

Mary Stowell

Her Work Fighting for Civil and Employment Rights Speaks for Itself

by Patricia Manson

The law firm Mary Stowell co-founded doesn't need a fancy advertising campaign.

"It was always word of mouth," she says about attracting business at **Stowell & Friedman Ltd.** "It really was just that simple."

Twenty-five years after the firm opened its doors, clients are still passing on the word about Stowell & Friedman's pursuit of discrimination and other legal claims on behalf of workers.

Since 1989, the firm has recovered many millions of dollars in settlements or verdicts for thousands of employees, former employees and would-be employees.

"It's all been hard work," says Stowell, who now serves as of counsel to the firm.

"Civil litigation is just short of armed conflict sometimes, despite everyone's best efforts." But the work has paid off, she says.

"It feels good to be helping people who really need your help," she says. "And maybe it's a function of having two older, much bigger brothers that I like standing up for people."

Expanding Her Horizons

Stowell, 68, lived in Memphis until age 7, when her family moved to Tulsa, Okla.

Her late mother, Wilma Young Stowell, was a homemaker who later taught school after earning a master's degree in special education.

Her late father, James Thomas Stowell, was an early member of the airline industry. He joined American Airlines as a pilot after World War II.

Stowell earned an undergraduate degree in 1971 at the University of Missouri at Kansas City. Her major was political science, and her minor was history. She considered a career in academe, but "it seemed like too small a world, and there were too few women in history and political science departments."

"It didn't seem to have the openness I wanted," she says.

Law offered more opportunities, she says, so she enrolled in Northwestern University Law School. After earning her degree in 1974, Stowell clerked for Thomas J. Moran, then a judge on the Illinois Appellate Court. Moran later served on the state Supreme Court.

In 1976, Stowell went to work as a federal prosecutor. She was hired by Samuel K. Skinner, the U.S. attorney for the Northern

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District of Illinois who later served as U.S. transportation secretary in the administration of President George H.W. Bush.

"I'll always be grateful to him," Stowell says.

The job offered several perks, including the opportunity to serve the public while learning to try cases. Stowell says she did this in an office "where everybody was pulling in the same direction."

Stowell spent her last years at the U.S. attorney's office prosecuting political corruption and complex financial fraud cases.

"She was a great prosecutor," says Scott Turow, an author and a partner at Dentons US LLP.

Turow, who became an assistant U.S. attorney in 1978 and tried his first case in federal court with Stowell, describes her as "one of those naturally talented trial lawyers" and a "get-in-front-of-the-jury lawyer."

Stowell continued to display her talent for litigation when she went into private practice, Turow says. Nowadays, Stowell's law firm is the place to go for anyone with a problem involving civil rights or labor or employment law, he says.

Another of Stowell's fellow prosecutors was Candace Jean Fabri, now a Cook County circuit judge serving in the Child Protection Division of the Juvenile Court. Stowell shone in and outside the courtroom, Fabri says.

"She is the most charming, genuine person that you could hope to meet — very likeable, very down to earth, and with a wry sense of humor that can take you by surprise," Fabri says.

At the same time, she says, Stowell displayed a keen intelligence and an ability to think on her feet. Stowell was "just unflappable" when battling opposing counsel, she says.

Also serving in the U.S. attorney's office when Stowell was a prosecutor was Ann Claire Williams, who now sits on the 7th U.S. Circuit Court of Appeals.

Williams says Stowell is someone "who was always committed to equal rights, justice and fairness."

Stowell is a champion of the rights of "women, people of color and those who are underserved in our society," Williams says.

And, she says, "that commitment has continued to this day."

After joining the now-defunct insurance defense firm of Peterson & Ross LLC in 1986, Stowell struck out on her own a year later. She represented defendants and witnesses in criminal cases in federal

court involving such white-collar charges as racketeering conspiracy and bank, tax and mail fraud. One client was a defense contractor accused of submitting false bills to the government, while some others faced charges of Medicaid fraud.

Stowell tried some of these cases alone and others with Richard C. Leng, a lawyer who shared office space with her. Also sharing office space was Linda D. Friedman, who had just completed a clerkship with U.S. District Judge Harry D. Leinenweber.

"She was always very thoughtful and kind and generous with her time," Friedman says. "She was an extraordinary mentor."

In 1989, the three lawyers formed Leng, Stowell & Friedman. When George Vernon joined the firm a few years later, it became Leng, Stowell, Friedman & Vernon. By the late 1990s, it was Stowell & Friedman.

"I would say it was fairly un-thought-out," Stowell says of establishing the firm. "It was a little bit like Judy Garland and Mickey Rooney: 'Let's put on a show!'"

