In a cavernous conference room in the Treasury Building, Michael Hausfeld, arguably the most powerful lawyer in America, is sitting at a long wooden table facing half a dozen government officials, their eyes riveted on him. Hausfeld is there to discuss a potentially massive case involving bank fraud that came to him, as many of his cases do, through an email from whistle-blowers he is now representing.

Hausfeld is small and his speech is measured, but there is no question he exudes authority. When he says of the transgressing bank, “You’ve got an evil institution,” he says it evenly but chillingly, like the aging gangster Hyman Roth in *The Godfather: Part II*. Watching him, you realize you wouldn’t want to be that bank. And you realize Hausfeld will soon be gaining another enemy.

At the age of 68, Hausfeld is the preeminent plaintiffs’ antitrust attorney in the country—the man who sues giant corporations on behalf of wronged consumers and smaller companies harmed by monopolistic business practices—and he has acquired a lot of enemies as a result, enough of them that his wife, Marilyn, quips, “I used to say that if our house got bombed, there were so many people who were after him, they wouldn’t know who to blame.” Of course, there are the giant corporations he sues and those who make a living defending them. They have called Hausfeld a “glorified ambulance chaser” and a “corporate shakedown artist.” And he may have even more enemies from the plaintiffs’ bar, some of whom have accused him of getting involved in too many of their cases and forcing them to split their fees.

He even had an enemy in a former partner who sued him for wrongful termination and began his pleading, “This is a case about a bully,” meaning, of course, Hausfeld. (An arbitrator denied the merits of the case and ordered the man to apologize publicly.) Perhaps worst of all, he made enemies of a majority of the partners at the old firm he’d founded and at which he’d worked for 37 years before they left a note on his chair one November day in 2008 telling him he was fired.

The enmity hasn’t slowed him. Hausfeld has been...
tremendously successful; Washingtonian magazine has said he “consistently brings in the biggest judgments in the history of law,” including $1.25 billion in a case against a worldwide vitamin cartel, $3.75 billion against diet-drug manufacturers, $5 billion in punitive damages in the Exxon Valdez Alaskan oil spill and $5.14 billion from the German government and German industries in a case he filed on behalf of slave laborers dragooned by the Nazis to run their factories and till their fields during World War II—more than $20 billion in all.

But the thing about Hausfeld is that, for all the triumphs he has enjoyed and all the billions of dollars he has won, he is very different from just about every other high-powered attorney. That’s because he takes the sorts of cases most of them wouldn’t think of taking—cases that don’t necessarily end with a pot of gold but with social justice. Hausfeld filed the first sexual harassment suit in America—and won. He has filed dozens of racial discrimination suits, including one against Texaco in which he got his clients a record $176 million. He has filed dozens of racial discrimination suits, including one against Texaco in which he got his clients a record $176 million. He formed in 2008, has four offices—in San Francisco, Philadelphia, London and Washington, D.C. Hausfeld is headquartered in the last of these in a modern metal-and-glass building on K Street, which is best known as the reserve of lobbyists, making Hausfeld something of a fox in a chicken coop. It is, as law firms go, small, a boutique with 27 attorneys and anywhere from 30 to 50 active cases.

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Only a tiny percentage are pro bono—that is, cases that are done “for good” and for which the firm takes no fee—but they are the cases he clearly loves. Right now, Hausfeld is representing former NFL players in a suit to compensate them for traumatic brain injuries and, earlier, one to get them payment from the league for licensing rights; he has four separate actions pending to redress past wrongs in South Africa, including one against corporations that supported the military and police enforcement of apartheid and another against three gold-mining companies on behalf of black workers afflicted with lung diseases they contracted while toiling in the mines; and he is suing the NCAA, the organization that polices college athletics, to get compensation for athletes who suffered concussions while playing. This past year he made headlines as the lead attorney in another suit against the NCAA, this one to get royalties for athletes whose images have been sold by the organization; he won a stunning victory that will almost certainly change the face of college sports by eventually forcing institutions to compensate players. In effect, it is the end of amateur athletics as we have known them.

