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MAGAZINE

THE ANNUAL LIST

The Top Attorneys
in Maryland

INCLUDING RISING STARS

MR. NICE GUY

Donald L. DeVries Jr. is just
so darn pleasant—even when
he's eviscerating an expert

ALSO

CRIMINAL DEFENSE ATTORNEY
RENE SANDLER REFUSES
TO ACCEPT 'AVERAGE'

NAVIGATING THE PORT OF
BALTIMORE WITH M. HAMILTON
"TONY" WHITMAN JR.



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TABLE OF CONTENTS

COVER STORY



18 KILLING THEM WITH KINDNESS

Plaintiff's lawyers hate to face Donald L. DeVries Jr. in a courtroom because he is so darn nice.

BY BILL GLOSE

FEATURES



22 THE HUMANIZER

Criminal defense attorney Rene Sandler has one job: defend.

BY JOAN HENNESSY

DEPARTMENTS

10 WORD FOR WORD

Three lawyers chat about which Supreme Court justice they'd like to take to lunch.

AS TOLD TO MIKE MACHIN

12 BRIEFS

Sharon Krevor-Weisbaum works for those with disabilities; negligent companies should fear Robert K. Jenner for good reason.

BY JESSICA TAM & LAUREN PECK

14 Q&A: THE BOY ON THE BAY

It didn't take a message in a bottle for M. Hamilton "Tony" Whitman Jr. to grow up to be a maritime lawyer.

INTERVIEW CONDUCTED AND EDITED BY AMY KATES

THE ANNUAL LIST

25 SELECTION PROCESS

SUPER LAWYERS

26 THE TOP LISTS

30 LISTED ALPHABETICALLY

36 LISTED BY AREA OF PRACTICE

RIISING STARS

62 LISTED BY AREA OF PRACTICE

HAVE AN IDEA FOR AN EDITORIAL FEATURE?

Email it to Amy Kates at amy.kates@thomsonreuters.com

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COVER AND TABLE OF CONTENTS PHOTOGRAPHY BY LUIGI CIUFFETELLI



RENE SANDLER

· FOUNDER, SANDLER LAW;
ROCKVILLE

· CRIMINAL DEFENSE

· MARYLAND SUPER LAWYERS:
2011-2014; TOP 50 WOMEN
2012-2014

The HUMANIZER

Criminal defense attorney Rene Sandler has one job: defend

BY JOAN HENNESSY
PHOTOGRAPHY BY LUIGI CIUFFETELLI

FOR MONTHS IN 2013, THE TRIAL OF JODI ARIAS, A SLIM BRUNETTE with beauty pageant good looks, dominated the airwaves. Her boyfriend wasn't just dead, he was good and dead. Shot in the head. Throat slashed. Stab wounds.

As the courtroom saga unfolded, four analysts lined up in side-by-side camera shots that filled television screens across the nation. The subject: Arias' journal.

"How is it that you can believe anything that is based on a journal that we know has lies in it?" asked HLN's Jane Velez-Mitchell.

The lawyer on the receiving end of the question did what defense attorneys do. She defended.

"First of all, this defendant did something very courageous, and we have to give her credit for this, even though you don't want to. And that is, she took the stand and she owned her lies," Rene Sandler said. "Ultimately, as we all know, it is up to the jury to decide what to believe, what is true and what is not and how to reconcile it. But this defendant, like it or not, stood up there, took the stand and courageously ..."

The host and another panelist began to interrupt, but Sandler continued: "... *accepted a lie.*"

“I’m very direct,” Sandler says. “More prepared than most people, which is probably why I don’t sleep a lot, but you have to have a strategy. You have to be tactical.”

The legal analyst bit is just a side of Sandler. “I was concerned about doing it because I never wanted to be portrayed as anyone who ever compromised my standards or professionalism for TV purposes, or to over-dramatize something serious,” Sandler says. “Call me naïve, but one impact that I didn’t expect was the amount of hate mail I receive as a result.”

It might be easy to look at Sandler—a slender woman with dark brown hair, a round face and owl-shaped, wire-rimmed glasses—and think “soft.” Think again.

