



No lawyer in Hollywood knows the media as well as Pierce O'Donnell does. That's why he rushed out of his office as soon as he learned the FBI might be coming.

O'Donnell had long been aware that his contributions to Sen. John Edwards' failed presidential campaign were under investigation, but that didn't dull the shock when his lawyer called with a message: The indictment had come down, and the FBI wouldn't guarantee that he could surrender with dignity. In other words, agents could be headed to O'Donnell's downtown Los Angeles office, and a dreaded "perp walk" could be imminent.

O'Donnell hung up with his lawyer and hurried out of his office on that July day in 2008, pausing only to tell his secretary and associates what had happened. He climbed into his SUV and took the 101 Freeway

out of the city. He followed its winding path along the Pacific coast toward his home in Santa Barbara. It was a scenic, two-hour drive beside the sun and the ocean — and a hellish eternity inside his head.

He thought about how he would comfort his wife, how he would tell his kids that their father had done something wrong and would have to go to court. Dark and persistent doubts crept in, whispering to him that his life was ruined and his career was over. He spent that weekend studying the indictment and scanning his idyllic neighborhood for cars he didn't recognize, worried that one would come to take him away.

This wasn't how it was supposed to be. He was the small-town kid who became one of the West Coast's hottest trial lawyers. He helped win billions of dollars for California consumers who sued energy companies, and took on the government for Hurricane Katrina victims. He fought for and against the biggest studios in Hollywood. He sued Steven Spielberg three times, and then Spielberg hired him.

Through it all, he indulged reporters with juicy narratives, provocative briefs and solid-gold sound bites. His own perp walk never materialized, but he still found himself on the wrong side of the story when his indictment landed in the national media. When the case was over, he ended up behind bars.

As Hollywood tales go, O'Donnell's impressive rise and subsequent humiliation could have been drawn from the story lines in the movie properties he's handled. But so could what came next.

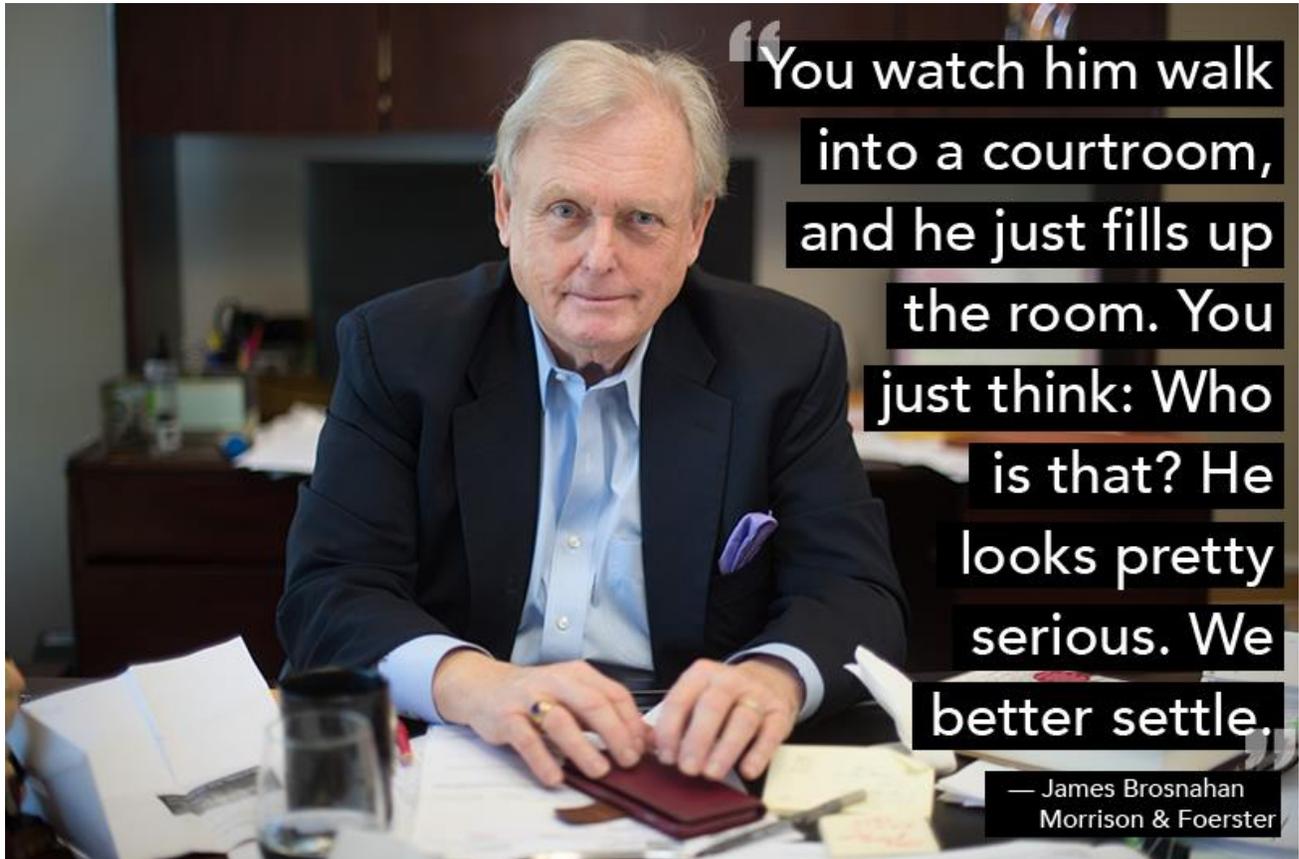
In the four years since he walked out of a federal prison in central California, O'Donnell has again forged a career that most lawyers could only dream of — a feat made possible by a longtime courtroom rival. His recent credits include wresting control of the Los Angeles Clippers away from billionaire Donald Sterling and selling the team to former Microsoft CEO Steve Ballmer for \$2 billion. He represented the ex-girlfriend of ailing media mogul Sumner Redstone in a battle over his fortune, and he was retained by actresses Amber Heard and Angelina Jolie in their respective divorces from actors Johnny Depp and Brad Pitt.

