

**RDB Partner Merrill Hirsh Named 2008 Lawyer of The Year**  
**By *Compliance Reporter***

**Washington, DC – March 19, 2008** Ross, Dixon & Bell, LLP partner Merrill Hirsh has received *Compliance Reporter's* 2008 Lawyer of the Year Award for his role in bringing the Financial Planning Association (FPA) to victory against the Securities and Exchange Commission (SEC) in 2007.

*Compliance Reporter* focuses exclusively on compliance initiatives at broker/dealers and investment advisers, as well as regulations and enforcement actions from entities such as the National Association of Securities Dealers, the SEC, the U.S. Court of Appeals, and state regulatory agencies. In its sixth year of presenting Achievement in Regulatory Compliance (ARC) Awards, *Compliance Reporter* honored individuals who had “made outstanding contributions to financial services and accounting regulation and compliance in their respective fields in 2007.” Other categories for the ARC Awards included Auditor of the Year, Regulator of the Year, Vendor of the Year, and Lifetime Achievement. Winners in these categories, as well as the nomination pool from which Hirsh was selected for Lawyer of the Year, included attorneys from several large law firms – including Alston & Bird; King & Spalding; McKenna, Long & Aldridge; and Gibson, Dunn & Crutcher – and professionals from large service firms such as Deloitte & Touche, PricewaterhouseCoopers, and Lehman Brothers. Hirsh was honored along with other *Compliance Reporter* award winners at a reception on Tuesday, March 11, 2008.

Hirsh's important victory for the FPA vacated the SEC's fee-based brokerage account rule after years of debate. As quoted in *Compliance Reporter*, “Duane Thompson, managing director of the FPA, said the case was an uphill battle and that Hirsh did a ‘superb’ job. ‘In my mind [Hirsh] exemplified what advocacy is all about,’ he said. ‘A lot of observers gave a huge edge to the SEC when this case was filed simply because courts often defer to government agencies when it comes to interpreting the law. Merrill's argument was just that much stronger.’”

Rex Staples, general counsel of the North American Securities Administrators Association, had filed an amicus brief in support of FPA's challenge. “‘Merril gave the FPA a victory,’ Staples told [*Compliance Reporter*]. ‘But further, he gave a victory to investors and the industry.’”

Hirsh joined Ross, Dixon & Bell, LLP in 1989 after serving as a Trial Attorney in the Civil Division of the United States Department of Justice. In that position, he represented federal agencies and employees in courts across the country, primarily in cases challenging the validity of agency action and regulations and the constitutionality of Acts of Congress. Since coming to the firm, Hirsh has maintained an active litigation and insurance practice, representing plaintiffs and defendants in antitrust, intellectual property, securities, corporate, discrimination, class action, and other cases. He has been involved in several cases concerning the False Claims Act, an \$85 million telecommunications class action settlement, and has testified before the United States Senate Judiciary Committee on brand name drug anti-competition activities.

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