

Midsize Firm Tyson & Mendes Unveils High-Stakes Trial Subsidiary

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By **Jessie Yount**

What You Need to Know

- Tyson & Mendes launched a trial-only subsidiary focused on nuclear verdicts led by seven partners.
- The new business comes ahead of expected demand as courts reopen.
- Managing partner Robert Tyson described TM HALO as a “natural progression” for the 200-attorney insurance defense firm.

San Diego-based midsize firm Tyson & Mendes has launched a new high-stakes trial business based out of the firm’s offices.

The newly created subsidiary, called TM HALO, is targeting the increasing threat and reality of nuclear verdicts—jury verdicts in excess of \$10 million—for its insurance clients.

TM HALO takes after a military maneuver known as “high altitude, low opening,” with the intent to parachute in at the last second before trials start and try cases with the largest settlement demands, Tyson & Mendes managing partner Robert Tyson said.

“We’re brought in to try the biggest, baddest cases that insurance companies or corporations have. We’re only going to handle a handful of cases a year, and they are going to get our full attention,” he said.

While the launch comes ahead of courts fully reopening without mask or social distancing requirements, Tyson notes the firm wanted to get the word out now.

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Robert Tyson

Courtesy photo

seen in our career, because every file in our firm could be the next case that goes to trial,” Tyson said. “That’s never been true before.”

Tyson said he will shift much of his time to the new business as it gets started, along with five partners with defense expertise including Damian Fletcher, Mina Miserlis and Kara Pape.

Recent additions Margaret Holm and Edward Leonard, who joined as partners in April

and June, respectively, bring over 40 years of experience as trial lawyers. Holm, based in Orange County, is chairing the firm's health care practice.

Tyson described TM HALO as a "natural progression" for the 200-attorney insurance defense firm, which has long held that the way to stop nuclear verdicts is through education, communication and compensation. The firm has been busy promoting education and communication through a series of initiatives, such as a recent training program that it put together with the Claims and Litigation Management Alliance, in addition to hosting lectures and events for defense attorneys.

TM HALO will handle the compensation piece of the equation, Tyson said. The business will offer a value billing

structure, which consists of a reduced flat fee and a success fee based on the amount of savings achieved for clients.

Tyson said the firm's competitive edge is that it's extremely creative and has "a roadmap to success," after Tyson wrote a book on the topic, called "Nuclear Verdicts: Defending Justice for All."

"Our clients have choices: You can hire someone who read the book, or you can hire the folks who wrote the book," Tyson said. "We're not known for nuclear verdicts, we've never been hit with one. We think that's who our clients want, we think our clients want winners."

Cases are expected to come from existing and future clients of Tyson & Mendes, which have increasingly tapped the firm to handle their big trials due to the

severity and size of jury awards in recent years, Tyson said.

The firm itself saw rapid growth in the last year, increasing revenue 17% and surpassing 200 attorneys this month.

More growth is in store, Tyson said.

"We want to hire an additional 50 lawyers this calendar year," he said. "We're in tremendous growth mode, especially in California. Ideally we'll grow 20%, and that's all driven by our clients and the good work that our staff and attorneys have been doing to date."

As for what work will look like for incoming staff, Tyson said, "Employees are invited back to the office, and all of our offices are open. But in the future, I see us continuing to be flexible as long as our staff and lawyers are flexible with us."