But she and Friedman, who worked closely together, were well matched, Stowell says. She had extensive experience trying cases, she says, while Friedman had a background in employment and civil rights law.

"She understood how different laws work together and could find innovative, smart ways to look at the law," Stowell says.

And, she adds, Friedman quickly became a skilled trial lawyer. "She's the best cross-examiner I've seen," Stowell says.

Shortly after its formation, the firm moved to the Old Colony Building, a landmark structure in the Loop constructed in the 1890s.

"It was such an old building, the women's washroom was five or six floors away," Stowell says. "It was built in a time when women didn't work." And the building was equipped with a very slow elevator, Friedman recalls.

The firm is still in the Loop, but it now occupies space in a much more modern building. And Stowell and Friedman do not have to leave the floor to use the restroom.

The firm has grown since 1989. Stowell & Friedman today has five partners, four associates, and two of counsel.

Following Clients' Path

When the firm was founded, Friedman brought some civil rights cases with her. So, while the partners initially continued to do criminal defense work, their focus gradually shifted to civil litigation.

Now, Stowell & Friedman represents clients who allege they have been the victims of discrimination based on their age, race, national origin, gender, disability

or some other prohibited basis.

In *Gould v. Merrill Lynch*, No. 03-1218 (N.A.S.D.), the firm prevailed in arbitration and obtained an award of more than \$2 million for financial advisers who were subjected to sex discrimination and retaliation.

In another case, Stowell & Friedman recovered \$160 million on behalf of a nationwide class of black financial advisers and trainees who claimed Merrill Lynch's policies had a racially disparate impact. *McReynolds v. Merrill Lynch*, No. 05 C 6583 (N.D. Ill.).

In *Biondo v. City of Chicago*, No. 88 C 3773 (N.D. Ill.), the firm successfully challenged discrimination in the Chicago Fire Department against white firefighters and engineers who were seeking promotion to the rank of lieutenant. Following four jury trials, the firm obtained awards valued at more than \$50 million for a class of about 200 firefighters.

The firm also pursues suits alleging constitutional violations. Other suits allege violations of statutes that include the Worker Adjustment and Retraining Notification Act, or WARN Act, which requires employers in some circumstances to give 60 days notice of a plant closing or mass layoff.

In an action brought under the Fair Labor Standards Act, Stowell & Friedman got a jury verdict for members of Cook County's bomb squad for unpaid wages for time spent on call. *Dornbos v. County of Cook*, No. 88 C 4055 (N.D. Ill.).

In *Marshall v. Chicago Housing Authority*, No. 89 C 4964 (N.D. Ill.), the firm prevailed on First Amendment claims brought on behalf of lawyers terminated by the Chicago Housing Authority for testifying in favor of female colleagues in another discrimination case.

Stowell & Friedman lawyers also negotiate employment contracts and severance agreements. They also counsel clients on employee benefits, performance review and deferred compensation.

Stowell began representing primarily professional women in the 1990s as more and more women moved up the employment ladder. Publicity about the firm's representation of some women in the financial industry in Chicago also attracted clients from around the nation.

Stowell's practice eventually focused on "glass ceiling" issues as well as on allegations of sex discrimination, pregnancy discrimination and sexual harassment in the securities industry.

"Our clients determine the direction our business takes, rather than our determining

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what direction the business goes,” Stowell says.

Her victories include obtaining multimillion-dollar settlements in several cases. Two of those were class-action lawsuits brought on behalf of female stockbrokers.

In one, filed in federal court in Chicago, Stowell helped negotiate a settlement that ultimately resulted in awards of \$250 million for female brokers who were targets of discrimination by Merrill Lynch, Pierce, Fenner Smith Inc.

The settlement also required Merrill Lynch to undertake diversity initiatives and to end its requirement that employees arbitrate their civil rights claims against the company. *Cremin v. Merrill Lynch & Co. Inc.*, No. 96 C 3773 (N.D. Ill.)

In the other case, Stowell helped obtain about \$150 million for female employees of Smith Barney through an alternative dispute resolution process established as part of a settlement of a suit filed in federal court in New York. *Martens v. Smith Barney*, No. 96 C 3779 (S.D.N.Y.)

The suit alleged female brokers were paid less than their male counterparts, penalized for taking maternity leave, and passed over for promotions and plum job assignments.

The suit also alleged women were subjected to a hostile work environment. Male brokers made vulgar jokes, openly referred to their female co-workers as “whores,” and attended drinking parties in a basement space that had a toilet bowl hanging from the ceiling, the suit alleged.

“It was called the ‘boom-boom room’ case because of the carnival, fraternity-like atmosphere,” Stowell says.

