



Daniel Fleming
 IR Global's exclusive Commercial
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Standing up for minority rights: why diversity is key to Dan Fleming's legal practice

When Dan Fleming and his wife Linda Wong set up WongFleming in the early '90s, they knew they were jumping into the unknown.

Dan's legal career had mainly focused on criminal law and later business litigation. Linda, meanwhile, was the former Assistant Director of the Civil Rights Division in New Jersey with a focus on employment law.

They'd never managed a company before and weren't too sure how to develop the business or pull in the necessary volume of work. Linda had potential clients from her network in the employment bar, while Dan had spent some time working on litigation cases in his old firm for the government asset management agency, Resolution Trust Corporation (RTC). The agency had been set up to liquidate bad loans that had been the assets of savings and loans associations that had been declared insolvent.

A long shot

Dan knew the RTC still had a mountain of jobs to do, so he decided to approach them as his first client. He admits it was a long shot.

"The first day we opened our doors, Linda and I went to the RTC's offices to tell them that we were now open for business," Dan recalls. "We had no idea what to expect. One of the attorneys said, 'Okay, two things; number one, you need to hire more attorneys because we're going to be sending you a lot of work; two, you need to tell us if we're sending you too much work.'"

Dan was bowled over. Setting up a business had been a daunting prospect, but this wasn't so difficult after all. He laughs: "This is the first time I'm forming a business and I'm thinking, 'wow, this is pretty easy, right?' You

open your doors and your first client tells you you've got to hire more lawyers because they're sending you a lot of work. Of course, I found out years later it's not that easy and I've never had another client say that to me."

Nevertheless, it was a shot in the arm for the young business and Dan duly hired more lawyers to cope with the workload for the two years that the RTC's operations had to run. "In the space of 45 days, we went up to six lawyers. We were primarily doing litigation, where the RTC is getting sued for all sorts of things and where the RTC was suing others for all sorts of things. And we're doing all this court work, and it was super busy, super hectic."

Business culture and vision

Overnight they rented a bigger premises, hired a book keeper, an office manager and in two years had nine lawyers. But what they didn't have after the RTC work finished was enough work. At this point they sat down and looked at the culture, ethos and vision of the business. Both Dan and Linda have strict ethical principles around fairness and justice, and they wanted those principles to be viewed as the cornerstone of their firm.

Dan continues the story: "As the RTC were about to wrap up their mission after two years, we'd realized from the outset we wanted to be different. The problem was we didn't have a business model; in fact our only business model was trying to do good work. To be ethical."

The penny dropped when an attorney called them explaining that as a minority owned law firm Dan and Linda could join a program to promote diversity in the legal profession. If successful at the conclusion of the

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program, WongFleming would be certified as a minority owned business.

Dan decided this was exactly what the firm needed – and he wanted personally. It fitted perfectly with their vision: “We knew we wanted to make it a mission to promote diversity. We were minority owned and woman owned and we wanted other law firms and clients to understand this. It was really important for us.

“That sort of became our foot in the door for a lot of business. We were able to convince people to see us and talk to us in law departments and in Fortune 500 companies, who typically wouldn’t give a small law firm the time of day. But for us, they were willing to listen to us.”

Diversity in the workplace

Early on Linda and Dan would spend a lot of time talking to companies, large and small, about the necessity for diversity in the workplace and Dan admits on many occasions it just didn’t click, but importantly there was a 10% success rate.

“You do it enough times, you begin to develop an impressive roster,” Dan says. “We started getting a lot of work and were invited to join different organisations like the National Association of Minority and Women Owned Law Firms, which is a minority owned council. We would get inquiries. This then helped us to start growing all over again.”

“Then the next step was that we started doing work with the largest minority-owned law firm in in the United States. We were affiliated with them and we became their New Jersey, Pennsylvania and New York offices as part of their footprint, because their model was to provide nationwide coverage. We’ve helped fill in an important gap for that.”

When that firm disbanded many of the lawyers simply jumped aboard WongFleming. Overnight 30 lawyers joined the firm, bringing all their contacts and clients with them. As the business grew, Dan and Linda instilled their core values into all working practices; their vision was aspirational, inclusive, diverse. Ambitions were big.