Now a litigator with Greenberg Glusker Fields Claman & Machtinger LLP, the 69-year-old seems made for television, with a face that is at once haggard and cherubic, framed by tousled white hair. Every so often, his blue eyes glint, squint and wander as he seems to measure the narrative direction of a present conversation.

He professes his love for underdog stories, and by his telling in a recent interview, his story is one of them: the tale of a small-town kid's meteoric rise, humbling fall and, finally, his redemption. "Humbling" and "redemptive" are words he repeats often when describing his indictment, plea deal and time behind bars.

The son of a librarian and author of several books, O'Donnell drops not-so-subtle hints that his life fits into a literary framework, noting that he would call his memoir "Fall From Grace" if he decides to write it. He says his favorite mythological creature has always been the phoenix — a beautiful bird that periodically bursts into flame and is reborn from its own ashes, symbolic of purification and renewal.

"I sort of felt like the phoenix," he says.



'Last Pick'

O'Donnell grew up in Averill Park, New York, a tiny town outside of Albany. His mother was a schoolteacher and librarian, and his father owned a liquor store. Both were active in the local Democratic Party and proponents of social justice. They taught him about the civil rights struggle and feminism, and he became enamored with those causes.

O'Donnell describes his younger self as a nerdy “fatso” who loved baseball with all his heart but had no talent for it. He idolized Jackie Robinson, the Brooklyn Dodgers star who broke baseball’s color barrier, and he spent a lot of his time fishing and reading until he finally blossomed socially in his teenage years.

He went on to study literature at Georgetown University. In his senior year, he served as a student advocate for classmates facing disciplinary action for infractions like smoking pot or pushing a couch off of a dormitory roof. He discovered an unexpected passion in advocacy, leading him to pursue his law degree there and a Master of Laws degree from Yale Law School.

O'Donnell was an instant superstar in the legal world. He landed a clerkship with Ninth Circuit Judge Shirley Hufstедler, followed by one with Justice Byron White on the U.S. Supreme Court. He worked on the opinion in *U.S. v. Nixon*, which upheld an order compelling President Richard Nixon to turn over tapes of conversations between the embattled president and suspects indicted in the Watergate investigation. Nixon resigned a couple of weeks after the decision came down. O'Donnell still calls it the best job he has ever had.

