

CLIENTSIDE

Incredible growth story set to continue

Amazon Global Relationship Partner Claire DeLelle explains why the client experience has been key to our success with this Key Client.



CLIENT SIDE

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The Firm's relationship with Key Client Amazon has grown exponentially in recent years. What started as a secondment in 2016 has fast developed into a trusted partnership, with hundreds of attorneys from 38 offices working with the client in 2022 alone.

Global Relationship Partner Claire DeLelle explains: "The relationship took off when our former international trade associate Tanya Hanna was seconded to Amazon and ended up joining them permanently. Tanya invited us to pitch for a high-profile global sanctions and export control investigation being conducted by the US Department of the Treasury's Office of Foreign Asset Control and the Department of Commerce's Bureau of Industry and Security."

The investigation was sprawling in scope, comprising over 20 businesses globally, including Amazon's online retail businesses and Amazon Web Services (AWS). It also involved complex data-collection, processing, and retention issues, as well as the ability to understand Amazon's systems, culture, unique business model, and risk profile.


Claire says: "Although Amazon faced potential penalties in the several billions of dollars, we were able to negotiate a settlement with OFAC of a mere US\$135,000, a settlement the Wall St Journal described as a 'paltry'. We were able to get the BIS investigation closed with no settlement of any kind."

Our success in this high-profile and strategically important case helped lay the foundation for the growth of our relationship ever since.

The Firm won a place on Amazon's legal panel in January 2019 and, from there, we've worked with Amazon's in-house teams on an amazingly diverse range of projects across our global network and practice groups.

Claire says: "We've gone from a US\$500,000 panel retainer in 2019 to US\$19.2 million this year. It's an impressive growth story in such a short time and a true testament to the strength of our global offering and the skill and entrepreneurship of the lawyers involved."

Highlights have included handling high-stakes antitrust litigations in the EU, led by Makis Komninos in Brussels and Yann Utzschneider in Paris.



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CLAIRE DELELLE, GLOBAL
RELATIONSHIP PARTNER

Yann comments: “Our relationship with Amazon’s team in France began with a request for discrete training advice on dawn raids. From there, the work grew exponentially to defending Amazon in a large litigation brought by the Liaison Institute for Consumer Goods Enterprises (ILEC), a French trade association representing major brands, including Unilever, Coca-Cola, L’Oréal and Heineken. The litigation challenges the commercial terms that Amazon imposes on its sellers.

“We also recently represented Amazon before the French Competition Authority relating to Amazon’s video game console pricing and, in June 2022, we succeeded in getting the investigation shut down without any enforcement action.”

Our Brussels team also celebrated a major win for the client in 2022.

Makis explains: “We are helping Amazon fight an antitrust case in Italy relating to third-party sellers on Amazon’s retail sites.

“In particular, we are handling Amazon’s appeal of the decision taken by the European Commission that allowed the Italian Competition Authority’s case to proceed in Italy — a decision that resulted in a €1.1 billion fine against Amazon, the highest fine ever imposed by a national antitrust authority in Europe. In our European Commission appeal, we employed a creative strategy and left no stone unturned in terms of exploring legal options.

“That appeal was instrumental in persuading the Italian court to grant a preliminary suspension of the €1.1 billion fine.”

Partner Sara Nordin is also leading our EU customs advice for Amazon out of Brussels and was recently engaged alongside Cristina Brayton-Lewis in Washington, D.C., and Carlos Martínez and Francisco de Rosenzweig in Mexico City to handle cutting-edge encryption export and import control compliance matters.

The Firm is winning work with Amazon across the globe, including in the Middle East where we’re doing a variety of corporate regulatory work for AWS, Amazon Payment Services, and Amazon’s retail businesses.

Our Mexico City office is also working on a broad range of matters, including providing commercial disputes advice and financial regulatory advice to AWS and Amazon’s retail businesses, while our team in London is currently advising AWS on the expansion of its global data center business.

Claire says: “Our key objectives for the Amazon relationship in 2023 include marked expansion of our services in the United States, given that the majority of our business for Amazon is currently outside of the United States.

“We began 2023 by making promising in-roads for the Firm’s white-collar group with Amazon’s business ethics and governance team in the United States. This work, led by Darryl Lew and Courtney Hague Andrews, will begin with Amazon training several associates on how Amazon handles its investigations with a view to having our team handle investigations going forward.

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Amazon in numbers

5

Amazon is one of the top 5 tech companies in the United States

2nd

It is in 2nd place on the Fortune 500

\$514^{bn}

The company had net sales of US\$514 billion in 2022

\$1.02^{tn}

Amazon has market capital of US\$1.02 trillion as of March 21, 2023

1.5^m

It has around 1,541,000 employees

"We are also keen to promote our M&A capabilities, corporate securities work, antitrust merger clearance team, international tax and many more of our niche offerings, and we're particularly excited to begin working on Amazon's satellite project, Project Kuiper.

