



Appellate practitioner finds her niche in brief writing

*D*iane Slomowitz recently took a meditation class. Not long into it, she realized everyone except her had achieved a meditative state.

Suddenly she realized she didn't need a class, she said. She achieves that reflective, peaceful state when she's writing.

Though it's been a natural fit, Slomowitz stumbled into her work writing briefs at Fox, O'Neill & Shannon SC. She was set to start her career at the Federal Trade Commission in its False Advertising Division when then-President Ronald Reagan ordered a federal employee hiring freeze.

Slomowitz scrambled to find a new job, landing at the Milwaukee firm, where she was paired with Bruce O'Neill. The two immediately discovered they had complementary talents, she said.

"For close to 30 years, Bruce would put a brief on my desk, and I'd write the reply," she said. "I've always been a behind-the-scenes person. I'm not the guy who does the big federal trials; I'm the guy who gets them ready for trial."

O'Neill said Slomowitz is one of the country's preeminent appellate practitioners.

"Where most lawyers might be content to conclude, 'There's no case on point,' Diane always begins with the opposite assumption — and usually she's right," he said.

He recalled her work on an attorney malpractice case a few years ago, where their client had been socked with a seven-figure verdict regarding his unsuccessful efforts to bring Indian gaming to Kenosha. It was a highly unusual fact pattern, presenting novel legal questions.

Slomowitz quickly found three on-point cases from outside Wisconsin and convinced opposing counsel to settle. The client wound up paying pennies on the dollar and, more importantly, feeling somewhat vindicated.

An opportunity teaching business law to management students at Herzen Pedagogical University in St. Petersburg, Russia, in 2008 offered Slomowitz a chance at personal vindication.

The Russian educational system traditionally favors passive learning, she said, but by emphasizing interactive methods such as role-playing, she got students engaged.

"It went from this silent, stone-faced class, to people yelling across the room at each other," Slomowitz said. "It was great."

~ Jane Pribek