

# Daily Journal

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## Double Partners

*Husband and wife Jonathan Jenkins and Lara Kayayan battle big law firms for high stakes.*

By Melanie Brisbon  
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**L**OS ANGELES — A Yale University alumni mixer led to several successful partnerships for Jonathan M. Jenkins and Lara Kayayan.

Jenkins, a Yale College alumnus, met Kayayan, a Yale Law School graduate, at the 2009 mixer, and they were married the next year. Now the parents of two children, they are also the co-founders of Jenkins Kayayan LLP, a litigation boutique formed in 2012.

### Profile

“As a firm, we don’t have a lot of the issues that partners at other law firms do,” Jenkins said. “What are the things that they usually fight over? Money, hours and origination and proliferation credit. We don’t really care because at the end of the day, the money and credit goes to the same place.”

Kayayan is the firm’s managing partner, while Jenkins focuses on legal strategy.

With four full-time attorneys, Jenkins Kayayan specializes in complex commercial disputes, intellectual property matters and mortgage repurchase issues. Other practice areas include arts and entertainment, class actions and appeals.

“We quickly developed a strategy for litigating more efficiently,” Jenkins said. “Even if you’re a small firm, you can do a lot of damage by envisioning the one scenario that is the absolute disaster, the literal doomsday scenario for the other side.”

Businesses and financial institutions are among the firm’s clients. Jenkins and Kayayan, formerly with Latham & Watkins LLP, aren’t afraid of battling big law firms in high-stakes litigation.

The nature of their partnership allows them to work in and out of the office, around the clock.

“We love what we do and we talk about what we do, so it gives us great ideas,” Kayayan said. “I’m fine with sharing my thoughts with my husband because those brilliant moments come



Emilio Aldea / Daily Journal

From left, Lara Kayayan and Jonathan Jenkins of Jenkins Kayayan LLP.

and they’re not going to happen just because you come in the office at 9 and you’re leaving at 5.

“That’s part of why I think our firm has been successful,” she added.

In 2015, CitiMortgage Inc. sued Platinum Home Mortgage Corp., Jenkins Kayayan’s client, in federal court in Missouri. CitiMortgage sought millions in damages, alleging that Platinum failed to repurchase defective mortgage loans, according to court documents.

Platinum argued that CitiMortgage violated a contractual cure provision because CitiMortgage’s demand letters never provided the “time prescribed by CitiMortgage” to “correct or cure” a loan defect — a period that had to expire before any repurchase obligation could arise.

After two years of litigation, U.S. District Judge Jean C. Hamilton agreed with Platinum and issued a 32-page decision granting summary judgment. The case is now on appeal in the 8th Circuit. *CitiMortgage Inc. v. Platinum Home Mortgage Corp.*, 15-CV01242 (E.D. Missouri, filed Aug. 13, 2015).

“We won the case on summary judgment based on a theory that effectively wrecks all of CitiMortgage’s mortgage repurchase litigation across the country, assuming we prevail in the 8th Circuit,” Jenkins said.

“We’ve gotten very good with scaling up using contract attorneys and paralegals on relatively short notice. That way, neither we nor our client have to bear the expense of maintaining that level of personnel on a long-term basis,” he added.

The firm also defended Sierra Pacific Mortgage Company Inc., one of the nation’s largest mortgage lenders, in a lawsuit filed by Residential Funding Company LLC. Formerly a secondary market mortgage loan investor, Residential Funding Company emerged from a multi-year bankruptcy proceeding as ResCap Liquidating Trust.

ResCap sued many of its former correspondent lenders in federal court in Minnesota, including Sierra Pacific Mortgage, seeking more than \$9 billion in combined damages for allegedly defective mortgage loans sold to Residential Funding, according to court documents.

Sierra and ResCap reached a confidential settlement in late 2016. *Residential Funding Company, LLC v. Sierra Pacific Mortgage Company, Inc.*, 13-CV03511 (D. Minn., filed Dec. 14, 2013).

“One of our attorneys worked with our experts to come up with a valuation model for RFC’s claimed damages that took the potential damages down from \$230 million down

to less than \$3 million,” Jenkins said. “We kept it under wraps and had other co-defendants adopted that same model, it would have brought \$9 billion in overall claimed damages down to a much less significant positive integer.”

The firm faces challenges despite its successes.

“For me as the managing partner, a challenge that is always in my mind is we know we can get the same results as bigger firms,” Kayayan said.

“When multimillion dollars are at stake the intuition of the CEO is, ‘Let’s go with the bigger law firm, it’s safer because if they lose, the CEO can then go to the board of directors and say, ‘I hired the best and this is the result,’” Kayayan added.

These challenges are overcome by delivering results for their clients, the attorneys said.

“We are a smaller law firm with the same pedigree, same intelligence and even more focus because this is our business,” Kayayan said. “At the end of the day, our success is the client’s success and the client’s success is the firm’s success, so I am even more dedicated and focused and persistent on succeeding.”

The boutique law firm structure allows attorneys to be selective on the cases they take. They don’t typically handle personal injury cases, but they did represent a client who was injured at a hotel in Tokyo. The case had complex jurisdictional and choice-of-law issues. Their client received a confidential settlement.

Expanding the firm is now a goal, Jenkins said.

“We would like to expand, but doing that is complicated a little bit by one of the same things that has led to our success — the fact that we’re husband and wife and we own and run this law firm,” he said. “In order to get bigger, we need to bring in other people in other partner level positions and bring them into the circle of power.

“That could change the dynamic that we very much enjoy and cherish,” Jenkins added.