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## **Network Spotlight: Litigation**

**Interviews and Profiles**

**Litigation and Dispute Resolution**





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**Theresa Coetzee**

VICE PRESIDENT AND ASSISTANT GENERAL COUNSEL,

MARRIOTT INTERNATIONAL

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**Tell us about yourself and your law department.**

I am vice president and assistant general counsel — dispute resolution at Marriott International and am currently serving as vice chair of the ACC Litigation Committee [Network]. Our team at Marriott manages all commercial litigation and arbitration for all Marriott brands and division, globally. This work involves a significant amount of international arbitration and includes government investigations. But it does not include tax or employment litigation. In addition to managing commercial disputes, I oversee certain operational aspects of the law department, including our technology team and our records department.

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Prior to joining Marriott, I was assistant general counsel for litigation at Verizon Business, a position that arose out of Verizon's acquisition of MCI in 2001. Because of my background in not only commercial litigation but also in mergers and acquisitions, antitrust, advertising, and related subjects, I assisted with the due diligence at MCI and the regulatory approvals required in the Verizon acquisition and managed litigation matters. Prior to moving in-house, I practiced in both the competition and litigation groups of Collier, Shannon, Scott (now Kelley Drye). I received my undergraduate degree from Colgate University (Go 'Gate) and my Juris Doctor from the University of Denver. I have also taught legal research and writing as an adjunct professor at George Washington University's law school.

Marriott International, Inc. is a worldwide operator, franchisor, and licensor of a hotel, residential, and timeshare properties under a variety of brand names at different price and service points. Marriott's portfolio was enhanced when Marriott acquired Starwood Hotels & Resorts Worldwide in 2016. Today we offer the largest range of brands and properties in the world with more than 6,000 destinations in approximately 120 countries under 30 different brands. These include the Ritz-Carlton, St. Regis, Edition, W, JW Marriott, Renaissance, Marriott, Westin, Sheraton, Meridian, Four Points, AC, Courtyard, Protea, and Moxy, among others.

## **What interested you in in-house practice, and how did you come to be in your current position?**

I come from a family with a few lawyers. So prior to deciding whether to attend law school, I spent some time working as an antitrust paralegal in a very large, national — now international — law firm. I value my time at the firm, am still friendly with those colleagues, and (obviously) ended up in law school. But, reflecting on my experiences and on my perception of the experiences of family and friends, I started law school knowing that I did not want to join a large law firm. What that meant for a future in the law, I wasn't sure, but I was off to school.

In law school, I clerked for a state attorney general's office, for a small plaintiffs' firm, and for a federal agency. In all three positions, I focused on antitrust and consumer protection issues. After law school, I found myself in a small firm counseling risk arbitrageurs and trading desks on the merger of the day. Ultimately, I concluded that I needed traditional law firm experience to accelerate my career. So I joined Collier Shannon Scott, where I focused on competition law, became a litigator, and, importantly, learned about the role of in-house litigation counsel. The notion of working in a corporate environment while focusing on litigation strategy was appealing to me. And when an opportunity arose to join MCI's in-house litigation team, I did not hesitate. Soon after, an influential mentor — and friend — moved to Marriott; I was happy to follow. I've now been with Marriot for 11 years. I love working for an amazing, ethical company that puts people first. My colleagues in the dispute resolution team and my colleagues all over the world are top-notch! And while commercial litigation and "hospitality" aren't congruous, we assemble strong teams when we need to do so, achieving good outcomes.

## **What is the single greatest challenge that your law department is facing today, and how are you dealing with it?**

Rather than answer on behalf of our entire law department, I prefer to focus the answer to this question on our commercial dispute resolution team. We are facing lots of challenges today. I asked a colleague for his thoughts on current challenges, and his first reaction was "cyber." In addition to cybersecurity risks, technology is raising new issues for us in terms of both litigation

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management and the types of litigation crossing our desks. These are very real, timely, and interesting challenges that are exacerbated by varying regulatory landscapes across the globe.

