

# TERRI MASCHERIN & TOM ABENDROTH

## Achieving Balance in a Mixed Marriage

by Elisabeth Kilpatrick

As law couples go, Terri Mascherin and Thomas Abendroth are something of an anomaly.

"One interesting thing about Tom and Terri together is the litigator and transaction lawyer factor," says Judge Richard Sankovitz, a mutual friend and former colleague of Mascherin's. "It's not like oil and water, but it's certainly a mixed marriage."

Mascherin, a senior partner at **Jenner and Block**, focuses her practice on commercial litigation and has a long-term commitment to pro bono work involving death penalty cases. Meanwhile, Abendroth has established a

"We work hard to have family dinners, even if sometimes they're not until 7:30 or 8 at night," says Mascherin, sitting in Abendroth's office on the 68th floor of the Sears Tower.

"We want our children to hear us talk intelligently about things around the kitchen table," Abendroth adds. "It's all about balance in our lives."

### Different Paths to Law School

For Mascherin and Abendroth, aspiring to a life in law came gradually. New Jersey-bred Mascherin originally thought she would follow her parents into teaching.



well-respected estate planning practice as a partner with **Schiff Hardin**.

Each seems perfectly suited for their work: Mascherin exudes an air of cool competence that hints at her commanding courtroom presence, while Abendroth's warm, charismatic manner could reassure any client nervous about his financial future. Friends say it's the couple's complementary personalities that make their marriage rock-solid.

"They each have a strong sense of self, and they know who they are together," says Yakir Lubowsky, a former law school classmate of the couple. "It's impressive."

Fellow graduates of Northwestern University Law School, Mascherin and Abendroth have practiced law in Chicago for close to 25 years and have been married nearly that long. They've both enjoyed professional success on a national scale while always prioritizing their home life in Evanston with daughters Kate, 15, and Eliza, 12.

"I like to stand up in front of people and I enjoy writing on the blackboard," she recalls with a laugh. "That seemed to me to be the job."

Mascherin's plans turned towards government work as an undergraduate at Duke University, and a summer on Capitol Hill netted her plenty of contacts for a post-college job. Then the 1980 election wiped everyone she knew out of office.

"I had always had, in the back of my mind, law school, but as part of a policy career, not necessarily as a career as a practicing lawyer," she says. "After the election, I started thinking about it more seriously."

Abendroth, a self-professed "numbers geek," majored in economics at Ripon College, a small liberal arts school in Wisconsin where he now sits on the board of trustees.

"One of the reasons I've gone back to try to do so much for Ripon is because it was

such a great preparation for law school," he says.

When it came time to plan for life after college, Abendroth thought of his father, a prominent attorney at Milwaukee's Whyte Hirschboeck Dudek.

"I knew not so much what he did day-to-day, but I knew it was a profession that garnered a lot of respect," he says. "People from church and from the neighborhood would seek out advice from my dad because he was a lawyer."

Abendroth and Mascherin both entered Northwestern's law class of 1984, a group of 200 students that remains close today. When their beloved contracts professor passed away earlier this year, Lubowsky says, he received an e-mail from the two making sure he had heard the news.

"Terri wrote to Tom saying, 'I wonder if Yak knows,'" he recounts. "I would have been much sadder to learn about it weeks later...it was just so thoughtful."

It was a rigorous second-year tax class, affectionately dubbed the "Bataan Death March" by its students, that brought Mascherin and Abendroth together.

"The teacher had a reputation for being more interesting," Abendroth explains.

"Well, more interesting, but also really tough," Mascherin adds.

The two began dating that year and spent the next summer in different cities: Abendroth in his hometown of Milwaukee and Mascherin in Chicago. Their decision to settle in Chicago after law school, they say, was based on two things.

"One, we met each other," says Abendroth.

"Two," Mascherin adds, "I met Jenner and Block."

Mascherin had fallen in love with the firm as a summer associate in litigation, captivated by its commitment to pro bono work and encouragement of young female lawyers. By then, she had decided that a career in government work was not for her and decided to focus on private practice instead.

Abendroth had spent the summer in estate planning at Quarles and Brady, but he and Mascherin were determined to have that summer apart be their last. While Mascherin interviewed a little in Milwaukee, Chicago soon emerged as the superior location for the two.

