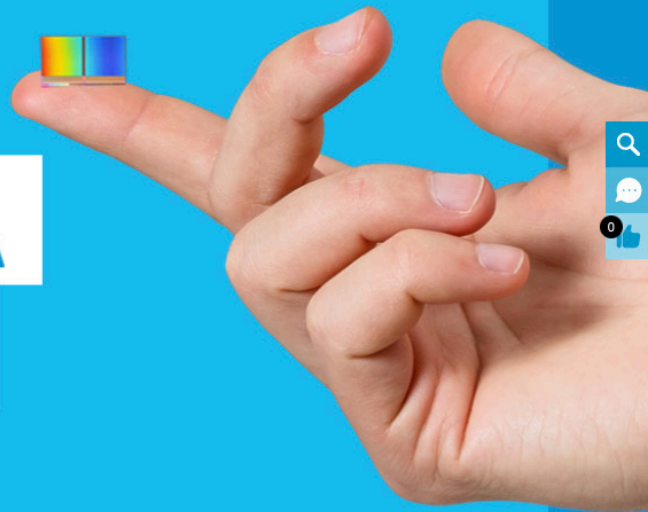


Consistency is key for **KIOXIA** client experience

Partner Chris Curran explains the secret behind our strong relationship with key client Kioxia.



Consistency is key for Kioxia client experience

The Firm's relationship with key client Kioxia (formerly Toshiba Memory) is a story of long-term trust.

Our partnership began when Kioxia was part of Toshiba and the Firm still treats the two as a single key client.

We've been working with several of Kioxia's senior legal team for around 15 years, establishing a partnership that goes far beyond a transactional relationship, as senior vice president for Kioxia America Julius Christensen explains in our latest client testimonial video.

Lead Relationship Partner Chris Curran explains: "We worked with Julius and the team well before Kioxia was spun off by Toshiba in 2018, so we know them extremely well.

"Our work with them involves offices across the network, including Washington, D.C., New York, Palo Alto and Brussels and, more recently, London and Houston.

"The Firm's Tokyo office has also been heavily involved, supporting litigations in Europe and the US and winning their own transactional work for the client, so it's a global team effort."

While most of the work we've done for Toshiba and Kioxia over the years has been anti-trust litigation related to the US and Europe, the relationship has continued to expand and diversify into other areas.

"The fact they are putting their trust in us in different fields is testimony to the relationship we've built over the years," says Chris.

"We have the perfect global footprint to help a Japan-based company with legal problems around the world, but we're also a great fit culturally.

"It's always been clear that they want more than a transactional relationship with their outside counsel and that desire for a lasting relationship goes both ways.

"They value the fact that we genuinely understand their business and aren't just in it to sell them things.

"Instead, they view us as a trusted partner and that's something you can only develop over time."

Such mutual trust has been built through the Firm's involvement in several major anti-trust matters, including two trials in the US as well as proceedings that were litigated before the European Commission.



“We’ve always enjoyed working with Kioxia and Toshiba. The lawyers there value our global capabilities and deep expertise and know that we’ll always prioritize them. They’re great people to work with and I hope we can continue to build on our already strong relationship in the years to come.”

JACQUI MACLENNAN, PARTNER, BRUSSELS



During all of these projects, the Firm's collaborative approach was key to a successful outcome.

Chris says: “These were massive legal undertakings involving a significant number of people from the Firm and the client.

“They were also notable for the integrated approach we took, because people from Kioxia (Toshiba) and the Firm worked closely together out of the same trial office, stayed in the same hotels, attended the same hearings, and brainstormed together to jointly work out the best route forward.

“We even invited Toshiba’s people to our daily team meetings, which was a brave, but important step because there is no place to hide. So, if we made mistakes and needed to fix them, we did that with total transparency, in front of the client.

“When you work closely like that during major trials, it forges and cements relationships that endure.”

Another way that the Firm has delivered a client experience that sets us apart from our competitors is through the introduction of weekly calls and reports on all major matters.

“These are so important, because we know Kioxia and Toshiba are most comfortable when a strict system is in place,” says Chris.

