

# Super Lawyers®

CORPORATE COUNSEL EDITION

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2008

## THE BIG CHEESE

McDonald's General Counsel Gloria Santana

PLUS  
THE TOP  
ATTORNEYS  
IN BUSINESS  
LITIGATION



**Robert R. Berluti**

**BERLUTI & MCLAUGHLIN**

44 School Street  
Boston, MA 02108  
Tel: 617-557-3030  
Fax: 617-557-2939  
rberluti@bermac-law.com  
www.bermac-law.com

**PRACTICE AREAS:**

- Business Litigation
- Employment & Labor
- Closely Held Business

Robert Berluti, a Partner of the firm Berluti & McLaughlin in Boston, practices all aspects of civil litigation, focusing on business disputes and employment litigation. He has an extensive background in business disputes of all types and has been successful representing clients in high-profile trials. Mr. Berluti is a member of the Massachusetts, New York, and New Hampshire bars. He is AV-rated by Martindale-Hubbell, and has been named to the Massachusetts Super Lawyers list in 2005 and 2007. Mr. Berluti received a Juris Doctor from Suffolk University Law School, an MBA from Boston University Graduate School of Management, an LL.M. in Taxation from Boston University, and a Bachelor of Arts from Tufts University. He lives with his wife and four sons in Westwood, MA.

# the SELECTION PROCESS

The lawyers on the following list were selected for inclusion in **Super Lawyers** in 2007 and/or 2008, and designate business litigation as their primary area of practice.

Law & Politics strictly adheres to a rigorous selection process with the goals of casting as wide a net as possible, evaluating quality in the most objective possible terms and verifying and validating all data. The only way a lawyer can be listed in **Super Lawyers** magazine is through this selection process. The determination of whether a lawyer will be placed on the **Super Lawyers** list is independent of advertising or any other payments.

No other legal publisher identifies qualified candidates by using a multi-step evaluation process that incorporates peer recognition and professional achievement. Law & Politics uses a system of nominations, peer evaluation and internal research, which acts as a system of checks and balances. The resulting product is a diverse and comprehensive listing of outstanding lawyers. Selections are made annually on a state-by-state basis.

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## STEP ONE: CREATION OF THE CANDIDATE POOL STATEWIDE NOMINATION PROCESS

- ▶ Law & Politics invites all lawyers who have been in practice for at least five years to participate in the nomination process.
- ▶ Lawyers are asked to nominate the best attorneys they've personally observed in action.
- ▶ Nominees need not be in private practice. Lawyers are able to nominate legal aid attorneys, prosecutors and in-house counsel.
- ▶ Lawyers are able to nominate attorneys in their own firm, but those nominations are counted only if each in-firm nomination is matched by at least one out-of-firm nomination.
- ▶ Each nomination carries a point value. An out-of-firm vote has substantially greater point value than an in-firm vote.
- ▶ Lawyers are not allowed to vote for themselves.
- ▶ Utilizing our database, researchers keep track of who nominated whom, a process that helps detect attempts to manipulate the nomination process.

## INDEPENDENT CANDIDATE SEARCH

- ▶ Law & Politics' research department also searches for outstanding lawyers by:
  - Reviewing national and local periodicals as well as legal trade journals
  - Searching professional databases and online sources
  - Conducting in-person and telephone meetings with law firms
- ▶ This step is designed to identify practitioners who may have been missed in the nomination process, particularly highly talented lawyers in specialty areas, or those with low-visibility, yet high-quality, practices.

## STEP TWO: EVALUATION OF CANDIDATES

- ▶ Law & Politics' research department examines the background and experience of candidates, evaluating indicators of peer recognition and professional achievement.
- ▶ Factors considered in evaluating candidates are:
  - Verdicts and settlements
  - Transactions
  - Representative clients
  - Experience
  - Honors and awards
  - Special licenses and certifications
  - Position within law firm
  - Bar and/or other professional activity
  - Pro bono and community service
  - Scholarly lectures and writings
  - Education and employment background
  - Other outstanding achievements

## STEP THREE: PEER EVALUATION BY PRACTICE AREA

- ▶ Those candidates with high point totals from the nomination and qualitative evaluation steps are asked to be on a blue ribbon panel for their practice area.
- ▶ Panelists review and evaluate candidates from their practice area.
- ▶ Panelists add candidates who are then passed along to research for evaluation.

## FINAL SELECTION

- ▶ Law & Politics divides candidates according to their firm size: large, medium and small (size categories vary from jurisdiction to jurisdiction), and selects those with the highest point totals from each category. Only five percent of the lawyers in the state are selected for inclusion in **Super Lawyers**.

## BEFORE PUBLISHING

- ▶ Law & Politics' research staff checks each candidate's standing with the local licensing authority.
- ▶ Candidates are asked to aver that they have not been subject to disciplinary or criminal proceedings, and to confirm the accuracy of contact and practice area information.
- ▶ Final Internet searches are performed on each candidate to ensure there are no outstanding matters that would reflect adversely on the lawyer.