

VICKI LAFER ABRAHAMSON

A No-Nonsense Approach Puts Clients at Ease

by Rob Olmstead

Vicki Lafer Abrahamson learned a long time ago not to oversell a case.

Not long after she started her own firm in 1985, the employment lawyer caught a case with a client who she said had been fired as an emergency medical technician because the ambulance company wanted a man in the job instead.

The opposing counsel insisted it was because Abrahamson's client had, in the past, worn purple spiked hair, sported multiple piercings and frightened ambulance patients.

"And I said to him, 'There is no way this woman looks like this. If you saw her, she looks like Goody Two Shoes who teaches kindergarten,'" recalls Abrahamson. "I said to the opposing counsel, who I knew very well, 'you have lost all credibility with me.'"

Abrahamson ended up settling the case, and about a month later when the check arrived, Abrahamson's client showed up at the office to pick it up.

"She comes in, she has purple hair, spiked, piercings all over," says Abrahamson, laughing. "A couple of years later I ran into [the opposing counsel] on the street and we were both laughing so hard."

These days, Abrahamson's just as passionate about looking out for her clients, but a lot more worldly about assessing their claims and a lot more focused on getting to the heart of the matter—the best resolution possible—without all the fuss and drama.

She and her firm, **Abrahamson Vorachek & Levinson**, also enjoy the reputation that comes with success and hard work, and when she sits down with opposing counsel these days, there's a lot less time spent trying to convince them she's right.

"Now, my view is, they should know that if I'm sitting there talking to them, I'm pretty sure I have a decent case. I obviously argue the benefits of trying to resolve it...and if they don't want to do it, I don't waste my energy. 'Okay, if you don't want to do it, then I guess we'll just proceed.' So I guess you'd describe my style as sort of laid back and matter-of-fact," says Abrahamson.

That's a style that's appreciated not just by her clients, but by opposing counsel as well.

"It's kind of no-nonsense and very

pragmatic because people know she knows her stuff and knows how to play hardball when it makes sense to," says Joe Yastrow, an attorney at Laner Muchin who also specializes in employment law, but on the employers' side.

The two have known each other for over 15 years and worked together on the Employee Rights and Responsibilities committee of the American Bar Association, serving at times as subcommittee chairs.

"She can, in a very credible and very conversational way, point out what's wrong with your case. But at the same time, she's credible in that if there's something wrong with her case, she's not going to try to convince you of something that ultimately impairs her credibility," says Yastrow.

Still, you better do your homework before you come to the table with Vicki Abrahamson.

"Because sometimes I could be bluffing,"



she says, punctuating her point with a laugh that her clients describe as infectious.

Cases in Point

One of those clients, “David,” who asked that his real name not be used because of his current employment situation, came to Abrahamson after a new president at his company began cutting loose older employees.

“He surrounded himself with a bunch of younger people...it was pretty clear he was just as happy with me not being around,” says David.

David was the company’s senior vice president of corporate affairs and the company’s legal counsel, so he knew enough to do his research before picking a lawyer.

“I contacted a couple of very well-known attorneys and they came back with the names of a couple of attorneys...but they said the number one person was Vicki Abrahamson,” David says.

What impressed him was the efficiency with which Abrahamson handled his case.

“An awful lot of lawyers are looking for ways to run to the clock,” says David.

In his case, Abrahamson suggested she stay in the background while David wrote his own reply to the company’s severance offer—under Abrahamson’s supervision, of course.

The idea was that it would still be clear to the company that David was being guided by top-notch legal representation but “we’ll save her...for if we go to war,” he says.

After much back-and-forth, David was able to get 100 percent of his targeted bonus, one and a half years of full compensation with all the perks and additional stock options.

Because he had served as the company’s legal counsel, David didn’t just suspect what he received was better than most, he knew it, having seen what others got on their way out the door.

He calls what the company was initially offering “a fraction” of what Abrahamson was able to get him.

Equally as impressive as her results, however, was her style.

“She is so personable. With her, you feel like you’re in damn good hands. She looks out for you too. She cares. She sincerely cares. Otherwise she won’t take the case,” says David.

Charlotte Jerace agrees.

“She’s a very happy person and it comes through,” she says.

Jerace came to Abrahamson when her employer, a bank, began forcing her out.

“I was offered early retirement or ‘get out,’” she says.

Abrahamson was very candid with her

about what she could get.

“She never said to me, ‘Oh you’re going to get millions and millions of dollars.’ She was very, very realistic,” says Jerace. “She was very good at helping me identify what it was I wanted to happen, and that was a cash settlement and a partial breaking of my non-compete [agreement].”

