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Is Mike Cherry the Most Famous Lawyer in Chicago?

You'd think so, to see him greeting friends every time he walks downtown Chicago streets. And a dinner party at the home of this legal heavyweight was all it took to raise \$1 million for each of the last two Democratic presidential candidates.

LAW & POLITICS[®]

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Cherry on Top

Bill Clinton's pal Mike Cherry is a Chicago legend

It's a cliché, but in Mike Cherry's case, it's the plain truth. In Chicago, Cherry is a legend. Cherry the attorney: who took on, then took down, the nuclear power industry in the '70s. Cherry the Democratic fund-raiser: who raised the much-needed cash for John Kerry's presidential run. Cherry the man: whose Rolodex may require a 27th letter to account for the quadrillion lawyers he's defeated and the influential people he knows.

"I met with Mike regarding the potential of hiring him on a relatively large case," Cherry friend and client John Burgess says. Burgess, who founded the management consulting company International Profit Associates in Buffalo Grove, Ill., retained Cherry as a litigator for his company soon after the two dined at Cherry's home for a Bill Clinton event back in 1995.

"We took a walk through the city," Burgess continues, "and it was *astounding* who he knew. Literally, every few minutes he was stopping and talking to people who turned out to be anywhere from the head person of Northern Trust to the head of the Chicago Mercantile. That was all in a 10-minute walk!"

30 North LaSalle Street, downtown Chicago. Myron "Mike" Cherry is in there, officed far above the Loop. After a quick survey of the building's electronic directory, I push the block letters

"C-H-E-," but before I can finish, the kind security guard behind the desk belts out, "Myron Cherry! 23rd floor!"

The elevator opens, and I find myself before the glass doors announcing Myron M. Cherry & Associates. Here Cherry and six other attorneys specialize in complex high-risk litigation and the contingent-fee recovery of commercial disputes.

"There's that first anticipation when you meet Mike," John Burgess told me, "because in his office the number of pictures he has is beyond comprehension. Certainly there's Bill Clinton, Hillary, John Kerry, Al Gore. But the thing I really looked at were the articles hanging, written about the litigation Mike's been involved in."

Burgess' words are apt: in the reception area there's a photo of Cherry and the former president conferring over what seems like a matter of great importance, and a *Wall Street Journal* article depicting a sketched, fuzzy-faced Cherry donning a '70s collar. There's a large, stuffed donkey in there, too, a sign of Democratic support. And finally, some handsome modern art, displayed on both wall and easel.

But what really caught my attention was merely a word, followed by its definition, framed in a very simple piece of glass and printed with ordinary ink upon common paper. The word, "Mench," is one I use myself, albeit sparingly. The Yiddish word was first explained to me as such: a Man. A caring, upstanding, honest and thoughtful person who would stand in front of a truck for those he loved.

Then the mench enters the room. We sit down on opposite sides of a desk brimming with paperwork, paperweights and Democratic paraphernalia. And although it's difficult to move my eyes from more pictures of Cherry in notable places (the White House) or with powerful people (jogging with Clinton, for example), it's even more challenging to remove my attentions from the man himself.

"He's a very impressive human being ... he has no fear," Burgess told me. "The Kenny Rogers song of knowing when to hold 'em and knowing when to fold 'em, Mike aspires to that. Being a lawyer is being a gambler."

BY JUDD SPICER

PHOTOGRAPH BY LARRY MARCUS



PHOTOGRAPH COURTESY OF MIKE CHERRY



GIANT-SLAYER

Cherry made a name for himself in the 1970s as a thorn in the side of the nuclear power industry

Cherry felled the nuclear industry and with that made a name for himself as a heavy-weight in the legal ring of the country.

His description of that victory is modest: “A series of coincidences that probably will never happen again,” he says, almost to himself. “I wasn’t out there saying, ‘Oh, I’ve *got* to stop nuclear power.’ It was just a dispute. It could’ve been marshmallows.”

Ask him about his secret to winning that battle and he eschews explanations concerning the dangers involved in the nuclear process (he could certainly tick them off), and instead he says:

“I always tried to simplify the concepts, so it got down to, ‘Are you lying?’”

His landmark work fighting nuclear power gave him a reputation — he was featured on *60 Minutes* and in a U.K. documentary — as a giant-slayer. But it’s a rap he refuses to accept.

“When someone comes into my office and says, ‘We gotta go after gargantuans,’” he says as we discuss opponents he has taken on such as Bristol-Myers, ABC Television and

And Cherry has the intensity of a gambler — one who will sit at a table for endless hours, countless hands, until his opponent is broken. His beard is still worn long as it was pictured in a terrific *Audubon* article penned in 1977. His eyes are a steely, shiny blue-gray mix with glints of energy inside. These features, combined with an occasionally lit, often-chomped cigar, paint the portrait of a guy who not only knows he’s holding a good hand, but who knows the dealer, the pit bosses and the hotel manager too.

We begin by asking about Cherry’s Chicago childhood (of which he says little), and then move on to his college experience (of which he says less). More fertile soil is turned, however, when we begin talking of his groundbreaking work in slowing the development of nuclear power plants in the 1970s.

“I began to look at the state of the law,” Cherry says of his work that brought the nuclear power industry to a standstill. “While there were generalized procedures for public hearings on nuclear power plants, no one had ever challenged them.”

Cherry put an end to that.