After a couple of years in Washington, D.C., with Williams & Connolly LLP, he moved to the Los Angeles area to work with Judge Hufstedler's husband at the litigation boutique Beardsley Hufstedler & Kemble. The lifelong Democrat's interest in politics had crystallized during his experiences in D.C., so he decided to make a run for Congress in 1980. But his suburban district just northeast of the city was heavily Republican, and that was the same election that swept President Ronald Reagan into power. He lost by a 3-1 margin and returned to his law practice. He started his own firm, O'Donnell & Gordon, in 1982, and joined Kaye Scholer LLP in 1987.

Then came O'Donnell's big Hollywood break.

Comedy writer Art Buchwald claimed that Paramount ripped off one of his ideas to make the 1988 Eddie Murphy film "Coming to America." Buchwald's good friend, Williams & Connolly co-founder Edward Bennett Williams, was one of O'Donnell's mentors. So when Buchwald was looking for a lawyer, Williams pointed him to O'Donnell.

The case was his biggest stage yet, and he didn't miss the opportunity to perform. On Dec. 28, 1989, he made passionate closing arguments before a Los Angeles Superior Court judge.

"Everyone at Paramount loved Buchwald's idea," O'Donnell said, according to press reports from the time. "Paramount was gaga over it. They used elements of it. They used all of it. They used it handsomely and to their great financial benefit."

Paramount's attorney shot back that Buchwald's idea was itself a rip-off of the Charlie Chaplin flick "A King in New York." That apparently made O'Donnell bristle. As a United Press International reporter wrote: "'I submit that this is a desperate act by a desperate defendant,' O'Donnell said, his voice rising with emotion. 'This is a scurrilous act. The fact remains it's a damnable lie.'"

The judge found in favor of Buchwald, and O'Donnell went for the jugular during the damages phase. He attacked the studio's use of "Hollywood accounting," a term for dubious methods that studios use to manipulate the reported profits of movies, generally to avoid paying out royalties or fulfilling profit-sharing deals. The court agreed and found Paramount's accounting methods unconscionable.

Patiently I wait on the fringe
Pounding the pocket of my glove
Getting ready for the game
Hoping to hear my name
Just this once, please
Pick the chubby kid from Burden Lake
Road
Just this once, please
Pick the kid with black frame glasses
And baggy blue jeans
Just this once, please
Let me play
Just this once, please
Let me be last pick

— From "Last Pick" by Pierce O'Donnell



Art Buchwald

The studio settled for somewhere between \$900,000 and \$1 million just before an appellate court was slated to hear oral arguments. O'Donnell would later write a book about the case called "Fatal Subtraction."

While some attorneys would be content to settle for prominence in Hollywood litigation, O'Donnell won another big case that made him a big name in the corporate world. In 1990, he competed fiercely against other attorneys to represent Pfizer Inc. in Orange County, California, litigation over allegedly defective heart valves and earned the lead trial counsel spot. He won for Pfizer, leading to the favorable settlement of some 450 cases, landing him a job as one of three lead trial attorneys for the company and putting him on the radar of other top corporations.



John Shaeffer

John Shaeffer was a new associate at Kaye Scholer LLP in the 1980s when he first met O'Donnell, a colleague he saw as bright and talented. He worked closely with O'Donnell on the Pfizer trials and earned his respect. O'Donnell hungered for independence and freedom from conflicts that he said were "endemic" to a 500-lawyer firm, so he asked Shaeffer, an associate at the time, to join him in launching a new firm, O'Donnell & Shaeffer LLP. Shaeffer jumped at the chance.

"When [O'Donnell] works, he's probably one of the best lawyers I've seen in court," Shaeffer said in a recent interview.

After hanging out their shingle, the two worked on a case that nearly prevented Spielberg's DreamWorks Pictures from releasing the film "Amistad" in 1997. Their client, Barbara Chase-Riboud, alleged DreamWorks ripped off her novel, "Echo of Lions," to create the historical drama, which is based on the true story of a mutiny aboard a 19th-century slave ship, and her attorneys sought an injunction to prevent the film from opening.

O'Donnell often writes his briefing with two judges in mind: The judge on the courtroom bench, and the judge on the park bench. He relishes drafting complaints, calling his dramatic prose a "love letter to the defendant," and his complaint in the "Amistad" case seems expertly crafted to make reporters salivate and Spielberg squirm.

