



Mid-Atlantic

For and about General Counsel

An incisivemedia publication

JUNE 2009

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Amtrak GC

Making a Difference

*Dranoff Properties GC Went From Outside
Adviser to In-House Overseer of Green
Building Projects*

BY DANIEL CASCIATO

Photography by Nanette Kardaszkeski

If it were up to David Lebor, new law graduates interested in pursuing corporate law would have to work in-house first to get a better sense of how an organization is run.

"It wouldn't be a bad idea if they would start off as a trainee and watch how companies operate," says Lebor, chief administrative officer and general counsel for Philadelphia-based multifamily developer, Dranoff Properties. "I think that would help them in rendering advice inside law firms."

Lebor, a native of London, came over to the United States in 1973 to pursue his education. After achieving his undergraduate degree at the University of Pittsburgh and his graduate degree in criminology at the University of Pennsylvania, Lebor earned his law degree at Georgetown University Law Center.

He began his career as a real estate lawyer at Blank Rome. His 25 years of real estate legal experience includes work in investment and financing, sales, acquisitions and equity investment, community development, leasing, and property management. One of his clients at Blank Rome was Dranoff Properties, for which he served as outside counsel since the company's founding.

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While he made a seamless transition from a law firm to working in-house, there are some challenges he wants others following in his footsteps to be aware of.

“In a law firm, you’re dealing with just law and looking out for the client and have their business interests at heart,” he says. “But you have blinders on cause you don’t have a real understanding of how a client’s company works. One thing you see in-house is a much larger and broader picture of how the company is put together and functions on a daily basis. Although that doesn’t mean you substantially change the advice you give, it does help temper it.”

Another challenge is learning to manage more tasks on your own.

“Large law firms coddle their lawyers to make them more efficient,” Lebor says. “Anything you need is provided to you. When you go in-house you have to do many of those things yourself because you’re more part of the company.”

Additionally, the issues a GC sees on a daily basis are more varied than inside a law firm.

“I get to see many different issues, such as personnel, and it’s a larger plate with many more things that need to be addressed,” Lebor says. “Knowing what needs to be a priority is a challenge, but I’m able to meet that and I enjoy the variety.”

In his position at Dranoff, Lebor, who is the only attorney in the company’s legal department, provides in-house legal services to Dranoff Properties and its affiliates, including overseeing and advising all legal administrative functions, evaluating new projects and negotiating transactions. He’s also responsible for selecting and supervising outside counsel.

“We use different firms for outside counsel like Blank Rome,” says Lebor. “We look for firms that provide services in an efficient and timely fashion but which still offers good advice and has our best interests at heart.”

Lebor was hired by Dranoff Properties in October 2008.

“I essentially represented the company and its founder, Carl Dranoff, since the inception and we always got along very well,” says Lebor. “We had a very good relationship and it was a wonderful opportunity for me to move in-house. People are generally very friendly here. One of the nice things about coming here is that people are more integrated with each other and it’s easy to talk about the company with everyone. I’m honored to be here.”

Lebor was brought in-house at a time when most companies and firms were shedding attorneys. About two weeks before the hiring details were finalized, Lebor asked Dranoff if the company was sure that they wanted to make this new hire.

“He was absolutely certain that he wanted to do this,” recalls Lebor. “He said that you have to look to the future. As with previous downturns, he told me that we will get past this and that it’s important to plan now.”

Dranoff says that it was an easy decision to hire Lebor.

“David is very affable, has a good sense of



humor, and is a very strong detailed person, which in our business, is very important,” says Dranoff. “He has been our senior real estate attorney for a decade since I started the company. He’s been the main outside attorney I dealt with at Blank Rome and has done all of our real estate work — agreements, acquisitions, lending, contracts — all of the heavy-duty legal work for our company since I founded it in 1998.”

While Lebor had the impeccable skill set to become Dranoff’s new GC, having a strong relationship and connection to the firm also played a factor in its hiring decision.

“I have known Carl for more than 15 years and we have a good symmetry with each other,” says Lebor. “We know when to laugh at each other, when to get upset with each other, and how to move forward together. We’ve had a very good relationship and we knew that things would click and that it was a good fit.”

According to Dranoff, the transition was quick and smooth because of Lebor’s familiarity with the company’s affairs.

“Having him in-house allows us to have a much more economical approach. Even though we still use the outside counsel, we’re getting the benefit of a very seasoned, savvy guy like David, but from the inside he can help shape policy and strategy moving forward,” says Dranoff. “He’s making his presence felt in a very positive way. For a company like ours that is entrepreneurial and growing, and has many projects in different municipalities and states, having someone in-house that can organize all of our legal affairs is a huge asset to us.”