Stowell says a reporter once asked Friedman if the firm had changed Wall Street. Friedman replied, “No, but what we changed were the women,” Stowell says.

“I couldn’t say it better,” she says. “Women now have come to expect better treatment, more fair treatment, and I think that’s a wonderful sign. That’s a good place to be.”

Stowell adds, “The best place for women will be when they don’t even have to think about how they’re treated or notice a difference.”

Stowell says working with clients is an aspect of her practice that she particularly enjoys.

A number of clients hesitate before seeking legal advice, she says, because they always believed they would be treated fairly if they did the best job they could. And they believed that suing an employer “was a refuge for people who couldn’t do it on their own, people making excuses,” she says.

“They finally had to admit to themselves, ‘This really is discrimination,’” Stowell says.

Another aspect of her job she enjoys is working with Friedman.

“There is no end to her generosity of spirit with clients, with people,” Stowell says. “She’s a dear friend.”

Friedman also is pleased with her longtime friendship and professional partnership with Stowell. “She has a love and respect for the judicial system, and an honor for it that’s just contagious,” Friedman says.

The belief that being a lawyer is an honorable profession, she says, shows in the way Stowell conducts her practice.

“She’s an incredible litigator,” Friedman says. “I’ve watched her do cross-examination where she just destroyed the person, and you didn’t even know because it was done so kindly.”

While a federal prosecutor, Stowell taught at the Advocacy Institute, which is sponsored by the U.S. Justice Department. She also has taught at the National Institute of Trial Advocacy and is a member of the American College of Trial Lawyers.

Stowell’s husband, James R. Streicker, is a partner at Costsirilos, Tighe, Streicker, Poulos & Campbell Ltd. He defends clients accused of white-collar offenses.

Stowell has two stepchildren. Sarah E. Streicker is an assistant U.S. attorney — “the wheel keeps turning,” Stowell says — and David D. Streicker is a shareholder at Polsinelli P.C.

Stowell also has grandchildren, whom she describes as “the four most wonderful people who’ve ever lived on planet Earth.”

Paving the Way

Stowell’s of counsel status doesn’t mean she has slowed down. She attends the opera and the symphony and takes classes on topics that include music.

She also has continued battling for civil rights, serving on the boards of not-for-profit organizations that support civil liberties and reproductive rights for women.

Fabri says establishing a civil rights practice “turned out to be incredibly successful” for Stowell. But that wasn’t Stowell’s primary motive, Fabri says.

Instead, Fabri says, Stowell set out to help others vindicate their rights — a task that is not always monetarily profitable.

Friedman says people like Stowell, Fabri, Williams and Judge Ilana Diamond Rovner of the 7th Circuit all led the way for the women who followed them.

“For women lawyers who enter the profession right now, they owe a debt of gratitude to Mary and her generation because they were really the first to insist on doing heavy lifting,” Friedman says. ■

CAIN

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Donna Barber, LSSI’s vice president of human resources. “When she speaks at our board meetings, everyone wants her opinion. ‘What does Patty think?’ All the eyes move to her end of the room.”

The nonprofit is always in great shape when auditors review their records, Barber says. The auditors even comment that they don’t expect to see an agency so fully in compliance with their standards.

Cain’s true talent is in her cooperative approach to dealing with issues, Barber says, then always offering a strong recommendation of what to do. “She’s always very easy to talk to. I never feel the least bit intimidated,” Barber says. “We work through it, talk through it. I don’t know what I would do without her.”

Throughout her career, Cain has been a great example for other women at the firm to follow, says Bakker. Cain began providing leadership early on, when she learned the importance of having allies at work. She and several other women formed a group to support each other. They pushed her prior firm to adopt more progressive policies, including a proper length for maternity leave.

“We were all in the same boat and really had to prove ourselves,” says Cain, a married mother of two adult children. “So having that support was essential.”

Those bonds proved beneficial in the mid-1980s when her husband got a job as a professor at Syracuse University. Cain’s colleagues supported her request to telecommute, a somewhat unconventional arrangement at the time, allowing her to do everything in New York that she had been doing in Chicago.

Cain and her family returned to Chicago in 1988, and she joined Neal, Gerber & Eisenberg 10 years later.

“Patty is a wonderful role model for women,” Biederman says. “She’s been able to be successful personally and professionally without giving up parts of her life. She hasn’t pursued her career to the exclusion of everything else.”

No matter the situation, Cain maintains an even-keeled approach, Bakker says, something her clients and colleagues both value highly.

“She’s keeping her head when some of the clients are losing theirs,” he says. “They rely on her to keep them grounded. When she’s acting calmly, it’s a little easier to do that yourself.” ■