

Profile of Don Frederico

Meet the BBA's New President

8 Random Facts About Don Frederico

- (1) Late at night he would sneak into the faculty lounge at Cornell Law School to play the piano. It was his way of unwinding after hours of studying.
- (2) In 1979, while clerking for U.S. District Judge Joseph Tauro, Don performed on open mike night at The Sword and The Stone coffehouse on Charles Street. Playing his guitar, he sang James Taylor's "Something In The Way She Moves." The owner reportedly told the young lawyer he hadn't heard the song performed so beautifully since James Taylor sang at the club.
- (3) A protégé of Jerry Facher at WilmerHale where Don began his career and worked 8 years, he was assigned to work on the Woburn case described in the book, *A Civil Action*. Don also sang and wrote songs for the firm's Habeas Chorus, a group known for its hilarious parodies.
- (4) Don spent 17 years as a partner at McDermott Will & Emery, and received the firm's Pro Bono Award for his representation of low-income residents of Roslindale.
- (5) An early adopter of Twitter, Don uses @don-frederico as his Twitter handle. The bulk of his tweets provide recommendations and links to articles about social justice and important constitutional issues.
- (6) His first rule of listening to the radio is: "Thou shalt not change the station when they're playing a Van Morrison song."
- (7) At a classmate's request, Don brought his guitar to his 30th reunion at Cornell Law School, spontaneously started a sing-a-long at a party at a home on Cayuga Lake, and sang songs including the names of every attendee.
- (8) Don now fills his spare time playing golf and relaxing with his family on Cape Cod in the summers, reading a wide assortment of books, newspapers and magazines, serving on non-profit boards, writing his blog, and experimenting with social media.

Greenberg Traurig Shareholder Becomes Boston Bar President



Meet Don Frederico

Donald R. Frederico introduces himself as a “lawyer, husband, father and human-being-in-training.” At least that’s how the readers of his personal blog, [Reflections of a Boston Lawyer](#), have come to know him.

“I don’t think I have very many readers, and that’s okay,” says the BBA’s 89th president with characteristic modesty – just days before starting his one year term on September 1. “The writing is therapeutic for me, I write about topics that interest me, or issues that trouble me.”

His blogger's voice, not unlike that of the BBA, calls for adherence to principles, not emotions or slogans found on bumper stickers. Often he discusses issues facing the legal profession. He also speaks out against things he finds destructive.

A Widely Respected Lawyer Leader

Even a quick glimpse at Don's blog reveals that he has about as good a grasp of what's happening in the lives of lawyers and law firms, and the world in general, as anybody. At [Greenberg Traurig](#), a global firm with 30 offices in the United States, Europe and Asia, he chairs the national class action defense practice, and has a reputation for mentoring new lawyers and helping colleagues expand their practices and get involved in the community.

Here in Massachusetts, he is developing a reputation as a skilled and decisive discovery master in the Business Litigation Session of the Superior Court. Incredibly smart, he doesn't get ruffled when dealing with egos. A big picture thinker who cares about the right thing being done, he calmly and efficiently assists warring parties in narrowing areas of dispute in high stakes litigation.

It's also fair to say that nobody has taken office as BBA President with more experience of the BBA as an institution whose impact goes well beyond 16 Beacon Street. Since becoming involved in the BBA as a young lawyer, he's founded and co-chaired the Class Action Committee, chaired the Litigation Section, chaired the *Boston Bar Journal* Board of Editors, chaired the Nominating Committee, and served on the Council and Executive Committee.

Lisa Arrowood, a partner at Todd & Weld and BBA Council member, remembers Don from the days when both were associates at WilmerHale, she in her first year, and he two or three years ahead of her. "What I remember most was that Don was so patient with me and taught me the very basics about how you frame an objection to an

Third Party Commentators Describe Don Frederico

Boston Colleagues He's Worked With Over the Years

"Don is very, very smart. He's got terrific analytical ability and he's got a ferocious work ethic. The combination of those qualities makes him a terrifically effective litigator. He was a great partner to have for the years when we were partners together at McDermott Will & Emery. I was very sorry to see Don move on to Greenberg Traurig. He will bring vision, energy, and a commitment to continue building on the good works of the BBA's prior leadership."
— **Mark W. Pearlstein, Partner-in-Charge, Boston Office, McDermott, Will & Emery**