He began waging a war of attrition on the nuclear industry at what had been routine hearings for things like operating licenses. The costly delays, public exposure of problems, and environmental and safety measures that Cherry forced the utilities to adopt, made the prospect of building a new reactor unappealing.

“While these hearings were happening, there were similar things happening around the country. And they sort of coalesced like a perfect storm.”

One of the largest of these storms halted construction of a Midland, Mich., plant that had cost its builders \$4 billion. Mike

the U.S. federal government (versus his American Indian casino clients), “I don’t think about the gargantuans. I think about that little courthouse where I’m going to make my argument. If you worry about someone being overwhelming, you miss the essence of the argument.”

It takes a lot to overwhelm Cherry. Over the years, he’s become known for taking hard-luck cases other firms have turned away for being unwinnable and getting results for his clients. In one case, Cherry represented residents of the village of Bartlett, Ill., who were fighting the construction of a landfill on a wetland just outside of town. The landfill would have been the final destination for the trash of 28 suburban communities, and Cherry’s clients had been told they had no legal options. The battle, which began in the 1980s, continued right up to a 2001 Supreme Court ruling. Although the ruling cleared the way for the landfill’s development, by that point the Solid Waste Agency of Northern Cook County (the force behind the project) had already caved to public and legislative pressure. The wetland, which was a haven for migratory birds, ended up being sold, and the state bought more than half of the land to add to the state park system.

As we continue, Cherry quotes Thomas Jefferson, alludes to John Adams, and at one point reaches across the clutter on his desk to show me a double-sided paperweight displaying the words of Churchill (of whom Cherry is very fond): “Never, Never Quit,” and “Expect to Win.”

This reference to leaders allows me the opportunity to ask about Bill Clinton. A handful of years after he became heavily involved in the world of politics (as an influential member of former senator

“Every day’s a new day,” says Cherry. “And you’re defined — in our competitive life — by what you’re gonna do tomorrow. I’m always running.”

Paul Simon’s successful campaign), Cherry and Clinton were introduced. And while Cherry’s political plate is today full with people of power and titles of influence (such as his appointment to the United States Holocaust Council) earned through his fund-raising activities (“At the moment, I’m in the mix,” he says modestly), it is the “tie” between himself and Clinton that has had the most personal impact on this aggressive raiser of Democratic dollars. Cherry explains:

“One of the first times I met Clinton, I was wearing a tie with a big rose on it. And I always liked it because it was *old*. It was an unusual tie. ... Clinton saw the tie, and he liked it. I took it off and gave it to him, and he said, ‘Nah, you give it to me when I win.’ So, the night of the Little Rock victory I was there, had the tie all pressed. I gave it to him, and I remember him saying in front of the audience, ‘The reason I ran for president is to get Mike Cherry’s tie.’”

Late in Clinton’s presidency, Cherry hosted a dinner party at his house as a fund-raiser for Al Gore’s campaign. President Clinton was on the guest list but was late in arriving — making some of the guests worried his stay would be brief.

“I said something like, ‘I hope you’re not leaving early, because we’ve got a lot of people here,’” Cherry remembers. “And he said, ‘I’m sorry I’m late. I’m here until you release me.’ So in an effort to keep his word, he stayed longer than he needed to. Because he wanted to demonstrate that he respected both me and the money that we had raised that evening, which I think was about \$1 million.”

Clinton stayed true to his word, staying well past midnight and frustrating his security detail. “The Secret Service kept wanting him to leave and they finally had my wife go in and say to the president, ‘You’ve got to get back to Washington, I’m throwing you out,’” Cherry says, laughing.

“They’re *friends*,” Burgess told me of Cherry and Clinton. “And friends is the right word. They don’t just *know* each other. And Mike certainly helped Clinton a lot through fund raising, but it goes beyond that. And you can see when he sees Bill Clinton — in a private way — that Bill truly knows him, truly likes him, gets along with him. Listens to him.”

And jogs with him too. Cherry points out that if you were to punch in his name at a kiosk at Clinton’s recently opened presidential library, you’d find him as a note in the former president’s day planner: “7 a.m., March 13, jogging with Mike Cherry.”

But Cherry’s involvement in politics and government, which stretches back over two decades, didn’t end with George W. Bush’s victory in 2000. He went on to serve as one of 10 national vice chairs of finance for the Kerry campaign and was an active



PHOTOGRAPHS COURTESY OF MIKE CHERRY

FRIENDS IN HIGH PLACES

Open up Bill Clinton’s presidential day planner and you might see one of his jogging dates with Cherry. The two have been friends ever since Cherry gave his favorite tie to Clinton to celebrate his election. Cherry later threw a party that raised \$1 million for Al Gore’s presidential campaign.



Democratic fund-raiser for the 2002 Illinois governor’s race. He was recently appointed by the Illinois Department of Professional and Financial Regulation as a special counsel for investigation of the insurance brokerage industry.

Cherry rises, mentioning in passing that on this day he plans to pick up a holiday tie for Clinton in what has become something of a ritual.

“I don’t think of myself in the sense that I’m a guy who has accomplished a lot,” says Cherry, as we now move slowly closer toward my exit. “To me that’s all bullshit. Every day’s a new day, and you’re defined — in our competitive life — by what you’re gonna do tomorrow. I’m always running.” ❖

— Seth Woehrle assisted in the preparation of this article

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