In a profession in which, as Hausfeld himself says, the (continued on page 142)
1946 to a lower-middle-class Orthodox family in New York. His mother, Sarah, was short and cherubic, and there was a man of the family. Michael David, Hausfeld's maternal grandfather, worked as a furrier in Manhattan's garment district, where Michael assisted him on weekends from the time he was eight years old. It wasn't Michael's only responsibility. His maternal grandfather suffered a stroke, and Michael, as the oldest of three children, was charged with looking after him and caring for him—at first in a separate apartment and later, when his parents moved to larger quarters, in his own room. This lasted from the time Michael was eight until he was 16, when his grandfather died. And even that was not the last of his duties. One brother was away at a half-year younger, and Michael became his babysitter, even dragging him along on dates when Michael was a teenager because there was no place to leave him.

Hausfeld describes his youthful self as a "nerd extraordinaire" who carried a briefcase to school and wore a pocket protector in his shirt. He didn't grow up dreaming of justice. His parents wanted him to be a doctor, and he had a flair for science. But when Hausfeld was in middle school, he and a partner made an analog computer for their New York State Science Fair. When it turned out, the computer failed to function just as the judges came by. So Hausfeld and his partner would work. He was so impressive that one of the judges told him, "Forget this. You can go into law just as it is going to fail and break your heart.

Hausfeld had superior verbal skills and a quick intelligence. He organized the debate team in his high school, where he dreamed of Princeton, though his parents could only afford Brown College, which he entered. In the summer after his high school graduation, he went to Europe and rode a motorcycle trip across the country. His father wanted to know why. "So I can find my self," he said. "I had furtively carried on 

And there is his demeanor, which is regal. If he were a soldier he'd be a general, a lawyer he'd be a judge. But he is a man in manner is prettily, and deliberately, that word comes to mind is impec-

specable. His words are impeccably chosen, his gestures are impeccably economical, his hair is impeccably matched, his glasses are impeccably silver-framed. He drees impeccably in dark suits and starched white shirts (he is color blind) so crisp the creases are like blades, and his impeccably matched ties so crisp that the scissors barely waver. You can understand why opponents find him formidable, because there is something intimidating, even terrifying, in his quiet, self-possessed, impermeable, impec-

He's not one of these trial lawyers with a "coronet of steel." He lives impeccably too. He gets up at six every morning and carloads to his of-

Hausfeld's sense of injustice, was willing to use his successful antitrust practice to bring the mighty to justice. In that pursuit, he has helped to set up a new kind of law firm, a new kind of lawyer.

Although Hausfeld is known as a legal crusader, it's not always easy to square that name with his self-description of the man. Stuart Eizenstat, President Jimmy Carter's chief domestic policy advisor and the speaker of House Ways and Means Committee, to help resolve the Swiss bank and slave labor reparations cases, once wrote, "Hausfeld was a force of nature. He was a man of the people at one moment and anger and darkness the next. In the words of the State Department's Washington correspondent, "He is described as being known as difficult. One judge called him a "bulldog" in the courtroom after Hausfeld had joked and then, having disarmed him, suddenly pumped him with questions. Another judge who had talked of Hausfeld's "brilliant, but arrogant" facilitator. All the wild cases that Arent Fox handled, he accepted Cohen's offer, after Cohen had already called the Michigan firm to tell them he needed Hausfeld more than they did. Hausfeld began the most important relationship of his professional life.

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Then he is thin to the point of being gaunt. His hair is short and chiseled, his eyes are pale blue, his features delicately handsome.

When Hausfeld left law school, he joined a large firm, Arent, Fox, Kintner, Plotkin and Kahn, that specialized in defending accused rapists. At Arent Fox, Hausfeld learned a few things. He learned that every little shot is important. He learned that there was a lot of gray, which meant there was potentially a lot of flexibility—flexibility to get courts to interpret the law in more expansive ways. He learned he had lost his "evertor for any kind of defense law" because he had always won on how companies could avoid antitrust scrutiny. He had realized how to maintain the status quo than to challenge it, as he wanted to do. And he learned that a steadfast defense firm such as Arent Fox wasn't going to put up with him for very long—so he began to consider some of the things he wanted to do. In fact, it put up with him for six months before giving him an out.