"Don and I were colleagues and partners at McDermott Will & Emery for the seven years just prior to my appointment to the Court. He was everything that one could ask for in a partner. He was intelligent, diligent, engaging, professional, generous with his time and advice, and always willing to share the burdens of the enterprise. He was particularly committed to improving the practice of law, and the working environment in which partners and associates alike labored. He had a wonderful quality of quiet thoughtfulness about him. When he spoke you always knew he had something important to contribute to the conversation."
— **Justice Robert Cordy, Supreme Judicial Court of Massachusetts**

"I met Don 26 years ago when we were both associates at Hale and Dorr. Don was 5 or 6 years ahead of me, and he was a terrific teacher of young associates, including me. My immediate impression of him was that he was always very calm, generous with his time, and thoughtful. More recently, Don and I successfully defended, as co-counsel,

interrogatory,” she says. “He will bring to the BBA presidency a thoughtful, patient person who really works very well with other people. He’s a listener and he really doesn’t have an ego, which is one of his greatest strengths.”

Don’s the type of president who wants members to know how much he respects and plans to build on the good work of his predecessors, Jack Regan, Kathy Weinman, Tony Doniger, and Jack Cinquegrana. “Each of them left the BBA stronger when they left than when they took office, and I want to build on the momentum that comes from having a strong group of volunteers and a great staff,” he says.

Previewing the Year Ahead at the BBA Under Don’s Leadership

Don knows how desperately under-funded the state courts and legal services programs are, and wants the BBA to continue at the forefront of efforts to secure increased funding for both. A strong communicator, he wants to underscore the message that the BBA is a diverse and inclusive organization, standing at the crossroads of the legal profession – where lawyers from a variety of practice settings and viewpoints come together to debate issues, to learn from each other, to improve their ability to serve their clients and constituencies, to find community, and to promote shared values.

At the same time, Don says the opportunity to address new lawyers at swearing-in ceremonies in Faneuil Hall evokes a “bittersweet” experience: “I look out at the sea of faces and realize that many of them have no jobs. I worry not only about how these new lawyers will make a living, but also question what it says about the direction of our profession and whether new lawyers will be able to gain the training, mentoring and experience that they will need to lead the profession in the future.”

Having thought long and hard about the problem of so many new graduates going jobless, Don has no magic bullets to offer. Nor does he have any easy answers to

a major RICO class action case. He was masterful, especially concerning class action issues. It was a pleasure to be on the same team with him even though we were at different firms. Don is a very deep thinker and excellent strategic lawyer.”

– **Howard Cooper, Partner, Todd & Weld**

Opposing Counsel

“Don was my opposing counsel on a very substantial case, and I found him to be extraordinarily civil, smart and professional. The case involved complex electronic discovery issues, and Don and his team were on top of what was then a relatively new aspect of discovery – demonstrating deep competence, and a calm command of the case and the litigation process generally.

And if that isn’t enough, he is just a genuinely nice person, even as opposing counsel.” – **Mary K. Ryan, Partner, Nutter McClennen & Fish, Past President of the BBA**

“I was Don’s opposing counsel, when as pro bono counsel for hundreds of low and moderate-income clients, he took on a tough case and sued a government agency. He brings a masterful and sophisticated approach to large, complex litigation. There are very few lawyers who operate at that level. Don is also the consummate gentleman, and he has a strong commitment to public service and the ideals of pro bono work.” – **Richard Goldstein, Partner, Donoghue Barrett & Singal**

Lawyers Who Have Worked with Don as Discovery Master

“Don is an experienced professional. He has managed complex litigation from the advocate’s side of the table, and he is thoughtful and patient. So he is able as discovery master to take those skills and perspective and

the issue of clients not wanting their cases staffed by new lawyers. Still, he plans to convene a work group because he thinks the BBA is an appropriate place for lawyers from firms, academia, and other practice settings to begin a conversation about whether the problem is cyclical or structural, and what if any mitigation measures might be taken.