"This case is about the original sin of American history — slavery," O'Donnell's complaint begins. "The effects of this genocidal crime — our Black Holocaust — continue to haunt the United States of America. Ironically, the woman who resurrected Cinqué [the leader of the slave uprising] and the Amistad rebellion from the dustheap of history is, like the protagonist in her novel, a forgotten hero."

"Like Cinqué, this prominent black writer now faces a struggle against persons who have stripped her of her rights, leaving her with no recourse but to seek justice from this court," O'Donnell continued. "What a paradox that the renowned filmmaker who produced and directed 'The Color Purple' would be a party to denying a prominent black American woman of letters and the arts her rightful recognition for raising public consciousness about slavery."

The case pitted O'Donnell against Bert Fields, a veteran Hollywood trial lawyer with whom O'Donnell had clashed in appellate briefs in the Buchwald suit. This time, Fields came out on top. He defeated O'Donnell's injunction bid and the film opened as scheduled.

After the hearing, Fields addressed reporters outside of the courtroom and then ceded the microphones to O'Donnell. Fields later joked that O'Donnell's remarks were so upbeat and convincing, he began to doubt whether he had just won. The case ended up settling.

O'Donnell and Fields squared off in a total of three cases involving Spielberg. There were heated, high-stakes hearings, but each time, the case ultimately resolved in settlement — a reflection, O'Donnell said recently, of their comparable skills. Fields, meanwhile, likened the pretrial resolutions to “coitus interruptus.”

But the respect built between the two led Fields to refer a few cases to O'Donnell — including one case for Spielberg. He defended the legendary director against an Irish producer who claimed Spielberg's Dreamworks agreed to distribute his movie about the Catholic-Protestant conflict in the 1980s, only to deliberately tank it for political reasons. O'Donnell joked that Spielberg typecast him as an Irish-American lawyer. The case didn't make it to trial.

When he did appear in court, O'Donnell built a reputation as one of the top trial lawyers on the West Coast. James Brosnahan of Morrison & Foerster LLP in San Francisco, who worked with O'Donnell in the California energy antitrust case and has also opposed him, fondly refers to him as an “Irish trial lawyer.”

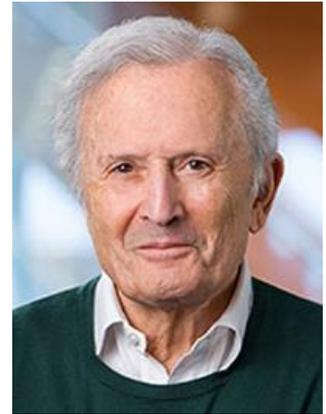
“The word ‘blarney’ is there for a reason, you know,” Brosnahan said. “Some of us Irish trial lawyers have it, and he has it.” For those not steeped in Irish folklore, “blarney” refers to a talent for persuasive speech.

“You watch him walk into a courtroom, and he just fills up the room,” Brosnahan said. “You just think: Who is that? He looks pretty serious. We better settle.”

O'Donnell was also a ball of boundless energy and creativity during his years at O'Donnell & Shaeffer. He sometimes worked two days in a row without sleep. He says he clocked around 3,000 working hours a year and still found time to write on the side, even penning the screenplay for “Home Team,” a movie that ended up being developed with actor Steve Guttenberg.

But creativity was just one of his excesses. He spent money wildly and put on weight. He was 400 pounds at his heaviest. O'Donnell would later learn that he was living with undiagnosed and untreated bipolar disorder.

At the same time, Shaeffer was growing frustrated with his partner. At first, O'Donnell focused the full force of his intellect on their firm. But after a while, Shaeffer said, O'Donnell began to stray from his routine in search of new stimulation, and he delegated more and more of his legal work.



Bert Fields

“I think he got a little complacent when he got some success,” Shaeffer said.

Friction began to develop between the two, and eventually there was a falling out. Shaeffer, now a partner at Fox Rothschild LLP, said it just came down to a clash of personalities. The firm lasted about a decade before the two split up. In Shaeffer’s view, O’Donnell’s greatest flaw wasn’t hubris or greed or overindulgence. It was his desire to be liked.

