

## Q&A with Robinson & Cole's Ed Heath

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*Law360, New York (May 01, 2013, 1:09 PM ET)* — [Edward Heath](#) is a partner in [Robinson & Cole](#)'s Hartford, Conn., office, where he is chairman of the firm's white collar defense and corporate compliance practice group. He has taken business and criminal matters to verdict in federal and state courts. He has appeared on behalf of international and domestic companies in courts throughout the country, and he routinely counsels clients in connection with government investigations and threatened litigation. Since 2008, he has served as the chairman of Robinson & Cole's pro bono program.

### **Q: What is the most challenging case you have worked on and what made it challenging?**

A: The most challenging case that I have worked on in the last few years involved a civil claim brought by the federal government against a client under the Clean Water Act. The scope of the claim and the hundreds of millions of dollars in damages sought reflected the worst kind of government overreaching. Upon realizing that the government's case — and its unreasonably aggressive posture — hinged on two highly technical subjects of expert testimony, I spent hundreds of hours mastering those subjects and traveling around the country taking the depositions of the many witnesses whom the government relied upon for those subjects. The result was a slow disassembling of the government's case that ultimately led to a very favorable settlement for our client.

### **Q: What aspects of your practice area are in need of reform and why?**

A: Discovery, generally, and e-discovery, specifically. The excessive cost and unnecessary delay that discovery routinely imposes allow the dispute resolution process to be hijacked. The federal courts that have adopted a "rocket docket" approach, limiting the length and scope of discovery and briefing while keeping the case on a short trial schedule, generally have the right idea. That approach to cases only works if it is universally adopted because an expedited case requires large portions of a lawyer's time.

### **Q: What is an important issue or case relevant to your practice area and why?**

A: Young lawyers are not getting enough time in court. When I began practicing in 1999, courtroom time was much easier to come by for a young lawyer. My colleagues who began practicing in the late 1980s spent most of their time in court. Regularly appearing before judges, handling witnesses, offering evidence and interacting with an opposing counsel are vital experiences for a young lawyer's technical, ethical, and professional development. Moreover, all of the parts that come before trial — document discovery, depositions and motion practice — only make sense when you have an understanding of their role at trial.

### **Q: Outside your own firm, name an attorney in your field who has impressed you and explain why.**

A: One of the lawyers who has impressed me the most over the years is Bill Bright, a judge on the Connecticut Superior Court, and former partner with [McCarter & English](#) and [Cummings & Lockwood](#). As an adversary, he zealously advocated for his clients without sacrificing even a

hint of civility and courtesy. Not surprisingly, his high degree of professionalism has carried over to the bench. Even more impressive is his dedication to pro bono. I have had the pleasure during the last two years of serving on the Connecticut Judicial Branch's Pro Bono Committee, which Judge Bright chairs, and have found his tireless dedication and vision to be inspiring.

**Q: What is a mistake you made early in your career and what did you learn from it?**

A: One of my greatest early career mistakes was not doing enough pro bono work. I strongly resisted any substantive pro bono projects during my first three years. When I finally took on a pro bono case, I quickly learned that I had missed many great opportunities to grow as a young lawyer. I thereafter joined our firm's pro bono committee, which I have chaired since I became a partner in 2008. A large part of my efforts as chair focuses on getting our young lawyers involved early in pro bono projects so that they can avoid making the same mistake that I did.

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