But what a six months they were. In fact, it put up with him for six months before giving him an out.

It didn't start out that way. It started out in Brooklyn, where Hausfeld was born in 1946 to a lower-middle-class Orthodox Jewish family. He was raised in the Bronx, well out of the way of the 打完
It was over the Christmas holiday in 1995, while Hausfeld was on vacation in Alaska with his family, that he took Jerry Cohen had dropped dead of a heart attack in Sun Valley, Idaho, and a huge hole opened in Hausfeld’s life. He filled it with a case. Years earlier, he and a close attorney friend, Martin Mendelsohn, had brought suit on behalf of Jewish immigrants against a vicious for-
er Croatian interior minister named Andrija Artuković, the so-called Butcher of the Balkans, who had been a Nazi pup-
pet during the war. Since members of the Croatian fascist terrorist group Ustaše were still alive, this was, says Hausfeld, the only time he feared his life might be in danger. Now Mendelsohn approached him with another daring gambit to help victims of the war: filing a class-action suit against Swiss banks on behalf of Holocaust survivors and their heirs for dormant ac-
counts the banks had appropriated.

“Nobody gave us a chance of recover-
y,” Hausfeld says. But he locked himself in his conference room with stacks of books, including transcripts of the Nuremberg war crime trials, and with all the documents he had collected and the research he had done during the war. He devoted himself to a case that could potentially win billions of dollars for the survivors. He spent weeks, eight to 10 hours a day, read-
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It wasn’t just money that was at stake. Hausfeld’s team had spent years researching the records of Nazi-era German banks, and they had discovered that Swiss banks had been complicit in the international trade of Nazi-era gold and that the Swiss banks had refused to return the gold to the rightful owners. Hausfeld and his team knew that they had a strong case, and they were confident that they could win.

But Hausfeld was not the only one who was excited about the case. Ted Olson, a former Justice Department attorney who had worked on the Nuremberg trials, was also excited about the case. He had been tracking the story for years, and he knew that Hausfeld was the right lawyer to take on the case. With Olson’s support, Hausfeld and his team began to prepare for trial.

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now dominates the postwar economies of those countries, to band together to pursue reparations?” He paused. “I like it!” Hausfeld not only got a $5.14 billion settlement, but he enlisted a prominent German historian to force the government to acknowledge its complicity not just for the Holocaust but for enslaving millions more, Jew and non-Jew. Hausfeld called the settlement the apex of his career.

Then came the nadir.

After Jerry Cohen’s death, nothing was ever the same at Cohen, Milstein, Hausfeld. “I was alone,” is how Hausfeld describes it. He remained the firm’s chief breadwinner with his antitrust cases, but most of the remaining partners didn’t share his zeal for social justice or his interest in rewriting the law. The animosity simmered until Hausfeld began to push for a London branch of the firm to pursue his cause of bringing class-action suits to the European Union, where the courts had not recognized them—a pursuit based in part on his fear that an increasingly conservative judiciary would gut plaintiffs’ antitrust suits in the U.S. The partners reluctantly agreed, spending millions on the new office, but the European courts were not immediately receptive to Hausfeld’s cause. And that’s when the simmer among the partners turned to a boil. They derided him. He derided them. “I lost it every once in a while,” Hausfeld concedes. “I was angry at the animosity. I was angry at the adversity. I was angry at the cowardice.”

As the warfare dragged on, Hausfeld approached his partners about negotiating an amicable separation. Instead, Hausfeld’s adversaries essentially pulled a fast one, which showed how much they had come to resent him. Meeting clandestinely, they unilaterally reduced Hausfeld’s share of compensation from 28.95 percent to 14 percent and that of another partner and Hausfeld ally by enough to push their combined shares below the 33.3 percent threshold that would have allowed Hausfeld and his supporters to block his termination. And having rejiggered the shares, the partners fired him the next day, November 6, 2008, by placing a note on his chair, after 37 years, and ordering him to leave the building immediately or be arrested for trespassing.

