

CRAVATH

For more than two centuries,  
Cravath has advised clients in  
their most important matters.

The Firm's securities litigation practice plays a leading role in the field's most significant and precedent-setting cases, successfully defending both individual and class action litigation across the country. Our litigators devise innovative strategies from the boardroom to the courtroom, giving corporate defendants and their boards of directors greater ammunition to protect critical business interests.

# Cravath, Swaine & Moore LLP

## Helam Gebremariam, Partner—Litigation

Helam Gebremariam is a partner in Cravath's Litigation Department, where she focuses her practice on complex civil litigation related to securities and shareholder derivative suits and antitrust and contractual disputes. She is a partner liaison to the firm's African American/Black Affinity Group and a member of the Pro Bono Committee.

Helam received a B.A. in Political Science from Columbia College in 2007 and a J.D. from New York University School of Law, where she was Editor-in-Chief of the *Law Review* and an AnBryce Scholar, in 2010. After graduating from law school, Helam served as a law clerk to Judge Robert P. Patterson, Jr., of the U.S. District Court for the Southern District of New York. She previously served as Senior Counsel to Deputy Attorney General Sally Q. Yates at the U.S. Department of Justice and as Senior Counsel in the Office for Access to Justice.

Helam is a member of the NYU School of Law Board of Trustees and an Executive Board Member of the NYU Law Alumni of Color Association. She also serves on the Board of Directors of the Immigrant Justice Corps and on the Board of Trustees of the Vera Institute of Justice.

### Describe your practice area and what it entails.

My practice broadly covers complex commercial litigation, and a large portion of my work involves representing clients facing securities litigation in jurisdictions across the country in arbitrations, jury trials, and bench trials: the whole gambit. This includes defending individual and class action litigation for clients who come to the firm with significant and pressing issues—what some might call bet-the-company work—and there are no easy answers to the type of questions they bring to Cravath. Clients reach out to us when they need creative solutions, and one part of my practice that I particularly enjoy is being a confidante and trusted advisor to them throughout the proceedings.

### What types of clients do you represent?

I represent clients around the world and across all industries and stages in their life cycle. Right now, I am working on half a dozen matters for various clients and no two issues are the same. Their unique business interests keep me on my toes, and the variety also keeps my practice interesting as I learn their goals and work with them to reach preferred outcomes. A few examples of clients include those in the healthcare and pharmaceutical, banking and finance, entertainment and streaming, and alcohol and spirits spaces.

My pro bono work is also incredibly important to me and to my identity as a lawyer. Cravath as a firm values pro bono work highly, and I have had the opportunity to go to trial on behalf of pro bono clients in addition to taking on the full spectrum of other kinds of casework.

### What types of cases/deals do you work on?

Generally speaking, the cases I work on relate to pressing issues for our clients. That can include everything from a client dealing with a sudden drop in its stock price, an expedited merger litigation, or a confidential arbitration that allows clients to resolve sensitive matters privately. And while all of Cravath's litigators are based in the United States, we represent clients in cases both domestically and internationally—in fact, I wrapped up an international arbitration earlier this year.

Two recently closed cases I worked on included representing Tesla CEO and board member Elon Musk in a complete trial victory that defeated a \$13 billion stockholder derivative suit related to Tesla's acquisition of SolarCity, and representing affiliates of Bacardi in actions brought by SCLiquor LLC, majority owned by rapper Shawn "Jay Z" Carter, in the Delaware Court of Chancery and other state and federal courts related to the value of SC's 50% ownership interest in cognac brand D'Usse. All disputes between the parties were settled when Bacardi acquired a majority interest in D'Usse.

### How did you choose this practice area?

I have always had a natural inclination to want to advocate on behalf of others, whether it was for my younger siblings or in student government. That desire is what drove me to pursue the law as a career and is something I really enjoy about my day-to-day responsibilities as a litigator: having that relationship with a client, being able to earn their trust, and helping guide them through their decision-making.

Being trained as a generalist litigator also helped me think deeply about the sort of career I wanted. The idea of being a factfinder really appealed to me, and as an associate at Cravath, I was able to touch a little bit of everything before becoming a partner and having the opportunity to specialize more. My substantive exposure to many of the litigation practice areas has made me a much better lawyer.

### What is a typical day like and/or what are some common tasks you perform?

No two days are exactly the same, which is one of the aspects of my practice that I enjoy the most. Even within the securities litigation space, I have the opportunity to work with an amazing variety of clients in different industries, and each matter has unique facts and issues to resolve. In a normal workday, getting through my tasks can sometimes feel like “organized chaos” in the sense that in that span of time, I might go from drafting briefs and preparing for arguments to speaking with clients and answering their questions. It is important also to note that I am never doing this by myself—teamwork is instrumental to how we operate at Cravath, and I am constantly providing feedback to and receiving updates from a core team of associates whom I work closely with on every single matter.

### What training, classes, experience, or skills development would you recommend to someone who wishes to enter your practice area?

Apply for that clerkship; you won't regret it. My time spent at the Southern District of New York was perspective-shifting and truly impacted how I approach my work today—you are exposed to a wide variety of casework, both criminal and civil, which directly translates to the client work that might come across your desk at any given time. And while you are absorbing the ins and outs of and becoming familiar with court proceedings, you are also being exposed to various styles of advocacy, both in writing and in oration. That is critical exposure for a young attorney.

### What do you like best about your practice area?

I love that every case is different. You rarely encounter the same thing twice, and this is especially true at Cravath, where

clients bring us only their most difficult questions in search of bespoke solutions.

### What misconceptions exist about your practice area?

People sometimes think that attorneys decide to become litigators because we are adversarial or because we love conflict—that's not my experience. I was driven to this practice by a desire to help clients effectively navigate through their business and legal challenges in a way that helps them realize their goals. Yes, we of course can be very staunch advocates for our clients, but you also have to remember that it is a very small community—especially in the securities litigation space—and hostility toward opposing counsel doesn't get you results. Most lawyers recognize that what we say, and how we behave, is in ultimate service of our clients, so I think people would be surprised to see how collegial the practice of law can be.

### What kinds of experience can summer associates gain at this practice area at your firm?

At Cravath, we treat our summer associates as if they are first-year associates at the firm. They do the same sort of substantive work—there are no “busy” or “fake” assignments here—and get a real taste of what Cravath will look like if they decide to return full time. Speaking from my own summer associate experience many years ago: There is no room for observers here. From day one, summers are expected to contribute strategically, legally, and critically to our work for our clients. It is in our culture as a firm that we value everyone who is brought on to a team, no matter the stage of their career.

### How important is it for securities litigators to have a business background and understanding of corporate law, and what should junior attorneys do if they don't?

Having a business background is important to deeply understanding your clients' interests and goals—and it is something you can build over time—but what is even more crucial is your responsibility to keep learning and seeking out relevant ideas and thought leadership. Financial papers such as *The Wall Street Journal*, *Financial Times*, and *Bloomberg* are a great place to start, as are offerings from the American Bar Association and Practising Law Institute. Staying current with these sources will help you better understand the opportunities and challenges your clients face more generally, and help you better contextualize the particular matters you're handling for them.

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