"It was very apparent very quickly that the opportunities for a hungry young woman litigator in Milwaukee were pretty darn limited in 1983," Abendroth explains.

Abendroth was recruited to Schiff Hardin by two of his law professors who were also attorneys at the firm. He and Mascherin moved to Chicago's Lincoln Park after graduation and were married the following year. Law school classmate Carol Pratt,

who attended the wedding, remembers that the couple's first dance was Bruce Springsteen's "Jersey Girl."

"They really have a good time with each other," she says. "They are a very good complement."

### Hitting the Ground Running

On Mascherin's first day as an associate, a partner came by her desk and told her she'd be working on a case between telecom giants MCI and AT&T. A team meeting was scheduled for two days later in Washington, D.C.

"I hit the ground running," she says.

Mascherin advanced up the ranks quickly, trying cases as early as her second year. The bulk of her work has centered around telecommunications and business litigation, and in recent years she has developed a relationship with Honeywell International Inc., after representing the company in two arbitrations and a federal court case.

"She's one of my favorite people," says Jeffrey Neuman, general counsel of Honeywell Specialty Materials.

Though clients come to Mascherin when they're already embroiled in disputes, just as often as not, Mascherin will tell a client that litigation is not the answer.

"I think clients will tell you that I try to see cases as they will be tried ultimately," she says.

Neuman says he's seen that first hand.

"She'll tell you whether you have a good case or a bad case," he explains. "Often, litigators want to litigate. Her honesty gives her credibility."

On top of her paying clients, Mascherin has an equally impressive pro bono track record, a pursuit close to her heart since developing an interest in criminal law at Northwestern. Her first year as an associate, a memo went around the office asking who wanted to take on a death penalty case. Mascherin signed on and has since become a nationally recognized figure for her work representing clients on death row.

"Terri was one of the most outstanding lawyers who ever appeared before me," says Sheila Murphy, a retired Cook County judge who heard Mascherin's most recent pro bono death penalty case, *People v. Willie Thompkins*. "She gave the same excellent representation to a man who was absolutely impoverished that she gave to global corporate clients. Need I tell you that the Illinois Supreme Court spared her client."

Robin Maher, executive director of the American Bar Association's Death Penalty Representation Project, which seeks to match competent lawyers with death row inmates, said that Mascherin was "instrumental" in recruiting volunteers and



Abendroth and Mascherin, along with daughters Eliza, left, and Kate, take in all the sights that Paris has to offer.

fundraising as the project's chairwoman from 2003 to 2006.

"She really has a passion for justice," she says. "It's really made a difference."

Abendroth dabbled in a few areas at Schiff Hardin his first year but soon settled into estate planning full time. He credits the personal nature of the field, along with his interest in math and finance, with drawing him to the work.

"Of all the areas at big firms—because most big firms don't do divorce—it's about as personal as you can get," he says.

"If you think about it, it's a curious combination," Mascherin adds. "You would think of most numbers people as not being people people."

According to his clients, Abendroth is that rare combination of both. Jay Tuthill, CEO of Tuthill Corporation, says that after 15 years of being Abendroth's client, the two have formed a "real friendship."

"They make an awfully fun couple," he says of Abendroth and Mascherin.

When it comes to business, Tuthill says, Abendroth's highly informed approach to his work is right on point.

"I don't want some flaky new stuff. I want stuff that will work and I understand," he says. "That's right up Tom's alley."

Abendroth's sensitivity also makes him uniquely suited to estate planning, Lubowsky says. Lubowsky turned from a friend into a client a few years ago when his mother fell ill in Chicago. He called Abendroth unexpectedly on a Sunday morning and asked him to draw up papers for his mother's estate, which Abendroth immediately did.

"I got the sense that this wasn't because we were friends, this was just how he worked," Lubowsky says.

Although his mother died before the papers could be signed, Lubowsky worked with Abendroth on his mother's estate for nearly a year after her death. He remembers his friend as professional, gentle and unfailingly sensitive during a difficult time.

"I can't say enough about Tom, about his

utter decency, kindness and elegance, in work that cannot always be easy," Lubowsky says.

## Two Defining Moments

Ask Abendroth about the high points of his career and he immediately points to his office wall. There hangs the signed judge's order to close the estate of legendary Chicago Bears owner George Halas Sr.—13 years after Halas died.

