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TRAILBLAZERS

WHITE COLLAR CRIME



Custom Publishing Supplement to *The National Law Journal*



Dear Readers,

Welcome to the premiere issue of *White Collar Crime Trailblazers*, a special supplement developed by the business arm of *The National Law Journal*. In the pages that follow, you'll read 50 profiles of people who continue to make their mark in white collar criminal litigation. While many of those recognized come at the litigation process from different angles, a common thread ties them together: each has shown a deep passion and perseverance in pursuit of their mission, having achieved remarkable successes along the way.

We received hundreds of nominations cast in favor of this year's honorees and a cast of other leading minds who will surely be recognized in years to come. We took time to vet each submission and interviewed each Trailblazer to find out what has driven them to reach success. In the pages that follow, I think you'll enjoy reading these short findings.

As with all Trailblazers supplements, the list is never complete. Our goal is to spotlight those making a big difference and the search never ends. If you have someone you feel should make our next list, please reach out and let us know. We hope you enjoy this special section and look forward to hearing from you with your nominations for next year's list!

Congratulations again to this year's honorees.

All the best,

Kenneth A. Gary

Vice President and Group Publisher, *The National Law Journal & Legal Times*

THE NATIONAL LAW JOURNAL

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ELKAN ABRAMOWITZ

MORVILLO ABRAMOWITZ GRAND IASON & ANELLO PC

PIONEER SPIRIT In law school, Elkan Abramowitz never knew he had the chops to be a top trial lawyer — in fact, he felt he was too shy. But after a summer job in the US Attorney's office followed by a District Court clerkship right out of NYU Law, where he could watch the trial work of the great trial lawyers of the day, the diffidence started to wear off. Somewhere along the way, Abramowitz knew the work was exactly what he was cut out for and he joined the Manhattan U.S. Attorney's Office, where he tried 30 cases to verdict before he was 30, and more than 20 more since then. Elkan has built his career as a trial lawyer representing prestigious clients fallen into high stakes personal and professional crises both in and outside the courtroom.

TRAILS BLAZED Mr. Abramowitz has represented a range of flagship matters including the representation of Dewey & LeBoeuf's former chairman Steven Davis in connection with charges by New York prosecutors regarding allegations of possible wrongdoing at the firm and misrepresentations of its financial situation; after a four month trial, the matter recently ended with a mistrial. Additional high profile representations include David A. Stockman, the former budget director in the Reagan administration, in connection with his role in the bankrupt auto parts maker Collins & Aikman. This matter was concluded with the U.S. dropping fraud charges against David Stockman.

FUTURE EXPLORATIONS In the next five (5) years or so, Mr. Abramowitz believes, because of the criticism of its tepid response to the recent financial crisis, the Department of Justice will be going after corporate crime with increased vigor. As reflected in the DOJ's Yates Memo, which prioritizes the manner in which Government civil and criminal law enforcement investigations will be conducted, DOJ current and future focus will be on individuals who perpetrate the wrongdoing.



SERGIO E. ACOSTA

HINSHAW & CULBERTSON LLP

PIONEER SPIRIT After law school, Sergio Acosta joined the Miami-Dade County State Attorney's Office where he served in various supervisory positions under former U.S. Attorney General Janet Reno. In 1990, he joined the U.S. Attorney's Office as an Assistant U.S. Attorney in Chicago. He became a Deputy Chief of the General Crimes Section in 1994 and remained there until leaving the United States Attorney's Office in 1999 to become the Administrator of the Illinois Gaming Board. In 2001, Mr. Acosta returned to the U.S. Attorney's Office in Chicago as a member of the Organized Crime Section. In 2002, he became Deputy Chief of the Major Case Section, and then in 2003, he was promoted to Chief of the General Crimes Section, where he remained until joining Hinshaw & Culbertson LLP in April 2010. Mr. Acosta represents companies, government entities and individuals in matters involving the Foreign Corrupt Practices Act, health care fraud, complex financial fraud, corporate internal investigations, regulatory enforcement, commercial litigation and gaming law.

TRAILS BLAZED During his tenure with the United States Attorney's Office for the Northern District of Illinois, Mr. Acosta tried more than 25 jury trials in federal court and many appeals before the U.S. Court of Appeals for the Seventh Circuit. During his time at the US Attorney's office, Mr. Acosta became the first Hispanic supervisor in the history of that Office. Mr. Acosta considers the opportunity to have supervised and help mentor over 85 Assistant U.S. Attorneys to be one of his greatest professional accomplishments. In addition, he considers his move to Hinshaw & Culbertson and his efforts to help establish and expand the firm's White Collar Criminal Defense practice to be another significant accomplishment.

FUTURE EXPLORATIONS In light of recently announced DOJ policy shifts, Mr. Acosta believes the future of the White Collar practice area, for corporations and individuals, will include be greater reliance on outside counsel for internal investigations. He also believes that due to the global economy and the ability of even small companies to expand internationally, future investigations will continue to broaden in terms of scope and geographic reach.