Dranoff Properties develops luxury condominiums, townhomes, flats, loft apartments and other residential living facilities. Every Dranoff property is built and owned by the company.

“The kind of product that we put out is always top quality,” says Lebor. “The company truly cares about its residents and that’s why we have a 24-hour concierge at every facility. We do high-end construction, and the kinds of amenities and the attention to detail is also at the very highest level. That’s not to say other companies don’t do good work, but Carl does it consistently and constantly always had done it.”

Although the financial crisis that burst onto the real estate scene in 2008 was a frightening time for developers, Lebor says

that all of its current projects are continuing on schedule.

“We have four major projects on the boards, one which is in the middle of construction, two of which are in the middle of pre-development, and another project which is upcoming,” he says. “They are all moving ahead in a good manner and in a timely basis. We don’t anticipate any slow-downs.”

One upcoming project that Lebor is particularly proud of is 777 South Broad, a mix of luxury apartments over high-end retail on the South end of the Avenue of the Arts.

“The company has always been at the cutting-edge, and our newest product, 777,

is going to be the first mixed-use residential project that will be a LEED-registered building in Philadelphia,” says Lebor.

777 South Broad includes over 18,000 square feet of retail space and 146 luxury loft style residences. The five-story building, designed by JK Roller Architects, will incorporate state-of-the-art technology to reduce Philadelphia’s carbon footprint and high-efficiency heating and cooling systems. The high-tech roof will dissipate summertime heat, while floor-to-ceiling glass will use natural light to bathe residents in warm winter sunlight.

A comprehensive carbon management plan makes full use of public transportation, including SEPTA (Southeastern Pennsylvania Transportation Authority) and PhillyCarShare. Eco-friendly refrigerants minimize ozone impact, while green carpeting, paints and coatings will reduce harmful emissions. Low-flow plumbing fixtures conserve water and locally produced materials reduce transportation costs and pollution, while construction waste is recycled to shrink landfills.

As he looks ahead to the company’s short- and long-term goals, Lebor says that it plans to continue to expand and provide sustainable buildings, whether it’s building new projects or taking old projects and retrofitting them.

“We are also currently involved in transportation-related development and we are

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Management

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industry, sites such as Martindale-Hubbell Connected and Legal OnRamp are considered networking tools specific to lawyers and targeting in-house counsel.

For Martindale, the Connected network is an appropriate extension of its age-old directory. In the pre-Internet world, few would dispute that Martindale was the key resource for in-house counsel “looking up” attorneys based on practice and geography. However, that tool has lost its significance in this generation. This is a wise effort by Lexis-Nexis to rebuild the brand for today’s market.

On the flip side, Legal OnRamp is a product of the Web world — designed to provide a community for lawyers to interact and, in some cases, seek counsel, business and employment opportunities.

“I do note that many companies, like mine, block Web sites that are considered to be social networking sites and not business networking sites,” said Borow. “At my own company, Facebook and MySpace are blocked, which further emphasizes my point that these, as well as Twitter, are not the appropriate Web sites for lawyers to use for their marketing efforts,” he continued.

For that reason, Borow maintains that the legal-specific networking sites are more effective if the goal is to market legal services to his audience.

Yet these sites are coming into play every day on the practice side of things. These create potential issues for attorneys, their employers and their businesses.

UNAVOIDABLE ISSUES

Lawyers are struggling with issues of monitoring site usage and dictating company policy. While Borow mentions some sites being blocked in the workplace, these same sites are often heavily used for marketing and recruiting in some places. All of the content is discoverable and can and will be used against you in a court of law.

In June, nearly every in-house counsel and intellectual property lawyer had to stay on top of potential trademark issues dealing with Facebook domain names. The power of Facebook and the potential dilution or misissue of corporate trademarks necessitated registration action. Failure to understand the site and the impact would be a serious misstep.

Your company’s marketers are likely crafting sophisticated social media programs that have complicated strategic objectives and metrics. They are used to provide value, and they involve two-way interaction between the audience and the company or product. While the Internet itself has created numerous difficulties in maintaining control over

your intellectual property, a key element to remember is that in the world of social networking, you simply do not maintain control over your message.

It is not just the marketers — your communications department is involved in moving traditional PR efforts to these networks. Internally, your company may be using a Facebook page as a communications tool as well.