Hausfeld thinks the partners must have thought he would retire quietly, but that only shows how little they understood him. Social justice isn’t a job for Hausfeld. It is a life fed by deep wellsprings, which brings us to the why of Hausfeld’s commitment. One of those wellsprings is doubt that his family’s destruction by the Nazis. Another, he says, came from maturing in the 1960s, when he saw a “lot of inequities,” and his realization that his father’s motto, “Love everybody and everybody will love you,” simply wasn’t true.

Perhaps more important were the personal realizations. He remembers a psychology experiment in college when he and four other students were called to the front of the class and asked their opinion of a new campus curfew. After the first four students expressed support, Hausfeld suppressed his own opposition and agreed with them, only to learn that those students had been ringers designed to show that people confronted by large groups will not stand by their convictions. From that point on, Hausfeld resolved, he would always follow his conscience. He would be the exemplar of rectitude in a legal world where rectitude matters. He would be the exemplar of rectitude. He would be the exemplar of rectitude.

And among those wellsprings are wounds that surface in a comment one of his clients, a Navajo, made when he engaged Hausfeld to bring suit against Hispanic Americans who had discriminated against him: “Michael, everywhere there’s a totem pole, and everywhere there is someone on the bottom.” Hausfeld hated when, during settlement discussions with Shell Oil for the inhabitants of a trailer park that had been contaminated by chemicals, Shell’s counsel asked sneeringly, “How much do you want us to pay trailer park people?” just as he hated it when Texaco’s executives had called Hausfeld’s black clients “porch monkeys,” or when the lawyers at the top of the totem pole would laugh at him for his strange legal theories. It hurt. But it also helped him identify with the others at the bottom of that totem pole. He had been there himself. In some ways, he admits, he still is—still the lawyer without the Ivy League pedigree. “No matter how many times I’ve been vindicated,” he says, “I’m still not used to people laughing at me.”

So instead of retiring on that awful November afternoon, Hausfeld walked immediately to a friendly law firm, Venable LLP, and began strategizing to start a new firm. Within days, more than a dozen of his former associates from Cohen, Milstein, Hausfeld were crammed into a Venable conference room, passing around the only computer with Adobe, sharing cell phones, tracking cases on large white sheets of paper and conducting business amid what one lawyer called “controlled chaos.” Hausfeld conveyed his usual calm, but underneath he was terrified. To get a line of credit to set up an office and pay his attorneys, he had to stake everything he owned as collateral. In a way, he was right back at the beginning: broke.

Most of the associates and partners say the unruly start of Hausfeld LLP was a bonding experience. Meanwhile, courts awarded Hausfeld virtually all the cases for which he was counsel at the old firm, and he quickly started getting new ones, including the NCAA case, in which he successfully argued that the organization was a cartel that denied current and former student athletes the rights to their own images—rights, thanks to Hausfeld, the court has now granted. Even his decade-long crusade to bring those plaintiff class-action suits to Europe is finally paying off, and he fully expects the principle to be established there soon, which would be a crowning achievement. “People are definitely watching us to see what we’re going to do next,” says one partner.

All of this seems to have reenergized Hausfeld. His wife jokes that when she reminded him that no one on his deathbed ever said he wished he had spent more time at the office, he countered, “I’ll be the only one.” The firm is expanding—the London branch alone has doubled in the past 18 months—and he is forever searching for new wrongs to right, though he says ruefully that no one has ever approached him to see how Hausfeld LLP might serve as a model for other firms. So he must trudge on—that lonely man of rectitude. Asked when he might retire, he points to a framed cartoon on a side table in his office with the caption “God put me on this earth never to die.” That is close to a framed quote from Deuteronomy 16:20 one sees upon entering the adjacent conference room:

JUSTICE, ONLY JUSTICE, SHALT THOU PURSUE.