The Making of a Lawyer, Husband, Father and Human-Being-In-Training

Don Frederico grew up in Webster, New York, a suburb of Rochester. His father owned a road construction company. In a blog post about the billable hour, Don even references the fact that although his father paid his workers by the hour, he bid on jobs with a commitment to get the job done right, regardless of whether it took more time than he anticipated.

His father also enjoyed playing saxophone in a band, and gave his son saxophone and piano lessons. Though Don eventually gave up the sax, he taught himself guitar and continued playing both piano and guitar in college and law school. An avid Beatles fan, Don also liked Simon and Garfunkel and Bob Dylan.

Don did his undergraduate work at the College of Wooster, a small liberal arts college in Northeastern Ohio. Now serving on the college's Board of Trustees, he retains close ties to the school, and still keeps in touch with friends he made there.

Minnesota Superior Court Judge Denise Reilly was a year ahead of Don Frederico at the College of Wooster, and recalls three things about him:

1. He was a student leader who took his responsibilities very seriously.
2. He talked about going to law school.
3. He was a very gifted musician.

"I can remember spending hours with Don," says Judge Reilly. "We would just sit and talk about all the world's problems. He wasn't afraid to explore beyond

manage complex and fast-paced discovery in a major litigation."

– **H. Joseph Hameline, Member, Mintz Levin Cohn Ferris Glovsky & Popeo**

"Don assisted the parties greatly in our dispute. He expedited the discovery schedule and made himself available. He's good at making rulings on the fly in depositions and in conjunction with actual motion hearings in discovery. He's very capable."

– **John C. La Liberte, Partner, Sherin & Lodgen**

"I was very impressed by Don's seriousness, sense of purpose, and professionalism. He has a very well balanced temperament and an excellent demeanor. He's very approachable, a quick study, and makes it easy for anyone to discuss difficult issues with him."

– **Kenneth R. Berman, Partner, Nutter McClennen & Fish**

From the Client's Perspective

"Don brings his global clients the value of a strategic partner. In a complex environment challenging in-house counsel to manage a myriad of regulatory, legal, cross-jurisdictional, political and often sensitive issues, we need more than skilled legal technicians assisting us. Don brings that broader focus backed by practical experience, but without sacrificing keeping his eye on the goal and efficient ways to achieve it." – **Kenneth A. Grady, General Counsel and Secretary, Wolverine World Wide, Inc.**

"Don is unpretentiously brilliant. He employs great legal judgment, common sense, cost efficiency, and an understanding of the client's business needs. He is a true team player, as he operates with a great sense of humility. Don is driven by a very sincere sense of wanting to be helpful, solve problems, do the right thing, and support

the boundaries of conventional issues. When he says something it's worth listening to because he's given it quite a lot of thought."

Dr. Tom Benninger, an obstetrician & gynecologist in Louisville, Kentucky, was one of Don's classmates and remains a close friend today. He, too, remembers getting to know Don through the campus coffee house that Don managed and where Don frequently performed, and says he was most impressed by Don's "approachability and obvious intelligence." Dr. Benninger's favorite memory is that of Don's kindness and patience in trying to teach him to play guitar.

In 1976, Don started Cornell Law School. He and Tom Newman, today an attorney at Murray, Plumb & Murray, met the first week of classes, became good friends, and served on the *Cornell Law Review* together. "I remember Don as a brilliant, intellectually curious student with a voracious appetite for the law, Newman recalls. "But even in the most heated debates the first year students would have, Don always had a friendly smile and a twinkle in his eyes."

Don was elected Managing Editor of the Law Review, in part a testament to his diligent, thorough work, his fine attention to detail, and his reputation for being responsible and reliable. It also helped that even in a very competitive environment, Don was liked by everyone.

Decades later, Don and his classmate had the occasion to work together as co-counsel on two substantial pieces of litigation in Maine. "Don is a great strategic thinker and a ferocious litigator – but with the same friendly smile and twinkle in his eye that I came to know that first week of law school, says Newman."

Professor Kevin M. Clermont at Cornell Law School taught Don both civil procedure and advanced civil procedure, and once worked with his former student on a case. "He's an extraordinary lawyer," says Professor Clermont. Recalling Don's days as a student, he says: "Don was very smart, very diligent, very enthusiastic and

his clients when they're in a time of need."