“He told me that when he was young, he was the little fat kid,” he said. “He wanted to be seen as someone important, someone people respected. Someone that people liked.”

Shaeffer speculated that O’Donnell’s desire for acceptance was behind a lot of the things that went wrong with the partnership, and probably was what led him into trouble.

O’Donnell says his former partner’s assessment is just a touch off. It isn’t that he craves acceptance.

It’s that he is terrified of rejection.



Promise to a Friend

In 2003, a California trial lawyer and longtime friend asked O’Donnell to raise \$50,000 for John Edwards’ 2004 presidential campaign. O’Donnell himself donated \$2,000, which was the maximum amount that a single person could donate. But between the request and the deadline, his mother died and his trial schedule intensified. He said he broke under the pressure and asked his secretary to ask employees of his law firm to donate to Edwards’ campaign. He promised he would reimburse any donors, in effect allowing O’Donnell to donate far more than the legal limit by hiding the source.

In the three days before O'Donnell's March 31, 2003, fundraising deadline, 13 people each donated \$2,000 to Edwards' campaign to meet his goal. O'Donnell promptly repaid them as promised. State Bar of California documents offered some insight as to why O'Donnell did it: "Respondent expressed concern to his secretary that he could not let down his friend and break his promise to raise the \$50,000 by the March 31, 2003 deadline." The friend is not named.

During a recent interview, O'Donnell said that he expected at the time that he would only be risking some kind of administrative or regulatory penalty at worst. But in the federal case, he wound up facing felony charges that could have ended his career in law.

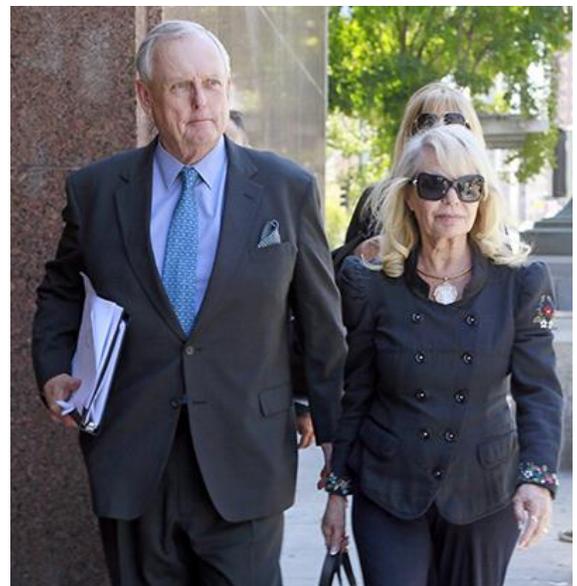
The federal grand jury's felony indictment came down on July 24, 2008. At first, the FBI wouldn't promise O'Donnell's attorney that they'd allow him to schedule a time to surrender with dignity — they might drag him out of his O'Donnell & Associates LLC offices. After O'Donnell got home, he and his attorney were able to make a deal with authorities, allowing him to go in himself for booking without the handcuffs or perp walk.

But as O'Donnell had feared, his status as a media darling cut against him. Entertainment industry magazines *Variety* and *The Hollywood Reporter* carried the story in their pages. So familiar were readers with O'Donnell's work that the publications referenced him by name in their headlines. The *Los Angeles Times*, *The Wall Street Journal* and numerous other newspapers and national wire services covered it, along with many legal industry blogs and publications. The fact that O'Donnell was working on the Hurricane Katrina case at the time raised the story's profile. Even if he kept his license, he wasn't sure his career could be salvaged.

It wasn't O'Donnell's first campaign finance violation. He pled no contest and received probation in 2006 to similar charges in state court — he had orchestrated a similar plan in 2001 to benefit then-Los Angeles Mayor James Hahn — but he wasn't charged in either case until after he had committed both of the deeds.

O'Donnell fought the federal case for years in a bid to get rid of the felony. He underwent a psychological evaluation as part of the State Bar of California's disciplinary process and a doctor diagnosed him with bipolar disorder — a diagnosis that may have saved his career.