“With the help of a consultant we decided to spend a day redefining ourselves. Trying to figure out what our vision was, what our mission was, what our core values were. And they’re on our website now.

“And we try to live by that, and it really shapes every decision we make. It also shapes our relationship with our staff, with how we want to treat everybody. It defines everything.”

IR Global ethical network

For Dan, this fits perfectly with the ethos of IR Global; a network that encourages diversity, the rights and wellbeing of minorities. That culture has been critical for why Dan became a member. “I know IR Global is all about networking and meeting people to try to get business from each

other, which is very important and we’ve benefited from that tremendously.

“But IR Global is much more than that. It’s not just an organization looking to generate revenue to put lawyers and other professionals together, but always looking for ways to promote somebody who doesn’t have a voice and somebody who needs help. And that, to me, speaks of the organization’s own corporate values. It’s very important.

“I’ve got to say that with founder Tom Wheeler’s work with indigenous peoples, I applaud him for that. I think that’s terrific. It’s an important reason why we’re members of IR Global. There’s something about the DNA where they care about others. It resonates with me.”

Well known minority owned law firm

These days WongFleming is a successful, well known minority owned law firm with 40 lawyers and counting. Practice areas are now as diverse as the personnel, with specialists in commercial litigation, employment civil rights, real estate, government relations and entertainment to mention a few areas. “We have a huge area of practice that we call creditors rights, meaning we represent creditors, not debtors, in every phase of all sorts of litigation. Many of our clients are banks and financial institutions, and it runs the gamut, really, from foreclosure, litigation, bankruptcy collection, everything.”

Overall, not bad for a boy from New Jersey who originally wanted to major in French and work as a UN translator. “My parents almost had a heart attack. ‘Why major in French?’

They wanted Dan to go to law school and after a time studying French, he naturally fell into law, to the relief of his parents. On graduating from law school he spent a lot of time in court on criminal and commercial litigation cases and became a well rounded trial attorney.

“It was a great experience, and I got to learn how to think on your feet. When you’re in a courtroom, trials are fluid. And not just trials, but whatever happens at a courtroom, it’s all fluid. You can’t script it because you’re not in control of everything. The judge is not playing along with your script. You need to be prepared, but you have to be an effective courtroom advocate. You have to be a really good listener because things happen, you need to be able to effectively respond to things whenever they happen, however they happen.”

When he does have time out from the law, Dan and Linda like to travel, and particularly love Italy. They also fit sight seeing around jobs when they work in different jurisdictions.

Dan admits he’s a fairly decent, poor skier. He laughs: “I am one of the best mediocre skiers you’ll ever meet. I’ve mastered the fine art of mediocrity on skis, but I like it. I enjoy skiing, although Linda doesn’t really care for it. But that’s the sum of my out door sports activity – you won’t get me jumping out of buildings or skydiving or anything. My version of extreme sports is still a day in court.”

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Daniel C. Fleming is the V.P. and Partner in the Firm’s Princeton, N.J. office of Wong Fleming and a litigator who has taken over 100 cases to jury verdict. He is Chair of the Banking, Finance & Bankruptcy Practice Group and Chair of the Products Liability and Mass Tort Litigation Practice Group, and the Intellectual Property Practice Group. His jury trial, bench trial, and arbitration experience is wide-ranging and includes products liability, commercial disputes, employment litigation, civil rights, bankruptcy, and even international parental child abduction. Mr. Fleming received his undergraduate degree from Villanova University in 1981,

where he earned a Bachelor of Arts degree in Modern Languages. He received his law degree in 1984 from Catholic University of America in Washington, D.C. and earned the American Jurisprudence Award in Constitutional Law. Upon graduation from law school, he served as Law Clerk to the Honorable Joseph M. Hannon of the Superior Court of the District of Columbia. He is a member of the New Jersey, New York, Pennsylvania, Maryland, California, Ohio and Washington, D.C. Bars and has been recognized as a Super Lawyer based upon his outstanding achievements as a lawyer.

