

Wisconsin Law Journal

VOLUME 31, ISSUE 42 | OCTOBER 18, 2017

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ENSURING GOOD OUTCOMES

FRIEDMAN FINDS SPECIALTY IN COMPLEX CORNER OF THE LAW

By MaryBeth Matzek

Special to the Wisconsin Law Journal

Although James Friedman, a shareholder in Godfrey & Kahn's office in Madison, now feels at home in a courtroom, he actually did not consider a legal career until he had nearly finished earning an engineering degree at Georgia Tech.

While in college, Friedman realized his talents could be better used elsewhere.

"I enjoyed writing and speaking, plus I had a competitive nature," he said. "Those skills seemed to be a good fit with a legal career. My sister was starting law school at the time, as was a good friend of mine. I started law school not knowing much besides I wanted to do litigation."

Friedman landed in commercial litigation after working in that specialty at Godfrey & Kahn while still a student at the University of Wisconsin Law School. "My career wasn't thought out far in advance and nothing was really scripted. I just followed what I was interested in and now I've been doing this for 25 years," he said.

Friedman's practice centers on insurance litigation. He'll often find himself representing insurance companies or trade associations in lawsuits. His cases involve everything from re-insurance matters to lawsuits that businesses might file against insurance providers after being told by an insurer that something they believe should be covered is in fact not.

In addition, Friedman frequently files amicus curiae briefs to the Wisconsin Supreme Court on the behalf of trade associations.

"It is a fun part of my practice," he said. "You get to go up there and have seven very smart people who pepper me with questions."

Insurance work is becoming complicated,

especially as more Third Party Associations and self-insured employers get involved, Friedman said. "You can't just dabble in these cases. You really need to know and understand the companies and issues involved," he said.

He also handles insurance-insolvency cases, which occur when insurers run into financial troubles. Friedman might find himself representing an insurance company that has claims against an insolvent insurer or the Wisconsin Insurance Security Fund, a non-profit legal entity created by the Wisconsin legislature to protect policyholders in Wisconsin in the event that a member insurance company becomes insolvent.

Although Friedman mostly deals with insurance litigation, he also works with media outlets and provides representation in general commercial-litigation cases.

"I really enjoy being able to practice in different areas," he said. "That's not something you always get to do in large firms."

Wisconsin Law Journal: What makes your work important to you?

James Friedman: I am helping my clients achieve their goals. It is particularly satisfying when we reach the end of a matter, and I can see how the result — whether a settlement, a judgment or a consummated transaction — fits into my client's business strategy.

WLJ: Who is your hero in the legal field?

Friedman: My sister, Jennifer Friedman. She has been a public defender in Los Angeles County for nearly 30 years. She is an exceptional advocate for her clients, she has a remarkable record of success in a very difficult position and she knows she won't get the accolades, gratitude or financial remuneration she

Asked & Answered

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James Friedman,
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in Madison

deserves. She is passionate about her work and a tireless advocate for broader legal goals, including abolishing the death penalty.

WLJ: What do you do outside of work to deal with stress from the office?

Friedman: I enjoy a number of recreational sports and outdoor activities, including tennis, golf, skiing (water and snow, neither very well), biking and kayaking. I am an avid fan of music and team sports, and I enjoy seeing both live. And most of all, I love spending time with my family and friends.

WLJ: What's one thing many people get wrong about what you do?

Friedman: Commercial litigation is a foreign concept to most non-lawyers. When I tell people I'm a lawyer or even a litigator, they think of the

billboards and other ads for personal injury attorneys and DUI defense lawyers. But those practice areas have very little in common with what I do.

WLJ: What's your favorite memory from law school?

Friedman: In Environmental Law, while discussing a U.S. Supreme Court case on standing, Professor Church asked a large classroom of students, "Who cares about the whales that Japanese companies were harvesting for various products?" When no one answered, Professor Church offered, "Well, the whales care of course." I burst out laughing, while half of my classmates furiously took notes, writing down, "Whales care."

WLJ: Is there a certain case that stands out to you?

Friedman: There are two fascinating, very distinct cases that have been a part of my life for a very long time. First, I have been a member of a team of attorneys and law students who, since 1997, have represented Jeff Rieber, an inmate on death row in Atmore, Ala., on his post-conviction review. Second, since the fall of 2009, I have represented a plethora of different financial institutions and other entities in the Ambac Assurance Corporation rehabilitation and restructuring. Ambac is a Wisconsin domestic financial guaranty insurance company that experienced significant financial difficulties as a result of the "Great Recession" and, in particular, the collapse of the real estate markets. Ambac insured various financial instruments involving a who's who of domestic and international banks and investment companies and hundreds of billions of dollars. After seven years, it appears that Ambac (actually, the Segregated Account of Ambac) is about to emerge from rehabilitation.