



## LIFETIME ACHIEVEMENT AWARD

# GARY P. NAFTALIS

PARTNER, KRAMER LEVIN NAFTALIS & FRANKEL

BY JED S. RAKOFF



GARY P. NAFTALIS

I first met Gary when we were both young federal prosecutors, sometime, if memory serves, in the 20th century. Gary was already famous within the U.S. Attorney's Office as the prosecutor of last resort. For example, when Carmine Tramunti, the reputed boss of the Lucchese crime family, was acquitted in a major prosecution in the early 1970s, the Office turned to Gary to rescue its reputation

by trying Tramunti on much-more-difficult-to-prove perjury charges. Gary's two-hour summation, delivered without a single note, was among the best I have ever seen, and the jury, clearly impressed by Gary's logic, passion, and boyish grin, promptly convicted on all counts.

After winning numerous other trials (remember when there were trials?) and rising to Deputy Chief of the Criminal Division, Gary left for

private practice, eventually becoming co-chair of the law firm known as “Kramer Levin.” (Well, actually, Kramer Levin Naftalis & Frankel). In short order, he became the lawyer of choice for those Fortune 500 companies and well-heeled corporate executives rich enough to afford his fees. And they more than got their money’s worth. For example, after Gary successfully defended Michael

**YEAR AFTER YEAR, GARY NAFTALIS IS RATED THE TOP TRIAL LAWYER IN NEW YORK. (EAT YOUR HEART OUT, DAVID BOIES.) ADMITTEDLY, THIS IS A FAR CRY FROM HIS YOUTHFUL AMBITION TO PLAY FORWARD FOR THE KNICKS. BUT GARY, FORCED ONTO A DIFFERENT KIND OF COURT, HAS ALREADY MANAGED TO SCORE MORE VICTORIES THAN THE KNICKS ARE LIKELY TO ACHIEVE IN OUR LIFETIMES.**

Eisner, the former Disney chairman, in a much-publicized shareholder suit in Delaware, Eisner proclaimed that “Gary was awesome, fantastic, theatrical and always right.” Although Gary’s long-suffering wife Donna may quibble with the last two words, all lawyers agree that Gary is awesome and fantastic, and all judges agree that he is theatrical.

Perhaps the greatest achievement of any litigator is to win cases even before they go to trial, and Gary has had more than his share of such triumphs. For example, Gary successfully secured dismissal for Kenneth Langone, former chair of the New York Stock Exchange Compensation Committee, of all charges brought against him by then-Attorney General Eliot Spitzer relating to the compensation of NYSE Chair Richard Grasso. And in a different kind of tribute to Gary’s prowess, a wealthy businessman whom Gary had convicted as a prosecutor subsequently asked Gary to defend him when the businessman faced new, unrelated charges—because, as the businessman explained,

Gary was the only lawyer he knew who could get him off. (Although flattered, Gary declined the representation.)

Gary has always devoted a huge amount of time and money to pro bono and charitable activities; but in recent years, with an eye toward the future, he has been particularly helpful to religious groups. Most recently, for example, he represented, free-of-charge, Congregation Jeshuat Israel in a two-week trial that sought to deprive the Congregation of its ownership of the nation’s oldest synagogue, Touro Synagogue of Newport, Rhode Island. So effective was Gary’s spiel that he won the trial going away (though the overall case remains ongoing). Yet Gary, hedging his bets, has also done substantial pro bono work for the Archdiocese of New York, for which he was awarded the Benemerenti Medal by Pope Benedict XVI.

Thanks to his wife’s genes, Gary has managed to produce four superstar children. The three oldest have gone into the professions—identical twins Ben and Josh into law and younger son Daniel into teaching—but the youngest, Sarah, is an aspiring writer of comedy. She claims that her father is her chief inspiration.

To get serious: The economic pressures and psychological stresses that are part of modern-day legal practice have too often left young lawyers doubtful of why they entered the law. Fortunately, they can still find exemplars like Gary Naftalis of all that is best in our profession. In Gary, they can see someone who is not only supremely skilled in his craft but also devoted to the highest ideals of achieving justice. To me, as to so many, he is a genuine hero.