She has stood beside alleged rapists, kidnappers and even an honors student who built a bomb.

“She’ll fight for every point, every legal argument,” says Maryland Attorney General Douglas F. Gansler. “She’s tenacious. She’s smart. She comes up with novel defense arguments.”

SANDLER, 50, WHOSE FIRST NAME IS pronounced REE-NEE, is a product of the Maryland suburbs of Washington, D.C. Life growing up revolved around public schools and swimming pools. She swam, hung with the boys, played football and kick-the-can.

Her junior high school was a project of the forced-busing movement, and she found herself the sole white female on the basketball court playing with African-American males. But she wasn’t deterred. She made friends with a boy named Tony Raines. “He called me ‘Little Rene,’” Sandler says. “He was a powerful, powerful force. He was a strong guy. He was a big guy. He was a scary guy. But he looked out for me.”

A high school diploma, bachelor’s degree and master’s degree came in quick succession. “I was always inspired to work hard by my father,” she says.

After earning her master’s of science in justice from American University, Sandler developed an interest in law. She picked up a few internships that she thought would better position her for the law, but she still wasn’t sold. “I didn’t know what I wanted to do in the law,” she says. So she and a friend, Valerie, started a T-shirt silk-screening company that began in a garage. Within two years, it expanded to a warehouse. “It just grew and went insane,”

Sandler says. But she didn’t feel fulfilled. The law was still gnawing at her.

“I did in that silk-screening business what I do in my law practice: formulated an exit plan,” she says. That plan involved arriving unannounced at her company’s biggest rival and pitching a sale. “I’m very direct. More prepared than most people, which is probably why I don’t sleep a lot, but you have to have a strategy. You have to be tactical,” she says. “They were happy to get rid of us.”

Within 30 days, Sandler and her partner were out. Sandler hustled, took the LSAT, and enrolled at the District of Columbia Law School. Valerie did, too. During Sandler’s first year, she was in court with a full caseload, supervised by a professor. Then she nearly lost her life.

On a Saturday night at the end of her second year of law school, after helping a friend pack to move, Sandler started the drive home. There wasn’t a warning—another car slammed into her dead on while she was stopped at a stop sign. The windshield shattered. The bones in her neck fractured—a first responder had to hold her neck in place all the way to the hospital to prevent paralysis. The other driver was a high-powered lawyer at a prominent D.C. firm. “He had consumed 11 vodka tonics,” Sandler says, growing emotional. Later, Sandler watched as he walked away from court with a PBJ—probation before judgment. “They struck it from his record.”

For two years, Sandler wore a Philadelphia collar. Her injuries were so severe that she couldn’t even carry her law books—she printed copies of the pages she needed. She wanted to pack it up and quit school, but the lessons she learned from the crash inspired her. “I was a faceless victim,” she says. “I couldn’t get a prosecutor to return my call, to connect. I learned the benefit of having a very, very good lawyer. Later in my career, as a prosecutor, I vowed I’d never be like that—I wouldn’t let someone be faceless.” (To this day, titanium plates remain in her neck, fusing vertebrae.)

Her first job post-J.D. was a clerkship with former Montgomery County Circuit Judge S. Michael Pincus, who taught her

CONTINUED ON PAGE 35

never to be late and never to be wrong. That's impossible, Pincus admits now, "especially in this business. There's not always a right and wrong." But his message was clear: He wanted her to be thorough and never assume. She never forgot. She's punctual to this day. She's a perfectionist, too.

After two years as a prosecutor with the Montgomery County Office of the State's Attorney, she went into practice with Stephen B. Mercer, a law school friend. Now chief attorney for the forensics division of the Maryland Office of the Public Defender, Mercer remembers being impressed with Sandler from their first days in torts class. "She has the ability to evaluate the listener, the jury and the judge and zero in on the point that is most important," he says.

Her caseload has always been diverse. She has juggled personal injury cases, represented parents under investigation by Maryland's Child Protective Services and tackled appellate law. And in the middle of a busy career, she and Mercer had three children—Camryn, 14, and twins Sam and Sara, 11.

