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PERSPECTIVE

## Avoiding Trouble

*Attorneys at The Mitzel Group specialize in steering business clients away from problems.*

By Shane Nelson

Special to the Daily Journal

While she was a UC Berkeley undergraduate in the late 1990s, Krista L. Mitzel spent time interning for Sen. Dianne Feinstein in Washington, D.C., where she discovered most things were run by lawyers.

"I was in awe of how things worked behind the scenes," Mitzel said. "Lawyers really had a lot of power to help craft legislation and to work on agenda items. ... I felt like lawyers were touching everything."

That time in Washington inspired Mitzel's decision to attend the University of San Francisco School of Law, where she completed her degree in 2002. The longtime employment litigator said much of what she does today as managing partner for The Mitzel Group isn't all that different from the work of elected officials in the nation's capital.

"Good lawyering behind the scenes is a lot of politicking," she explained. "It's a lot of being able to see the end goal before anybody else does, so you can maneuver them there. It's a lot of predicting what's going to go well and what isn't and then how are you going to handle it when it doesn't — anticipating and planning for problems before they even happen. ... Hopefully, that's what politicians do as well."

After law school, Mitzel worked for Shepard Mullin, Seyfarth Shaw LLP and Jackson Lewis PC. Although she learned a great deal and worked with some wonderful people, Mitzel said, "It was all fight all the time" for her employer clients.

"Philosophically, I felt oftentimes that an issue could have been avoided had the company done something differently — had they engaged differently with their workers or contracted in a more clear manner," she said. "I was almost eight years into my practice, and I was thinking, 'I just want to make a change.'"



Jana Ašenbrennerová / Special to the Daily Journal

Lisa Liu and Krista Mitzel

She formed The Mitzel Group in 2009, and soon afterward partnered with Lisa W. Liu, a corporate attorney with extensive financial experience. They aimed to provide businesses with savvy, creative and proactive advice to help clients avoid problems while playing an integral, continuing role in the company's growth.

Today, the six-attorney Bay Area shop handles employment, corporate transactions, business related immigration, intellectual property, real estate and privacy, according to Mitzel. The boutique still does some litigation work, but tries to work closely with companies early to avoid problems later.

As an example, Mitzel said she frequently handles executive departure matters. "When I do my job well, nobody knows about it," she said. "The press will see it as an amicable separation or a voluntary resignation or a retirement when it was really a much,

much more difficult situation that had to be carefully crafted over months and months."

Mitzel and Liu also said they both were focused on creating a firm environment that supported diversity and offered attorneys with families a chance to succeed.

"I'd been in that big corporate world, and some of it, I feel, is just really unfriendly to women and unfriendly to minorities," said Liu, who worked at Goldman Sachs before enrolling at UC Hastings College of the Law. "I really wanted to make a different path available for other women colleagues."

Liu's family immigrated to the U.S. when she was 8, and she said part of what motivated her to become an attorney was seeing how the success of small businesses owned by immigrants was often stifled by a lack of familiarity with the law.

"Sometimes they would be harassed," Liu said of immigrant business owners she

knew growing up. “Sometimes there would be a lawsuit, and rather than fighting those lawsuits, even though they were in the right — because they didn’t know any better and they didn’t have anybody to guide them — they just paid out when they didn’t have to. And I just felt that if I became a lawyer, I could help.”

Liu sees The Mitzel Group’s role as that of a business partner for clients, where the attorneys contribute a great deal more than risk management.

“What we’ve been able to do is create an environment where it’s a lot more dynamic between lawyer and client,” she explained. “It’s rare for law firms to be able to say the vast majority of our clients want to be friends with us and have drinks with us and hang out. I think it’s because we’re so approach-

able, and we’re all about a client goal oriented approach as opposed to, ‘How much can I bill out in this one transaction?’”

Berkeley employment litigator Kyle L. Schriener, who’s worked with The Mitzel Group over the years and refers clients to the firm regularly, described Liu as extremely intelligent, and said clients genuinely like her.

“Lisa’s clients trust her because she really digs in and understands what they’re business is,” Schriener said. “And I think that trust is also created because they like her as a person, and they really respect her advice.”

San Francisco employment litigator Aaron P. Minnis, who has opposed The Mitzel Group, said the firm does a good job of steering clients away from trouble. But if litigation becomes unavoidable, Minnis said Mitzel is a worthy opponent.

“A lot of lawyers don’t resolve cases because they’re either posturing or they’re not prepared or they want to keep litigating in order to pump up fees,” Minnis said. “Krista just doesn’t bull shit. She cuts through all of that to try and reach an outcome that’s reasonable for all sides.”

Looking back on the firm’s 11 years, Mitzel said she’s tremendously proud of the example her shop provides to the legal community.

“We are in a very male-dominated profession, and we’re trying to be role models,” she said. “Women and girls need to see other women and girls succeeding, and we need to support each other. ... It feels good to have created a really successful firm and a very successful business that not only has allowed us to practice in a way we want to, but that also is an inspiration to others.” ■