

Los Angeles Lawyer

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Jeffrey B. Valle Founding Partner, Valle Makoff LLP



JEFFREY B. VALLE is cofounder of the California law firm of Valle Makoff, where he specializes in entertainment and intellectual property litigation, representing high-profile entertainment and sports figures as well as Fortune 500 companies in a wide range of commercial and business disputes. A former senior partner at Skadden, Arps, Slate, Meagher & Flom, he was co-head of the Skadden West Coast entertainment and intellectual property group. Valle was selected as one of Southern California's 2009 and 2013-17 Super Lawyers by Thomson Reuters, a 2013 Top Rated Lawyer in intellectual property law, and a Top Rated Lawyer in labor and employment law by American Lawyer Media and Martindale-Hubbell. He received a Special Commendation from the Governor of California, a Certificate of Recognition from the California Legislature for his trial work, and the 1997 Pro Bono Civil Liberties Award by the American Civil Liberties Union. A recognized expert on First Amendment issues, Valle taught a required class on First Amendment law as an adjunct professor at UCLA for many years. He received his J.D. from the University of California at Berkeley.

What makes you the happiest? I am proud of my firm. I have a great wife and two great kids. The office is in Brentwood, the home is in Brentwood. I can actually walk to work. Each day is a good day.

How is your last name pronounced? Like valley, as if it had a "y." In Italy, it might be pronounced with more flair.

In 2002, you formed your own firm, Valle Makoff, LLP. Why? I had been a partner at Skadden. I was not unhappy there, but I wanted a new challenge.

What kinds of cases do you most enjoy? What I most enjoy about litigation is all the different types of cases. We do business- and entertainment-related cases. Each case involves a new industry or a new business, and I really enjoy getting to know their niches.

What is not fun about having your own firm? The least enjoyable thing is the nuts and bolts of the administration part.

You went to UCLA for undergraduate work and to Boalt for your J.D. What is the biggest cultural difference between L.A. and the Bay Area? I love both places, and now we have offices in both places. San Francisco is a little gem, but it tends to look down at Los Angeles. Los Angeles is a huge, overwhelming metropolis that loves San Francisco.

Why did you want to become a lawyer? I started out as a philosophy and music major. I always wanted to pursue an intellectual life but also be in the real world. Philosophy only provides half of that. The law does provide that perfect mix. It's a great profession: it's intellectual, and you're in a battlefield. I like that combination.

Were you frightened the first time you were in front of a judge? No, I've always been very comfortable speaking.

You taught a class at UCLA on First Amendment law. Is the First Amendment under attack today? Yes. I worry that the core point of it is less deeply woven into society than it should be. The whole point is to protect speech that you don't like or don't support.

How do we fix that? Education is one way; litigation is another. People are so upset about the NFL players, but this is the whole point of this country: freedom. Kneeling is a dignified gesture. You may not like it; you may disagree with it. But the idea that it should be shut down is so foreign to my conception of this country that it makes me sad.

You chaired the board of directors for the Western Center on Law & Poverty. What is the greatest legal issue facing the poor? Access to a lawyer. Anytime you've got a lawyer helping people, the chances of the result is 90 percent improved.

You received the Pro Bono Civil Liberties Award from the ACLU. Do you think lawyers have a duty to provide pro bono services? I know they do. There is a difference between a business and a profession. A profession has an obligation to serve, not just to make money.

In a 2011 book titled *How Leading Lawyers Think*, you were quoted as to the importance of visualization in your cases. How so? Every case is going to turn on two dimensions: the equitable dimension and the legal dimension. By the equitable, I mean what side is wearing the white hat? That is where understanding your client and their business is going to be very important. You can present to a judge or a jury a visual picture, even if it's oral, of your client and the business to help put the whole thing into context.

You've been selected as a Super Lawyer in 2009 and from 2013-2017. What makes you super? I think I have a pretty good understanding about how to win legal cases.

You've written that lawyers often lose cases because they make too many arguments. How so? I understand the lawyer mentality, which is afraid to give up any potential argument. There is a certain laziness in not finding the right two or three arguments. At a minimum, you

know the jury is going to be talking about those things.

What do you always make sure is in your brief case? Pad and pen.

Your client list reads like *America's Who's Who*—Pepsi, Estée Lauder, and Lockheed. Do these high-profile clients need special handling? A number of entertainment and sports figure often need some special care. The high-profile cases also have a press dimension to them that has to be taken care of.

Do you have an example? When I represented Brandon Jennings—a star high school player who decided to play in Europe rather than do the more traditional “one and done” college route—I received an avalanche of calls from the press, not just sports press, but *The New York Times* and *Wall Street Journal*.

For Disney, you handled the *Winnie the Pooh* royalty dispute. Wasn't Mickey Mouse enough? The plaintiff was the niece of the Slesinger family. She was under the constant feeling that she was being cheated. I had the impression while I was deposing her that she was miserable because she thought she was missing a penny here and a penny there.

You took her deposition for seven days, and *The New Yorker* magazine described the case as a modern epic. Do you agree? Yes. The plaintiff would cry; we would go back and forth. It was very emotional.

It was an 18-year feud. What took so long? For a good part of that time, there was a five-year rule that you were supposed to finish cases in five years. But, typically, cases would go on for so long that people would settle out of exhaustion. If either party had any colorable reason to continue, it would get continued.

What was your best job? This one.

What was your worst job? My first job in high school, selling Fuller brushes door-to-door.

What characteristic did you most admire in your mother? She had a well-honed sense of justice.

If you were handed \$10 million dollars tomorrow, what would you do with it? Put some of it in a savings account, give some of it to causes I care about, and invest in some ventures that seem like they need a little kick-start.

What book is on your nightstand? *Homo Deus: A Brief History of Tomorrow*, by

Harari. I don't do light reading.

Which magazine do you pick up at the doctor's office? *The New Yorker* or *People*.

Where do you go on a three-day weekend? Get down to Laguna, go to the Montage, and hang out.

When you travel, do you answer your e-mail? I always answer my e-mail.

What is your favorite hobby? Playing the piano.

You are a jazz pianist in a band called Evolution. Are you a musician at heart? I considered making music a career but ultimately decided to make it a serious hobby. That was an important decision that I made.

Where do you play? We're looking for a gig.

Other than jazz artists, who is on your music playlist? Steely Dan.

What is your hidden talent? I'm a magician. I used to have a magic act and now I just show magic to my friends and my kids.

What are your retirement plans? I'm not thinking about retirement.

What is your favorite sport as a participant? Tennis.

What is your favorite spectator sport? I love hockey.

How do you get your news? Boy, did that change! Various news websites throughout the day and a news channel at the end of the day.

Which person from your past would you like to take out for a beer? My mom and dad. My dad would have a manhattan, and my mother would have a martini.

You're stranded on a deserted island, and a magic genie says you that you can only have one meal, over and over, until you're rescued. What is it? Pasta Bolognese.

What are the three most deplorable conditions in the world? Poverty; the refugee situation; violence.

Who are your two favorite U.S. presidents? George Washington—he modeled how to be a president and not a king. FDR—he saved the nation with bold solutions when it was in serious trouble.

What is the one word you would like on your tombstone? Kind.

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