 650-plus lawyers handle more than 90,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department’s attorneys represent the City on a vast array of civil litigation, legislative, and legal issues and in the criminal prosecution of juveniles. Its web site can be accessed through the City government home page at www.nyc.gov or via direct link at www.nyc.gov/html/law/home.html.

Thelen Reid & Priest LLP is a national law firm with more than 440 lawyers in New York; San Francisco; Washington, D.C.; Los Angeles; Silicon Valley; and Florham Park, N.J. The firm focuses on complex commercial litigation; corporate and capital markets transactions; project and asset finance; construction; labor and employment; intellectual property; domestic and international tax; employee benefits; government affairs; and real estate. Its web site is: www.thelenreid.com.

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