Project Kuiper is a US\$10 billion project, equivalent to Elon Musk's Space Link venture. It is perfectly suited to the Firm's unique global offering because the Kuiper team needs legal support in several countries in Africa and Latin America."

The secret of our success with Amazon is not only grounded on our impressive global offering, it also rests on our attorneys' ability to understand Amazon's unique business model, products and services, and to provide practical legal advice that appreciates the commercial realities Amazon faces.

Claire says: "Amazon is a discerning and sophisticated consumer of legal services; its in-house teams expect their outside counsel to 'look around corners' for Amazon and to provide creative solutions that help the business achieve its goal of being the most customer-centric company on the planet.

"The Firm's relationship with Amazon could easily be two-to-three times its current size in the next five years with the right level of sustained commitment."

"I would encourage our colleagues who are new to the relationship to review Amazon's 16 leadership principles — Amazon takes these principles very seriously and expects us to as well.

"I also would encourage our colleagues to watch the short video (below) that Amazon's Legal Director for France Cédric Florentin made for us in our Paris office where he explains Amazon's expectations for outside counsel. Cédric's willingness to accept our invitation to take the time to make this video with us shows his commitment to helping the Firm succeed with Amazon — this type of commitment is becoming more prevalent among Amazon decision-makers."

The Firm's partnership with Amazon is also benefiting from the Key Client program, with a core team overseeing the entire relationship.

The team comprises a diverse range of colleagues and, if you would like to get involved in growing the Amazon relationship, please reach out to any one of them. The team includes Partners Yann Utzschneider, Tali Sealman and Makis Komninos, Counsel Melinda Anderson, and Associates Gabriela Baca, Thea Delhaye, Gabrielle Lowe, and Sean Murray. It includes Relationship Manager Jennifer Eckert, Legal Project Managers Wumi Olukoya, Michelle Gonzalez and Zulihat Kareem, Revenue Controller Aonghus Bolster and Legal Assistant Sean Spasoff.

"It helps that we have a very joined up and collaborative core team," Claire says. "We work together to comb weekly media and business intelligence reports to identify potential opportunities for our lawyers around the network, but we also rely greatly on the initiative of our colleagues to reach out and find ways to get involved based on what they are seeing in the market relative to their practice areas.

"Articles like this one, which help shine a spotlight on the Firm's relationship with Amazon, will hopefully inspire even greater entrepreneurship from our colleagues. The Firm's relationship with Amazon could easily be two-to-three times its current size in the next five years with the right level of sustained commitment."





Amazon's Legal Director for France Cédric Florentin explains Amazon's expectations for outside counsel

Claire explains that there are many ways for our lawyers to get involved, including through the Amazon Legal University where Amazon's in-house lawyers gain practical training and obtain continuing legal education credit necessary to maintain their professional licenses.

This January, partners George Paul and Jérémie Marthan and Associate Heather Greenfield delivered a presentation to Amazon lawyers on antitrust merger control trends for 2023. The presentation was well received and attended by 88 participants, including several lawyers at VP and AGC level.

"Strategic secondments are another way we're strengthening the relationship," adds Claire. "We currently have associates on secondment at Amazon Air in the United States, Amazon Prime Video in Paris, and in Amazon's retail business in Dusseldorf."

In addition, we've been selected to participate and host an event at Amazon's Summer Associate Academy in Seattle, which focuses on summer associates hired through a diversity program.

The Firm was also invited to appear on two panels at Amazon's inaugural in-person Legal Summit in Seattle last November, and we'll participate again this year.

Claire comments, "The summit was a great platform to elevate our brand. Several of our lawyers attended, including Tali Sealman, Colin Diamond, Maia Gez, Chang-Do Gong, Yann Utzschneider, Melinda Anderson and myself, and Patrick Rickerfor joined for a panel discussing our pro bono partnership with Amazon.

"Every Firm representative did an amazing job selling our brand and values, and all the feedback so far confirms that White & Case's star is rising in Amazon in-house circles globally."

Looking forward, Claire says: "The possibilities for the Firm's partnership with Amazon are dizzying and, while our growth trajectory has been impressive, we've barely scratched the surface of what might be possible.

"The Firm is a perfect match for Amazon given our global coverage and, coupled with our new focus on Industry Groups and creating an unrivalled client experience, we are even more aligned with Amazon's profile than ever. What we do with the opportunity we have before us is limited only by the level of investment each of us is willing to make in the relationship."

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