

Rising Star: Skadden's Anne E. Villanueva

By Patrick Hoff

Law360 (June 26, 2023, 1:39 PM EDT) -- Anne E. Villanueva of Skadden Arps Slate Meagher & Flom LLP has been at the forefront of labor and employment issues for some of the biggest tech deals in the last few years, including Microsoft's proposed \$75 billion acquisition of Activision and Elon Musk's \$44 billion purchase of Twitter, earning her a spot among the employment law practitioners under age 40 honored by Law360 Rising Stars.

WHY SHE'S AN EMPLOYMENT ATTORNEY:

Villanueva said she enjoys the human aspect of her work and the knowledge that every decision she makes can have a real impact on someone's life. This includes vetting the hiring of a senior executive up to a C-suite role, advising an employer on reasonable accommodations for a worker with a disability, or providing advice on deals that impact thousands of employees at once.

She said that labor and employment laws are constantly evolving, often at a rapid pace, and particularly in the past few years while the world grappled with the COVID-19 pandemic and its aftermath.

"It just keeps me on my toes and every day is so dynamic, having to stay abreast of all the latest labor and employment law developments and trends," Villanueva said. "And you're always having to anticipate future legal developments and where you see things going, and then translating all of that into realistic and practical solutions with a human element that's tailored to every client."

Even though she's developed a routine to stay on top of updates in labor and employment laws and cases — which includes reading articles every morning, tracking legislation and keeping up to date on noteworthy cases — she always has to consider what questions a client might ask tomorrow.

"It's not just knowing what the updates are, but really ... what's going to be my practical advice here as to how to advise clients in a way that works for them?" Villanueva said.

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**RISING
STAR**



Anne E. Villanueva
Skadden

Age: 36

Home base: Palo Alto, California

Position: Partner

Law school: Harvard

First job after law school:
Associate at Skadden

HER PROUDEST MOMENT:

When Villanueva was 28, Skadden asked her if she wanted to transfer from New York City to its Palo Alto office as a third-year associate to help build the labor and employment practice there. Villanueva said at that point, she'd never been to California and had no personal or professional networks in the state, having grown up on Long Island and gone to college in the Northeast.

"It was challenging because I not only had to learn all new labor laws and California employment labor law, which is especially complex, I also had to adapt to a whole new culture and way of living," she said.

In the eight years since, though, Villanueva has helped build Skadden's labor and employment practice as well as her own brand, rising from associate to counsel to partner and leading employment matters for some of the largest tech deals ever. She's also a member of several committees at Skadden, including the diversity committee, the women's steering committee and the global Latinx steering committee.

Villanueva said it wasn't always easy moving across the country, and she had many moments where she was tempted to go back to New York and return to her comfort zone. But in the end, she realized the opportunities available to her and had the foresight to stick with it.

"It wasn't just doing excellent work, but it was also navigating the personal realms as well, the personal life, and juggling all of that together to make it work," Villanueva said. "That's what I would say I'm most proud of as an attorney — doing all that."

HER BIGGEST CASE:

Villanueva said it's hard to pinpoint a single biggest matter that she's handled — in addition to Microsoft's pending acquisition of Activision, she was also lead labor and employment attorney for the Tom Ford luxury brand in its \$2.8 billion sale to the Estée Lauder Cos. Inc. and has advised Netflix on labor and employment matters.

One noteworthy matter, however, was Skadden's work with Musk in connection with his purchase of Twitter as well as various employment matters that have arisen since then. Villanueva said this first included helping to negotiate the agreement before a stressful period of time when it was unclear whether Musk would go through with the acquisition.

Then, when the transaction began to close, Villanueva said they had to operate on an expedited basis amid heightened scrutiny from the media and the knowledge that every decision could have an impact on thousands of employees throughout the country.

"I had to operate at lightning speed and make informed judgment calls based on my knowledge of the law while also ensuring that the advice is practical and realistic in the circumstances, and knowing that any misstep could have some real significant consequences," Villanueva said. "It was challenging and really tested my skills, but it was also very exciting."

Another challenge, albeit a personal one, was Villanueva's inability to talk to friends and family about what she was working on, particularly because of how high-profile the deal was.

"They were like, 'How's it going?' And I'm like, 'Just working on some exciting stuff, I'd love to tell you

about it later," she said. "That was definitely a defining moment in my career, which was exciting, so I'm happy I had that opportunity."

WHAT MOTIVATES HER:

More so than any particular win or successful representation, Villanueva said she's proud of her ability to use her position of power to be a role model and set a good precedent for others. Villanueva's father immigrated to the U.S. from Cuba, and she's always wanted to make him proud in addition to serving as a strong female role model and mentor, especially for other female attorneys.

"I'm motivated to show female, Hispanic and all underrepresented communities that you can still achieve this kind of great success and you don't have to come from a long line of lawyers or a wealthy community or have social capital or resources that other successful attorneys have," Villanueva said.

When Villanueva applied to Harvard Law School, her dad — though he knew she was getting good grades as an undergraduate at Cornell University — was initially skeptical about her prospects because of his belief that "the Kennedys only go to Harvard."

When she learned she had gotten into Harvard, however, Villanueva said her dad immediately pulled the car over and "just jumped up and down" as she called her mom.

"It was just unbelievable," she said. "At that point, you're like, 'I made it.' That was such a crazy moment, I remember ... and that's part of the motivation. You're like, 'I can break those barriers and those kinds of stereotypes and bring that home.'"

ON THE FUTURE OF HER PRACTICE:

Villanueva said that while labor and employment law is constantly evolving, one of the biggest changes she expects to see is related to noncompete agreements. The Federal Trade Commission in January proposed a rule that would essentially ban the pacts, and lawmakers have pushed the agency to implement the proposal.

Even if the proposed FTC rule isn't finalized and implemented, Villanueva said policymakers are likely to continue pursuing restrictions.

"We're likely to see continued efforts both at the federal and also at the state levels to narrow the scope of noncompetes and the scope of non-solicit [agreements]," she said. "I think that will be especially true with regards to low-wage workers."

Villanueva said she's also focused on the ways artificial intelligence will impact employment law and the legal industry in general. There will come a day when AI will coexist with humans performing jobs to provide efficiency and other benefits, she said, but there's still work to be done to ensure that AI tools comply with applicable laws, such as anti-discrimination statutes, and are consistently accurate, reliable and relevant.

"The technology is developing rapidly, and we just need to ensure that our legal knowledge and understanding of the use and also the impact of technologies can keep up with the rapid rate of their development," she said.

— *As told to Patrick Hoff.*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2023 Rising Stars winners after reviewing more than 1,350 submissions. Attorneys had to be under 40 as of May 1, 2023, to be eligible for this year's award. This interview has been edited and condensed.

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