"It's easily the most interesting client I've had in terms of uniqueness, wonderful people and great challenges in the work," he says.

It was a case he almost didn't take on when a partner approached him about it. Abendroth, a third-year associate at the time, was consumed with another trust litigation matter and questioned how he could make time for something so big.

"He worked on me a little bit, and so I said yes," he says. "It ended up being a very smart move on my part."

When Abendroth took on Halas' estate, it was full of disputes that took years to successfully resolve. After the estate was closed, Abendroth stayed on as attorney to Halas' daughter, current Bears owner Virginia McCaskey.

He's grown to know the McCaskeys well, attending annual family meetings and advising relatives on their own finances. When Abendroth and Mascherin's daughter Kate was born in 1993, Virginia McCaskey even crocheted a baby blanket for her.

"He's done an excellent job for us," says McCaskey's son, Edward. "He's always been well-received, his opinion respected."

For Mascherin, the defining experience of her career came in the form of pro bono work. She was a third-year associate handling a pro bono death penalty case, and the partner on the case asked Mascherin to give the closing argument.

"When I was preparing, I couldn't even think about what the stakes were," she says.

That day, the courtroom at 26th Street and California was packed on both sides with assistant state's attorneys, Jenner and Block colleagues, even Abendroth—the only time he's seen Mascherin argue in court. Mascherin proved up to the task, persuading the jury to spare her client from the death penalty.

"I have never been so high," she says. "It was an amazing feeling. I thought, doctors really have it made. They get to save lives every day."

Afterwards, the partner on the case approached Mascherin and said he was surprised she hadn't cried in the courtroom.

"I said, 'What?' He said, 'I thought you would cry and it would help our case,'" she remembers.

"He obviously didn't know her that well," Abendroth says with a chuckle.

## Wise Counsel

Despite the differences in their practices, both Mascherin and Abendroth see their ideal role as a counselor, in all senses of the word.

"Clients see us as being someone who knows them, understands them, cares about them, has a basic knowledge and is wise and has good judgment," Mascherin says.

Being a good counselor, Abendroth adds, means listening to each client and seeing individual needs.

"We're adding complexity to their lives," he says of estate planning. "In some cases, you could save a family millions of dollars, but you're making them miserable. I always make sure to ask lots of questions."

Earning respect in their fields, the couple agrees, has meant taking the assignments handed to them and making them their own.

"That's really what distinguishes an associate at a big firm who will be successful from [one] that will leave in a few years," Mascherin says. "What looks like a burden is really an opportunity."

Mascherin and Abendroth took the same disciplined approach to starting their family

locales like Italy, Provence and Paris.

Handling two careers and two children takes some careful planning, but the family makes sure that certain things are made a priority. Mascherin and Abendroth have traveled for work at the same time less than half a dozen times, they say, and nightly family dinners are a priority.

"These days, the girls are just as busy as us," Mascherin says. "We run them around a lot."

Shared experience as lawyers helps the couple understand demands in each other's schedules, but they both work hard to maintain that sometimes elusive goal: balance.

"We have a life," Abendroth says. "Anyone can learn to manage expectations. We've never had to cancel a vacation."

Sankovitz, who's spent many weekends biking, skiing and dining with the family, marvels at the way they manage to do it



Mascherin and Abendroth enjoy a sailing trip in the British Virgin Islands aboard a replica of an old sailing ship called the Harvey Gamage, a wooden three-masted schooner.



Mascherin and Abendroth celebrate their graduation from Northwestern University School of Law in 1984.

as they have to their careers. They waited until they were both partners at their firms, explored which suburbs had good schools and safe neighborhoods, and then moved to Evanston. Kate and Eliza followed in quick succession.

These days, weekends are filled with Eliza's musical theater and Kate's marching band shows, and summer vacations are spent horseback riding at ranches in Wyoming or Montana or traveling abroad to

all. While many prominent lawyers have made their way to the top simply by burning the midnight oil every night, he says, Abendroth and Mascherin got there with much more savvy.

"These two have acquired their reputations because they're just so smart... with traveling and the rest of their family, they maintain that balance at home," he says. "That's what strong communities get built on: people who do a good job at home." ■