“We take a particularly disciplined and organized approach, doing the weekly calls religiously and providing weekly reports that are detailed enough to give the client a full update, but short enough to digest in 15 minutes.

“I also tell anyone working with the client that if you’re not early for the weekly calls, you’re late. It’s so important to show mutual respect and discipline. It forms the backbone of the relationship.”

Communication is key

This systematic approach also helps us to avoid breakdowns in communication that could damage the relationship and client experience.

“Often, the cause of friction between external counsel and clients is unpleasant surprises,” says Chris. “That’s why these weekly reports and conversations are so valuable – the client knows exactly what’s happening and what to expect and everything is memorialised in writing.

“It’s a model that the Firm has adopted with more and more clients over the years and, while one size doesn’t fit all, it’s a good example of best practice.”

Chris offers further advice for maintaining consistency in the client relationship. He says: “I think it’s important to understand you won’t win every motion in a major case but, if you’re transparent, it’s far easier to deal with bumps in the road.





“Julius points out that some of Kioxia’s junior team members are more comfortable contacting junior Firm lawyers than they might be approaching a senior partner and, while we do all we can to make them comfortable reaching out to any of us, contacting someone at a junior level is something we encourage as well.”

CHRIS CURRAN, PARTNER

“I’d also recommend keeping a level head – not over-celebrating successes or getting downbeat when things don’t go as planned. It’s important to recognize that victories can be overturned and that challenges can be overcome.”

In his video interview, Julius Christensen, points to the value he puts on continuity when it comes to Kioxia’s relationship with the Firm.

Chris says: “We’ve been working with several of their senior team members since the start of the relationship and I know Toshiba and Kioxia both take great pride in the fact that many White & Case people they worked with as junior associates have risen through the ranks of our Firm.

“It’s the same for us. We’ve seen several of their people who were seconded to the Firm in their early careers promoted to senior positions within Kioxia and vice versa.

“That sort of continuity is rare and, as Julius mentions in the video, it sets us apart from other law firms.”

Building relationships

In the video, Julius also commends the way White & Case has gone out of its way to build relationships between team members at all levels.

Chris explains: “Julius points out that some of Kioxia’s junior team members are more comfortable contacting junior Firm lawyers than they might be approaching a senior partner and, while we do all we can to make them comfortable reaching out to any of us, contacting someone at a junior level is something we encourage as well.

“On our weekly calls, we often try to get associates involved. For instance, if a mid-level associate handles an important deposition, we prefer them to come onto the call and talk to the client representatives themselves, rather than having the report relayed by a senior team member.

“We think that sort of inclusion and personal development benefits the associate, the client and the Firm.”

Trusted partners

Looking ahead, Chris is keen to keep expanding and diversifying the relationship with Toshiba and Kioxia – something that’s already evident in the ongoing Stoyas vs Toshiba securities litigation case in Los Angeles.

“It’s their biggest lawsuit worldwide at the present time,” Chris explains.

“It’s gratifying that we’ve been entrusted with this matter even though we’ve not done securities work for them before, because they recognize the quality of our expertise and know they are in good hands.

“That level of trust comes from winning several ‘bet the company’ matters for them on the anti-trust side, so they know they can trust us to support them again.

“In fact, when Toshiba planned to spin off Kioxia in 2018, they faced a legal dispute and chose White & Case to handle the arbitration, even though we’d not worked with them in that area.

“This is another illustration of the trust we’ve built and how we’re diversifying and expanding our relationship into new and exciting areas. I’m excited to see how that develops in the coming years.”



KIOXIA Facts



The company is a Japanese computer memory manufacturer headquartered in Tokyo

KIOXIA Facts



The Kioxia name combines the Japanese words kioku (meaning memory) and axia (meaning value)

KIOXIA Facts



In 2019, it became a subsidiary of Toshiba Memory Holdings Corporation

KIOXIA Facts



Kioxia disseminates a mnemonic for pronouncing its name: key+oak+sea+ah!

KIOXIA Facts



A Kioxia colleague named Shōji Ariizumi thought the erasing process reminded him of a camera “flash”. He suggested the technology be called “Flash memory”