Remember that all of these networks have terms of service guidelines (which may change with little notice). There are numerous social media monitoring tools to stay aware of the conversations that might be affecting your brand. Make sure the company messages are consistent from one social site to the next.

Besides company usage policies, you need to address certain considerations when communicating through these sites with clients, need to identify possible issues including confidentiality, communications with counsel and the need to be truthful and accurate with statements.

Another important area affecting your job is in monitoring the company’s use

of such tools for recruiting and hiring. It is yet another area that requires rules and policies.

“Savvy employers will make use of these networking tools,” said Margaret M. DiBianca, an associate in the employment law group at Young Conaway Stargatt & Taylor in Wilmington, Del., and editor of the Delaware Employment Law Blog.

“Employers should proceed with caution when looking for potential job applicants. Anyone can create content and post it online, which means you could hire someone based on false information. And if you decide not to hire the applicant, the information you found on the Internet could be used against your organization to support a discrimination claim.”

DiBianca also warns that there are limits to how far you can go in keeping tabs of an employee’s blogs, instant messages and social networking sites.

CONCLUSION

There is no end in sight to the impact of the Twitters and Facebooks on the profession. Recently, a judge in North Carolina was reprimanded for “friending” a lawyer that was involved in a case before him. Issues involving twittering jurors (in the middle of a trial) have led to numerous cases heading for appeal. Last April, as Pennsylvania Sen. Vincent Fumo’s trial finally headed to a verdict, a juror’s Facebook musings were enough to have Fumo’s legal team seek a new trial.

It is no longer about whether you want to try this stuff out; you had better know how to tweet. •

While the Internet itself has created numerous difficulties in maintaining control over your intellectual property, a key element to remember is that in the world of social networking, you simply do not maintain control over your message.

Meet the GC

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a post she held from 1993-2001.

She also has fond memories of her tenure with Boston-based Ropes & Gray, where she practiced as a litigator from 1974 to 1993, becoming partner in 1983.

“It was a firm that was excellent at bringing lawyers along. The firm is also an ethical training ground” for

lawyers, she says.

Not only is Acheson’s professional life as Amtrak’s GC demanding and ever-changing, which she likes, she also pursues several interests outside her Union Station office.

Although her free time is limited, Acheson treks to her home in Cape Cod nearly every weekend, all year long. She boards — what else — a train from Washington to Providence, R.I., although she does sometimes

fly. That’s followed by a 90-minute drive to Cape Cod, but Acheson loves it. “It’s nice to get away,” she says.

Also on her travel agenda are nearly annual summer trips to her house in Wyoming’s Yellowstone National Park. While there, Acheson enjoys hiking and reading.

While she’s been fortunate to travel to countless places worldwide, Acheson dreams of seeing more. She’s never been to China, Japan, Korea,

Australia or New Zealand, and says she hopes to visit all of them someday.

No matter where she travels or what she does in her free time, Acheson is emphatic about enjoying her role as Amtrak’s general counsel.

“It is satisfying and gratifying, and it’s a lot of fun. It’s the best of the practice of law. I encourage attorneys to seek in-house positions,” says Acheson. •

Cover

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building residential projects,” he says. “The company has always been recognized as an equation changer. When you bring people to the buildings, you create a whole new culture mentality.”

That’s one of the reasons why Lebor got into law in the first place — to make a difference in the lives of others.

“If you look at the various professions, outside of medicine, which is also a helping profession, the legal profession engages in things that are helpful to the community at large,” he says.

Following his own mantra of helping others, Lebor regularly lectures for the Pennsylvania Bar Institute and teaches real estate law courses at Temple University. He also serves as a director on the board of Habitat for Humanity in Philadelphia.

When he’s not busy working, teaching or volunteering, Lebor enjoys going to the theater and opera with his wife, Dr. Talia Eisenstein, and spending time with their three children, Etana, Orly and Ronit.

“I love classical music and I like to read,” he says. “We also like to travel. My wife and I travel about three to four times a year. I believe that you’re a better lawyer if you enjoy life.”

One final advice that Lebor likes to dole out to today’s attorneys interested in

moving from a law firm to in-house is to understand the larger picture.

“When one does transition from a firm to in-house, it’s good to understand the business the client is in before you go and understand it well,” he says. “You need to know what they do on a day-to-day basis. Try to understand the larger picture. A successful GC offers advice and integrates it into the business model and the issues that are central to the company in which they are involved.” •

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A publication of **The Legal Intelligencer** PENNSYLVANIA **LawWeekly**

Publication Date: July 13, 2009 • Space Close: July 2, 2009
Materials Deadline: July 7, 2009

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