In late 2011, prosecutors agreed to throw out the felony charges in exchange for a guilty plea to two misdemeanors. O'Donnell would have spent six months in prison, paid \$20,000 in fines and done 200 hours of community service. Then-U.S. Attorney André Birotte Jr. slammed O'Donnell in a press release touting the deal, saying the longtime attorney and former political



Shelly Sterling, estranged wife of ex-L.A. Clippers owner Donald Sterling, and her attorney Pierce O'Donnell take a lunch break during her lawsuit against her husband's mistress in 2015. (AP)

candidate should have known better.

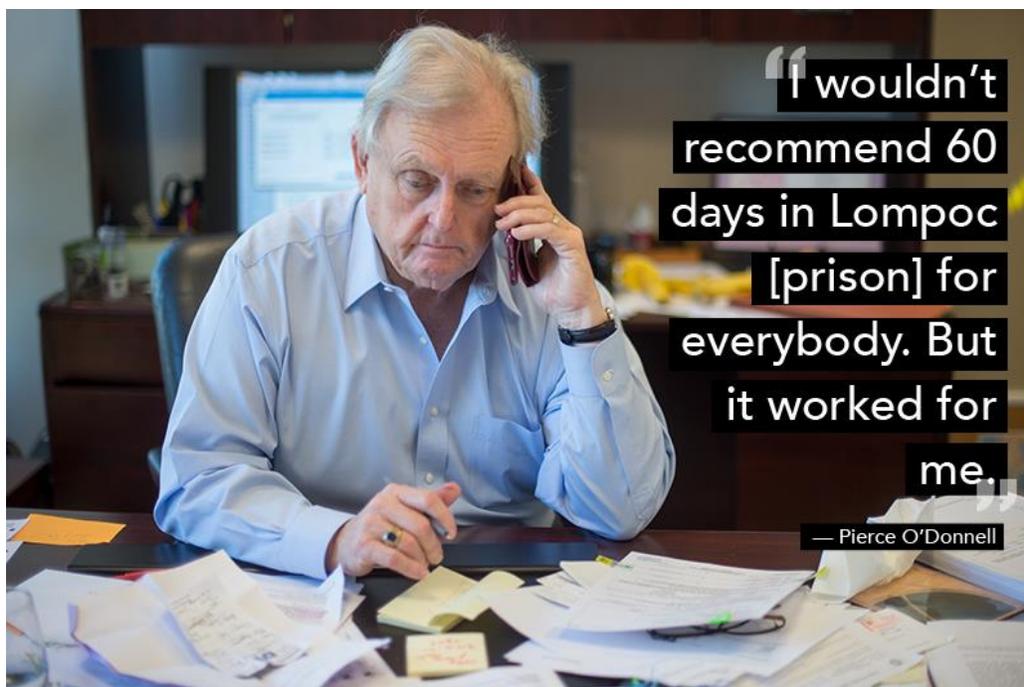
But O'Donnell went to work on his own behalf, gathering more than 30 glowing character-reference letters from respected members of the legal community — including retired judges and even former adversaries — to present to the court. In February 2012, U.S. District Judge James Otero rejected the deal, saying it was too harsh on O'Donnell. There were too many mitigating circumstances with the bipolar diagnosis, his mother's death and the stack of letters.

"This is a person who has impeccable character, a person who made a mistake in his life, caused by apparently a psychiatric condition," Judge Otero said at the time. "It makes little sense to incarcerate him."

After some more negotiating and posturing, prosecutors agreed to two months behind bars and four months in a halfway house. He accepted a plea deal that put him in a prison in Lompoc, a rural town in central California, for 60 days. While there, he read several books, taught classes, befriended a Hell's Angel, and worked with other inmates to battle the threat of a MRSA epidemic, he said. His fellow inmates teased him about news reports that John Edwards had been acquitted of unrelated corruption charges. He says the time behind bars humbled him and helped him pare back his life to the basics.

"I wouldn't recommend 60 days in Lompoc for everybody," he said. "But it worked for me."

O'Donnell was the only person sentenced over the donations. Others who were drawn into the two campaign donation cases didn't return calls or declined to speak on the record. But one former co-worker who was implicated in the scheme seemed almost distraught when asked about the case over the phone. She refused to talk about the case aside from lamenting that it just won't go away. But her fear and frustration turned to outrage when asked whether she felt O'Donnell had lied or tricked anyone into participating. No, she said forcefully. O'Donnell is a good, decent and generous friend.