And, says Jerace, it happened exactly as Abrahamson predicted, through mediation—a session in which Abrahamson brought a two-foot-high stack of files that she fingered, shuffled and manipulated as she made her points.

“I have no idea if those files had anything to do with my case or not,” laughs Jerace. “It was very interesting to watch her in action. The finesse at which she responded to the mediator, it was kind of like watching a good play.”

And there’s no denying Abrahamson has a flair for the dramatic.

“I remember a situation, says Abrahamson, where I had an employee come in who worked directly for the CEO of a company, and she told me she was sexually harassed. The sexual harassment followed the termination of a consensual relationship.”

“Those are always tough situations. So already I know I’m going to have sort of an issue there, because the company, the CEO, is likely to say either it didn’t continue or it was consensual in an ongoing fashion.

“Instead the CEO decides he’s not going to hire a lawyer. He decides he’s going to get on the phone and talk to me directly. So he gets on the phone and he denies that they ever had a relationship to begin with. Well, unfortunately for him, my client had retained a pile of e-mails sent back and forth between them detailing explicitly their various sexual exploits in the office.

“So, I grabbed one of the emails, and it was very, very graphic—you know for shock value, he won’t believe I’m reading this to him—and I started reading. And they were in his words. And about when I got to the third one, he said ‘OK, stop,’” recalls Abrahamson, laughing.

“The case settled,” she says, laughing again.

Putting the Client at Ease

As uncomfortable as Abrahamson can make her opponents, she excels at putting her clients at ease, they say.

Putting them at ease, while still keeping them grounded in reality, was the number one challenge Abrahamson faced when she left the firm where she practiced before.

“Many a former employee comes in having read some article that someone collected millions of dollars, and of course [they think] their case is worth the same amount. Those clients are usually difficult. We do have to start

the managing of expectations from the get-go and I’m very blunt about it, so I have no problem doing that,” Abrahamson says.

“People who have been terminated, and that’s most of our clients...they are coming in here as though they are going through a divorce, so picture how emotional that is. Part of their life is ending. Many [clients] in their 50s and 60s never expected it to end until they wanted it to end...very much sometimes like the jilted spouse suddenly finds themselves with their spouse having left them and didn’t see it coming. So we have these people coming in here and there’s a certain skill set that you have to use that has nothing to do with legal skills, and it either comes naturally to you or it doesn’t,” she says.

For Abrahamson, that emotional interfacing with clients was the biggest change in her practice when she left the firm where she had practiced, which defunded employers.

With corporate representatives, there might be some small talk, but not the deep, visceral discussions she has now with clients.

“You’ve really got to understand the person in order to figure out what’s the best resolution for them, as well as figuring out whether litigation is even a possibility for them,” she says. “How are they going to look before a jury? Economics aside, is this the right resolution for them? So right away, I’m talking to these people...and that was very, very different.”

Abrahamson says she feels that working for plaintiffs demands more creativity from her than her time as a defense lawyer, because she’s the one now responsible for coming up with the theory of the case.

Not that her former work, with the now-defunct firm of Fox and Grove, wasn’t creative, she says. The firm prepared her well because it did a lot of appellate work that also required creative thinking, she says.

The man who hired her there, Larry Cohen, still refers cases to her.

“I was sorry to see her go,” says Cohen, who now works as an arbitrator.

But for Abrahamson, it just felt right to strike out on her own at the time, and it’s a decision she hasn’t regretted.

“I was coming to the point in time where I was going to become eligible for partnership... and I decided that was not for me,” she says.

She wanted a more flexible lifestyle and decided her own firm was the way to get it. And although she’s enjoyed great success, she’s deliberately kept the size of her firm small. She has three partners and an associate.

“Managing people becomes a whole different job. It becomes a second job, or a first job depending on the way you look at it,” she says.

Abrahamson was fortunate in that, when she started out, very few firms were focusing exclusively on plaintiffs' employment law. If they did employment law at all, it was mixed in with other civil rights work like police brutality and voting rights cases.

"So it's sort of like being in the right place at the right time," she says.

Now, she says, the market is more crowded with firms like hers, which makes her dedication to involvement in professional groups all the more important, and she encourages her partners to be involved in them as well.

"I think promoting yourself is as important as working on the cases," she says.

Darlene Vorachek, Abrahamson's partner, says the strategy that Abrahamson encourages has served her well. She joined the firm in 1991 after meeting with Abrahamson in a coffee shop.

That easygoing approach is one Vorachek cherishes.

"I like that we are informal, but very much staying abreast of what's going on in the law," she says.

She also likes the personal relationship she and Abrahamson have cultivated beyond just the professional relationship.

"There are few situations in professional life where people get to that next level with somebody. And I feel very fortunate because I feel the practice that I have, which I love, is due in no small part to Vicki." ■