But with our recent Starwood integration, another challenge comes to mind — continuing to successfully manage litigation around the globe from offices in Bethesda, Maryland, and Stamford, Connecticut. Our law department is large. We have lawyers in approximately 13 offices around the world, and those lawyers support Marriott operations and properties in more than 120 countries. These efforts are braced by our US-based dispute resolution group, which is a relatively small team that currently manages matters in Europe, Asia, Africa, Latin America, the Middle East, and the United States. For our team, ensuring the continued success of centralized dispute resolution management is a big and necessary challenge that we are bolstering for success.

Given the nature of our business and the contracts that are the foundation of that business, centralized dispute resolution management is important to not only successful outcomes in the context of litigation and arbitration but also to successful business outcomes in other contexts. While taking cultural and legal differences into account, consistency in both interpretation and practice matters. That consistency is achieved through shared knowledge, communication, and open doors. Consequently, in addition to winning cases, our US-based dispute resolution team works continuously on two goals. First, we make sure that worldwide colleagues and business partners know when to call us. Achieving this goal requires constant engagement and education to instill situational awareness and responsive action. It is always better to reach out too soon than too late. We also constantly reinforce that our team's early guidance cannot only help set a winning stage for litigation, but it can also provide perspective in other business contexts. Second, no matter what the outcome of a pending matter, our team makes sure to support the success of our business by bringing lessons from litigation back to the company. This feedback and the implementation of that feedback can be more challenging when the footprint is global. But, we support the effort all the way.

## **In October 2017, you were elected as vice chair of the Litigation Network. How did you initially get involved?**

I first became involved in the Litigation Network when I joined Marriott in 2007. For several years, I would dial in to an occasional monthly meeting (in listening mode), I would read the newsletter, and I would access resources on [acc.com](http://acc.com). But that was the extent of my participation. I became more active a few years ago when I volunteered to speak on the faculty at one of the ACC Annual Meetings. The experience of attending the Annual Meeting turned my head. If you have not attended an Annual Meeting, you should go! I subsequently became an active volunteer in the Litigation Network by writing blogs, planning programming, and serving as faculty at ACC events. In 2016 a friend, colleague, and ACC leader — Ed Paulis — asked me to consider taking on a greater role in the Litigation Network. I was elected secretary that year. I am looking forward to serving as chair in 2018-19 and encourage anyone with interest to become more active in the network.

## **What are some of the ways that the network provides value to its members?**

The Litigation Network provides its members with great opportunities to stay abreast of changes in the law that impact their practices as well as ample occasions to network with other ACC members. The network is always looking for new and interesting ways to engage the in-house litigation community and wants to hear about what interests its members. Please reach out to any of our leadership team with thoughts and ideas. We can be found on the ACC website, [www.acc.com](http://www.acc.com).

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That said, I'm going to largely plagiarize past network leaders in providing more details around what we do. The Litigation Network provides its members with a range of legal resources, including ACC Docket articles, ACCDocket.com articles, Briefings, sample forms and policies, newsletters, InfoPAKs, QuickCounsels, Top Tens, CLE eligible webcasts, and live and recorded legal quick hits. We also support an active and ongoing discussion on ACC eGroups. The latter allows our members to participate in private discussions with other ACC members about issues of interest to them. Members can participate in the network activities by dialing into monthly webcasts, legal quick hits, and attending the in-person network meeting at the Annual Meeting. This year we are also working to sponsor or co-sponsor local roundtable and networking events with various local ACC chapters, which allow our members an opportunity to connect and network in-person on a wide range of litigation topics locally.

On the pro bono front, the Litigation Network supports KIND (Kids in Need of Defense). Members are encouraged to explore opportunities for personal growth by assisting unaccompanied immigrant minors who need legal representation in legal/deportation proceedings.

## **What substantive practice issues does your network address?**

The Litigation Network encourages our members to develop their litigation skills by providing resources, training, and educational opportunities in the areas of interest to them and will address whatever substantive issues our members want to see addressed. Consequently, each year we conduct a membership survey to determine topics of interest, and we work hard to incorporate those topics into our various outlets: webcasts, legal quick hits, articles, blog posts, and Annual Meeting presentations. Given the variety of issues and litigation impacting our member companies, the topics vary widely. Past and upcoming topics touch on cybersecurity, contract drafting to avoid litigation, ethics in whistleblower actions, SEC litigation trends, consumer arbitration clauses, employment litigation, and others. Our network sponsors, Integreon and Norton Rose Fulbright, work closely with us to support these educational efforts.

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