

# New York Law Journal

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### SOLOS & SMALL FIRMS

## Finding Another Way

Ex-Associates Open Own Shop to Improve Work-Life Balance

BY THOMAS ADCOCK

**I**N THEIR DAYS as associates at Proskauer Rose, the two women would sometimes labor in “windowless offices, late into the night, thinking, ‘Oh, I wonder if there’s another way,’” as Sari Gabay-Rafiy recollected.

Two years ago, Ms. Gabay-Rafiy and her commiserating colleague, Anne Marie Bowler, found that other way.

They said farewell to big-firm life and big paychecks by plunking down \$800 apiece to establish Gabay-Rafiy & Bowler in a rented cubicle at Sunshine Suites on Lafayette Street, an arrangement that included a shared receptionist, conference room availability and no clients.

“We’ve never questioned our decision,” said Ms. Bowler. “It was just sort of automatic.”

Ms. Bowler and Ms. Gabay-Rafiy each had occasion to take a year’s leave from Proskauer. Ms. Bowler took time for a clerkship under Chief Judge Judith S. Kaye while Ms. Gabay-Rafiy took maternity leave for her second child. The world became wider for both.

At the Court of Appeals, said Ms. Bowler, “I would watch litigators argue and came to the conclusion, ‘I could do that on my own.’”

Ms. Gabay-Rafiy said maternity leave provided an opportunity to spend more time in social settings with neighbors and other professionals “right at the stage of my



**Anne Marie Bowler, far left, and Sari Gabay-Rafiy, seated, are the founders of Gabay-Rafiy & Bowler. With them are associate Peninna H. Oren, center, and solo practitioners Nicole Marra, second right, and Laurie Slosberg, who sublet space at the firm.**

career at Proskauer where I was expected to begin bringing in business.” She then started thinking about a business of her own.

“Which is risky, yes,” said Ms. Gabay-Rafiy, who is expecting her third child. “But if we fail, we still have our experience. We can get another job. We just figure, if you build

it, they will come.”

They make it sound easy. But Ms. Gabay-Rafiy’s father, a 25-year veteran of big-firm life, sees steel in both his daughter and Ms. Bowler.

“These are two bright ladies who work very hard,” said Donald D. Gabay, a partner

at Stroock & Stroock & Lavan who heads the firm's insurance practice. To attract business, he said, "they do a lot of writing and speaking."

He added, "I marvel at the two of them leaving a prestigious law firm and striking off on their own. They've got guts."

In the interest of bread and butter, the pair welcome referral work from Proskauer: commercial litigation and general contract matters, primarily on behalf of small business owners, that constitute about half the current revenues of Gabay-Rafiy & Bowler. In addition, the partners handle insurance regulatory cases. Ms. Bowler does white-collar defense and Ms. Gabay-Rafiy does intellectual property work.

While the current economic crisis spells the worst of times for many, the two women think it could prove the best of times for small-firm lawyers, especially those who soldiered through rigorous associate training at prominent large firms, if for no other reason than potential clients may realize a substantial savings in legal bills by engaging the likes of Gabay-Rafiy & Bowler.

"Our clients don't have money to burn," said Ms. Gabay-Rafiy. To which Ms. Bowler added, "So we offer lawyering at affordable rates."

Typically, said Ms. Bowler, the partners charge an hourly rate of \$300, compared with \$625 and often more at large firms for essentially the same work.

Life at Proskauer, as at other large firms, seemed to Ms. Gabay-Rafiy to be "the norm for all of us in the same boat," working piecemeal on different cases as one cog in a wheel, seldom seeing a client's face.

As partner in her own firm, said Ms. Bowler, "I've learned more legal practicality in these past two years than ever before in my career."

For instance, both women said, they frequently save their clients time and thus expense by eschewing their old large-firm impulse to respond to an opposing litigant with "a slew of motions," opting instead, increasingly, for a quick phone call.

An opposing counsel is "a human being,

after all," said Ms. Bowler.

The young firm is enjoying a bit of the boom its partners predict for small shops.

After a few months of cubicle life at the outset, Gabay-Rafiy & Bowler moved to a small loft in SoHo, departing that location in August for an airy suite at 299 Broadway—with space enough to grow and, meanwhile, sublet to solo practitioners Laurie Slosberg and Nicole Marra, fellow mothers involved in the Tribeca nursery school attended by Ms. Gabay-Rafiy's own children. Six months ago, the firm added its first full-time associate, fellow Brooklyn Law alumna Peninna H. Oren, class of 2005.

Working at a woman-owned firm, with women solos in adjacent offices, was attractive to Ms. Oren.

"It was definitely something that drew me in," she said.

### Diverse Clientele

At the birth of their firm, Ms. Bowler and Ms. Gabay-Rafiy targeted women-owned enterprise as potential clients, assuming they would constitute the base of their own business. That assumption was wrong, the women are pleased to admit.

"We were worried that men might not take us seriously," said Ms. Gabay-Rafiy. "We have kids here in the office a lot of the time, and nannies come by. But as it turned out, our focus on women-owned businesses proved unnecessary. We actually have more male clients than female."

There remain pluses, however, for an all-female workplace.

"I love the noncompetitive atmosphere," said Ms. Slosberg, who practices real estate law. "There's enough work for everybody to want to help one another."

"It wasn't my intention to work in an all-woman setting," said Ms. Marra, whose practice is primarily entertainment law. "But it's proven to be good. It's empowering."

Ms. Gabay-Rafiy and Ms. Bowler have discovered a useful rainmaking benefit in being women: golf.

The two took up the game two

years ago primarily to socialize with potential clients.

"Whatever the reason, there are practically no women out there golfing," said Ms. Bowler. "We have no competition that way. It's great."

Both Ms. Marra and Ms. Slosberg have previous experience at large firms. At this point, neither is nostalgic for the old days and ways.

"It's all or nothing at the big firms," said Ms. Slosberg. "I felt like I was missing things with my kids."

"This is a much better balance of life and work," said Ms. Marra, who noted that all five women in the suite live in lower Manhattan. "I just dropped off my son at [Ms. Gabay-Rafiy's] house for a play date."

But there are certain things that Ms. Bowler and Ms. Gabay-Rafiy miss from their former life at Proskauer.

"I miss the collegiality of having a lot of people around to bounce around ideas," said Ms. Bowler.

"I miss paralegals," said Ms. Gabay-Rafiy. "When my toner was out, I'd just call IT and if 10 minutes went by, I'd say, 'What's taking so long?' I miss that a lot."

Neither partner said she missed a big-firm salary.

"Every day, I walk into this office and think, 'Wow, this is mine!'" said Ms. Bowler.

"And I remember the day we took [Ms. Oren] to lunch and offered her a job," said Ms. Gabay-Rafiy. "We both said, 'Wow, we just hired an associate!'"

If the only hesitation for lawyers who dream of departing large firms for their own shops is money, said Ms. Bowler, "They should think twice. Money isn't going to keep you happy."

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**Gabay-Rafiy & Bowler LLP** is a women-owned law firm founded by Sari Gabay-Rafiy and Anne Marie Bowler, two former senior litigators at Proskauer Rose LLP. Ms. Bowler also clerked for Chief Judge Judith S. Kaye. GRB represents clients through all stages of general commercial litigation, including appeals, and handles a wide range of insurance regulatory matters before the New York State Insurance Department. The firm also counsels clients on business matters including employment, contract and intellectual property issues and represents clients involved in investigations before state and federal agencies.

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