

Kilpatrick Townsend Partner Remembered as Mentor, Courteous Opponent

By Rebecca Cohen

It was 1997, and James Gilliland—then a partner at Townsend & Townsend & Crew—had a two-month trial in Santa Clara County. Gilliland could only get home to his family in El Cerrito on weekends. So every evening at 8 p.m., the IP attorney called his kids from Townsend’s “war room” to say goodnight.

“He would ask his youngest to sing to him, and then he would put the phone on speaker so we could have that moment of shared joy,” said Kilpatrick Townsend & Stockton managing partner Susan Spaeth, a Townsend associate at the time. When the Townsend team eventually prevailed, “it showed you can win and have those moments of balance at the same time you’re working your tail off.”

Gilliland, who was shot and killed on his porch Thursday



James Gilliland, Kilpatrick Townsend partner.

Photo by Jason Doiy

night in an apparent homicide, put a premium on kindness and thoughtfulness, Spaeth said. Those values shaped his approach to litigation, even when he handled high-stakes cases for clients like Oracle, Sony and Levi Strauss.

“He really understood how we operated,” said Oracle general counsel Dorian Daley. “I always

wanted my new recruits coming onto the litigation team to work with him.”

Unlike some outside lawyers Daley has encountered, Gilliland never tried to force Oracle’s in-house team to adopt what he saw as the best strategy, she said.

Instead, he worked with them to come up with something that felt right to everyone.

His courtesy extended to opposing counsel. Someone on the other side of a trial once threatened to punch him, Daley recalled. Gilliland just looked at his interlocutor and pushed his spectacles up the bridge of his nose.

“You wouldn’t hit a guy with glasses, would you?” he asked.

“I tried (and lost) a lengthy (two months) jury trial against Jim almost 20 years ago,” Cooley partner Michael Rhodes wrote in an email Oct. 28. “As opposing counsel, he taught me a few things and treated me with great respect. ... Jim was one of the most decent lawyers I’ve met and this is a great tragedy to the profession.”

From 2013 to 2015, Gilliland led Kilpatrick Townsend’s litigation department, and he served as chairman of Townsend prior to the merger that created Kilpatrick Townsend in 2010. Spaeth was just one of several of Kilpatrick Townsend’s current leaders who saw Gilliland as a mentor.

Mehrnaz Boroumand Smith, now Kilpatrick Townsend’s San Francisco managing partner, was a paralegal at Oracle when she met Gilliland in 1995. Her duties

included answering phones, and when Gilliland called, he would always take time to chat with her before she transferred him to a more senior member of the legal department, she said.

The next year, she was a summer associate at Townsend. She wrote a brief for Gilliland and failed to include a case that he thought was important. When he mentioned it to her, she asked how he had found it, and he took her to the library and showed her.

“He did it in a way where I knew never ever again to miss a case, but also in a way where I didn’t feel bad about myself,” Boroumand Smith said. “He made me feel like I could do this and I was going to be a really great lawyer.”

Even two decades ago, when inclusivity across race and gender was less of a priority for firms than it is now, Gilliland always sought to put together client teams that weren’t exclusively white men, Spaeth said.

“He made sure the women and minorities in the room never had the burden of voicing the need for diversity,” she said.

When Gilliland wasn’t coaching associates, he was coaching

his four children in sports, or attending their music and theatre performances. He sang in his church choir, and he was a diehard Pittsburgh Steelers fan, loyal to his Pennsylvania roots.

Above all, several colleagues said, he was dedicated to his family.

“He was a father and husband first and a fantastic lawyer at the same time,” Boroumand Smith said.

Police are still investigating Gilliland’s death. A memorial service is set to be held Saturday at First Presbyterian Church in Berkeley.

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