In 2003, when Sandler returned to work after taking a year off when the twins were born, Sandler took a case from Mercer. "It was a first-degree rape charge, and I'm like, 'wonderful,'" she says. "So I see the name—Charles Raines. It didn't click. Not until I was looking across the glass [at the jail] did I realize, 'Oh my God, that's Tony Raines, from junior high.'"

While Sandler had been rising in the law, Raines was behind bars, becoming an accomplished jailhouse lawyer. He possessed a command of law and wrote better briefs than many lawyers she knew.

Raines was charged with rape after being forced to provide a DNA sample while in jail on an unrelated charge. He hadn't voluntarily allowed police to take his DNA, and there was no probable cause. Sandler thought the case would find its way to the Supreme Court, but before that happened, Raines died of a heart attack in jail. "On a personal level, it was devastating," says Sandler. "But from a lawyer's perspective, all of his issues died with him. Charles Raines would have been

the first case [of this kind] to go before the Supreme Court had he lived. Charles Raines, not Alonzo King."

The Supreme Court eventually ruled in 2012 in the King case that police *could* collect DNA samples from those under arrest without warrant. "I believe that had Raines been the first case, that we would have prevailed, and Charles Raines' name would be forever associated with the protection of a person's individual constitutional rights."

MARGARET J. MCKINNEY OF THE

domestic relations law firm Delaney McKinney in Chevy Chase, met Sandler when the two were thrown together on a case. Right off, McKinney noticed that Sandler could quickly assess the inconsistencies in a witness's testimony. Now, when her firm needs a Maryland criminal defense attorney, "I rely on her," McKinney says. "She's really skilled in terms of knowing the law and in being a good strategist."

Sandler thinks outside the box, says Alan D. Levenstein, an attorney with Houlton, Berman, Bergman, Finci, Levenstein & Skok. "She has the ability to figure out an argument that has a good chance of success that others might not have thought of. She's creative in that way."

Take, for example, the case of Carl E. Jones Jr., accused of carjacking a Mercedes SUV with two children in the backseat in 2003. Newspaper accounts described the case as a lost cause. Sandler disagreed. Stepping before the jury to make her closing argument, she said over and over that the case was not about children. She argued that Jones didn't know the children were in the car, and never hurt them: "It's about a car." The jury found Jones guilty of assault and carjacking, but failed to reach a verdict on the kidnapping charges.

As Sandler sees it, her job is to humanize men and women accused of serious crimes—whether it is a teenager charged in the beating death of a 57-year-old man or the 18-year-old who shot and paralyzed a uniformed officer during a traffic stop. At times, it's a tall order.

Consider client Patrick Yevsukov. When

he was 17 years old, he and his friend, Collin McKenzie-Gude, were accused of manufacturing bombs. A cache of weapons and bomb-making chemicals was found in the home of McKenzie-Gude, whom investigators say planned to kill then-presidential candidate Barack Obama.

"[Yevsukov] didn't have either of his parents available to him," remembers Sandler. "It was me and him." McKenzie-Gude was sentenced to nearly eight years. Yevsukov, who cooperated with police and testified against McKenzie-Gude in a plea bargain, was placed on three years' supervised probation. He has since graduated college. During a hearing in October, Sandler had his conviction stricken. In doing so, she convinced a judge that Yevsukov had been rehabilitated.

Sandler thinks the justice system works. But there are exceptions.

No case affected her more than that of Brian K. Betts, a gay school principal murdered in 2010 during a robbery in his Silver Spring home. In a departure for Sandler, she and famed attorney Gloria Allred represented the victim's family, the Betts. They asked the U.S. Department of Justice to investigate the murder as a hate crime. So far, the department has declined to proceed. While disappointed, the case changed Sandler.

"When I represent a person charged with an atrocious crime, I put blinders on to everything else but my client," she says. "To experience the callousness and deliberate targeting of Brian by the defendants; the needless, senseless crime; and then to see the impact, the raw emotion of his family, friends and students, was beyond eye opening for me."

She has adopted Betts' popular motto. "He would tell his kids, 'I will not let you be average,'" she says. "Average for me has never been acceptable. I see people at the worst times in their lives. 'Average' won't cut it. I have to give them a 100-percent commitment that I will do everything I can." ■