

Lawdragon Profiles Mark Lebovitch in “Lawyer Limelight” Q&A

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In its “Lawyer Limelight” special feature, leading national legal industry periodical *Lawdragon Magazine* profiled BLB&G partner Mark Lebovitch, highlighting his “rapid ascent...in the world of corporate governance litigation.”

In the interview, Mr. Lebovitch explains how he became interested in fiduciary duty law during a Corporations class he attended while in law school, and learning that it is “really all about good faith and personal incentives. That class gave me what I needed; it completely changed my path.” He also recounts his clerkship with Vice Chancellor Lamb, where he internalized the Chancellor’s deep conviction for finding the delicate balance between written law and justice. According to Mr. Lebovitch, “That sense of balance stays with me today: The purpose of the law is not simply to get a result in order to end a case and move on to the next one. It is to achieve a just result. If the law compels an unjust result, be intellectually honest about the need to improve the law.”

Mr. Lebovitch’s search for balance also led him to switch gears and join BLB&G to become an advocate for shareholders after representing hostile bidders at Skadden. Since fiduciary duty is established primarily through common law, he “made the move because I believed back then, and continue to believe, that by pulling on the rope towards the investor side, I can help achieve better balance in the law.”

Mr. Lebovitch cited as an example of trying to find that better balance in his work challenging proxy put provisions in debt agreements which he felt “contravene basic notions of stockholder voting rights.” These provisions allow for board entrenchment by triggering a corporate debt default should shareholders vote to change a company’s board of directors. “I am very proud of my role in challenging proxy puts,” said Mr. Lebovitch. “After over six years of pressing these cases, I believe the corporate world has finally realized that these provisions cannot be treated as the ordinary, or acceptable, course of business.”

On a personal note, Mr. Lebovitch admits that mastering work-life balance is something he is also trying to master, since “dedicating so much time towards work...can be draining and hard on your family.” He credits his wife for reminding him “that a life of hard work still requires balance, which means making time to enjoy family and friends.”

Click [here](#) to read the Q&A.