– **Scott Hochfelder, former Vice President, General Counsel & Secretary; Legal & Risk Management at KB Toys, Inc.**

As a College of Wooster Trustee

"Don and I have served together on the College of Wooster's Board of Trustees. He's very level-headed and a clear thinker. He does his homework, and his keen insights and astute judgment have been especially valuable in the area of governance. Don respects the opinion of others but he's quite capable of making wise decisions in challenging situations."

– **Chief Judge Solomon Oliver of the U.S. District Court for the Northern District of Ohio**

"Don is the consummate trustee because he's thoughtful, analytical and has a very clear vision of our mission. He enters into difficult decision making always keeping that mission in mind, and brings his careful reasoning and deep judgment to bear on the issues facing the college."

– **Grant H. Cornwell, President, College of Wooster**

Colleagues at Greenberg Traurig

"Years ago, when we committed to build a nationwide platform, we knew that Boston was one of the key business and cultural centers in the country, and that a serious presence there would be essential to our firm. We greatly value our relationship with the Boston Bar Association, and we have no doubt that Don will make an invaluable contribution as its President."

– **Richard A. Rosenbaum, CEO, Greenberg Traurig**

"Don has a sincere desire to improve the profession, and in particular, a willingness to educate the next generation of lawyers. He has been a wonderful mentor to the

genuinely interested. What made him remarkable was that as a person he seemed to be very special: thoughtful, kind, and reflective. He had lots of friends.”

Professor Clermont says he is not surprised that Don enjoys class action defense work. “Class action work is very academic,” says the Professor. “Because so much is at stake and so many people are involved, every question becomes a big question. There’s lots of law, lots of debate on each of those questions. You have to be a master of all trades but a specialist in civil procedure.”

From Don’s perspective, class action defense work is intellectually stimulating, as the issues are complex, and the law is in a constant state of flux.

“The cases are often of significant business importance to your clients,” he says. “So you get an opportunity to work closely with the clients at a very high level to address problems, both retrospectively and prospectively.”

Anybody who has worked with Don always observes that in addition to being really smart, having phenomenally good judgment, and working very hard on behalf of his clients, he’s an amazingly grounded person.

When asked what helps him stay centered, he says: “I’m blessed with a very supportive wife and three wonderful children, and they are a daily reminder of what is most important in my life.” His wife, Catherine is a registered dietitian who teaches college students, and their daughter, Alyssa, 17, is a senior at Noble & Greenough. Their son, Stephen, 20, is a junior at the University of Miami, and son, Brian, 23, a College of Wooster graduate, recently completed his Master of Arts in Teaching at Boston University, and hopes to teach history.

Don also finds inspiration from a Bible passage he learned in his youth, which he still tries to apply to his life, and paraphrases as follows: “The question is asked, what is required of us, and the answer is: to do justice, to love kindness, and to walk humbly.” ■

younger lawyers at GT, and I would expect that same commitment in his new role as President of the Boston Bar Association. Don also has the rare combination of a great legal mind with practical judgment in a complex practice area where both of those qualities are critical in order to provide clients excellent legal service.”

– **Brian L. Duffy, Chair, National Litigation Practice Group, Greenberg Traurig.**

“As a mentor to associates, Don is very hands on, which I appreciate. He gives a lot of good, instructive feedback on my legal work and legal skills. Don is always keenly aware of what the right result is, and has very high integrity. He’s also a very good model of an experienced lawyer who’s dedicated a lot of time and effort to giving back to the community.” – **Eric M. Gold, Associate, and alum of the BBA Public Interest Leadership Program**

“Don and I have done major class action cases together. He absolutely is diligent about making sure he understands the facts, and he knows what the court is looking for in terms of making a decision. He’s a very calming presence and judges listen closely to the arguments he’s making.” – **Robert A. Sherman, Shareholder, Greenberg Traurig**

“Don is a person who sees and believes in the noble side of our profession, what we as lawyers can do to advance the cause of justice and the rights of those less fortunate. He is a person who is willing to take on the hard issues when necessary and I expect he will do exactly that in his presidency.” – **Victor Polk, Shareholder, Greenberg Traurig**