'My Lilacs Still Bloom'

O'Donnell came out of prison with big legal bills and a tarnished name. Even after waiting out his 120-day California Bar suspension, people didn't want to hire him in 2013.

"I had stink on me," he said.

Some of the attorneys he had met in Louisiana during the Katrina litigation sent a few cases his way. Fields, too, sent him a few more cases without reservation. He figured O'Donnell may have had some baggage, but he didn't lose his talent. And the more Fields thought about it, the more he saw an opportunity to turn a nemesis into an ally. Eventually, he asked O'Donnell if he'd like to join Greenberg Glusker.

"I thought I was getting a steal," Fields said. "Here's a way to pick up an all-star center fielder who's batting .400, and I'm picking him up and keeping him away from everyone else. ... Professionally speaking, it was a stroke of genius."

The law firm hired O'Donnell after an exhaustive investigation into his crime. The ink had hardly dried when Fields pulled him onto a case.

For O'Donnell, it couldn't have been any more fitting: Shelly Sterling, the wife of Los Angeles billionaire Donald Sterling, claimed her husband was incompetent to manage his affairs, and she wanted to take control of the Los Angeles Clippers basketball team from him and sell it.

"It was so dramatic," O'Donnell said, grinning. "So spectacular. I know there's a God."

It turned out to be one of the most bizarre and sensational public legal spectacles in recent memory. It had it all: racial overtones, family drama, courtroom outbursts, a big-city sports franchise and billions of dollars on the line. The case was in his sweet spot, at the intersection of the court of law and the court of public opinion. He was once again appearing on television for interviews and orchestrating press conferences on the courthouse steps in the heart of downtown Los Angeles.

Inside the courtroom, he offered onlookers some compelling performance art. On the first day of testimony in the probate bench trial, Donald Sterling was not in the courtroom. Knowing this full well, O'Donnell stood up before the court and dramatically called his first witness: Donald Sterling.

He said the name with dramatic confidence, as though he fully expected the billionaire to materialize out of thin air. He paused and turned to survey the gallery for a few silent moments, as though Sterling might have been hiding among the throng of reporters in the gallery. He then swiveled around and offered the court an email that purportedly promised Sterling would appear and urged the judge to force the billionaire to show up.

Pierce O'Donnell was back, to Fields' joy.

The pond is now gone

Victim of a broken dam

But in Springtime, I am told

My lilacs still bloom.

— From "Lilacs on the Pond" by Pierce O'Donnell

“He does that kind of thing all the time,” Fields said. “He could have been a fine actor. And he really is a fine actor.”

The first time that the pair worked together on a case yielded a legendary result: About 110 days after it all began, the Clippers were officially sold to former Microsoft CEO Steve Ballmer for \$2 billion. O’Donnell then went after Donald Sterling’s former mistress, V. Stiviano, on behalf of Shelly Sterling, winning back \$2.6 million in money and gifts the elderly billionaire had given her. The high-profile victories in the Sterling case seemed to allay clients’ concerns about O’Donnell’s conviction. In fact, he’s now branching out. He recently took on Amber Heard’s and Angelina Jolie’s respective divorce cases, representing the actresses both in court and in the press.

But O’Donnell has some legal problems of his own. He recently divorced his second wife and is going through bankruptcy. He had spent millions on the his criminal defense and to defend all of the conduit donors, he said.

To an outsider, O’Donnell’s life may look busy and chaotic. His paper-strewn office, which feels claustrophobic despite its large window that overlooks Los Angeles’ upscale Westside, looks the same way, but he insists that he sees order in it.

From his desk, O’Donnell stares directly at a large painting that honors Jackie Robinson. Framed newspaper and magazine articles about O’Donnell and his cases pepper his office. Some are hung up, while others rest on the ground, tilting against the walls.

O’Donnell has written many poems, but he has just one framed in his office. He keeps it close in a niche just behind his chair. It’s an ode to the lilacs that grew over the old fishing pond he visited in his youth, before everything became so cluttered.

“The pond is now gone,” he wrote. “Victim of a broken dam / But in Springtime, I am told / My lilacs still bloom.”

Brandon Lowrey is an L.A.-based feature reporter for Law360.