MARCUS A. ASNER

ARNOLD & PORTER LLP

PIONEER SPIRIT Mr. Asner took an unusual path to becoming a preeminent white collar criminal and civil litigation attorney. He started out in physics and abstract mathematics, and while he found those studies to be extremely satisfying intellectually, he craved a career with a more direct human impact. After exploring a few options Asner ultimately was drawn to the law due to its intersection of theory with its practical impact on individuals' lives and liberties. Asner began his legal career clerking for the US Court of Appeals for the Third Circuit and the US District Court for the Eastern District of Michigan, which eventually led him to the Southern District of New York where he served as an Assistant US Attorney in Manhattan for nine years. Asner was the Chief of the Major Crimes unit for two years and served in the Public Corruption unit. He joined Arnold & Porter in 2009.

TRAILS BLAZED Mr. Asner has litigated, investigated and resolved many challenging cases, both as a prosecutor and in private practice. Among other areas, he has had considerable success in helping push the law of victim rights, including arguing ground-breaking cases such as *United States v. Amato* and *United States v. Bengis*, Second Circuit cases which greatly expanded victims' rights to restitution. In one noteworthy example, Asner represented an insurance company in a corruption investigation and prosecution involving New York State Senator Carl Kruger. He successfully turned his client's status from that of a target to a victim, and ultimately obtained restitution for his client, including the legal fees incurred.

FUTURE EXPLORATIONS Mr. Asner sees big changes ahead in the way that companies handle internal investigations. He believes that many investigations have spiraled out of control, often becoming more expensive, time consuming and disruptive than is warranted by the underlying facts. While no two cases are the same, Asner tries to use a detective's mindset and smarter, leaner teams to analyze the facts in a timely and efficient way. He believes companies increasingly will follow a more strategic approach, and will look for ways to streamline investigations in coming years.



STEPHEN A. BEST

BROWN RUDNICK LLP

PIONEER SPIRIT Steve Best is a second generation practitioner. His father casted a long shadow and even with repeated efforts to do something else, Mr. Best followed in his father's footsteps to become a well-respected trial litigator. Prior to joining Brown Rudnick, Steve served as the chair of a large, multinational law firm based in New York and prior to that, was a prosecutor for almost ten years serving as an Assistant United States Attorney in Washington, D.C. and an Assistant Commonwealth's attorney in Fairfax, Virginia.

TRAILS BLAZED Mr. Best regularly represents high profile clients on all aspects of corporate governance including complex internal investigations, U.S. Securities and Exchange Commission enforcement, Foreign Corrupt Practices Act and Sarbanes-Oxley compliance strategies before federal and state tribunals. One high profile client representation includes businessman Mark Cuban, owner of the Dallas Mavericks, regarding an insider trading complaint brought by the SEC. Mr. Best successfully led the defense for Mark Cuban in the recent civil lawsuit brought on by the SEC which argued that Cuban engaged in insider trading when he sold his stake in a Canadian Internet company nine years ago to avoid a \$750,000 loss. The jury deliberated for less than four hours, before finding in favor of Mr. Cuban on all substantive counts.

FUTURE EXPLORATIONS Mr. Best looks to the firm's associates as the future of both Brown Rudnick and the practice of law. Providing the firm's associates with a well-rounded view of the practice of White Collar Defense and Government Investigations, Mr. Best encourages their associates, after 3-5 years, to go work at the U.S. Attorney's office. Brown Rudnick welcomes those associate back by applying their time away toward firm partnership. An additional forecast, Steve sees a strong likelihood that the US economy will head into a recession. During a recession the government uses this environment to increase regulatory action causing no slowdown in FCPA work or lengthy investigations.



ERIC B. BRUCE

KOBRE & KIM

PIONEER SPIRIT Mr. Bruce's expertise in complex cross border investigations derives from his service for more than ten years as an Assistant U.S. Attorney for the Southern District of New York. In that office, he prosecuted a wide range of cases, including complex white-collar frauds, international terrorism cases, and high-profile extradition proceedings. Mr. Bruce also went on to serve as part of the top leadership of the Department of Justice: both as Counselor to the Attorney General of the United States and as Senior Counsel to the Assistant Attorney General for the Criminal Division. As part of the leadership at the Department of Justice, Mr. Bruce advised the Attorney General daily on complex white-collar investigations under the FCPA, all of the U.S. Department of Justice's international and cross-border criminal matters, and all investigations relating to national security, including cybersecurity, terrorism, and espionage matters.

TRAILS BLAZED In July 2011, Mr. Bruce represented Pankesh Patel in the highly-publicized, eight week long "FCPA Sting Case" in Washington DC. Mr. Bruce obtained a novel ruling regarding the government's assertion of expansive jurisdiction under the FCPA, which resulted in the Court entering a judgment of acquittal on certain charges. Mr. Bruce also sought and obtained a mistrial from the Court as to the remaining two charges against Mr. Patel when the jurors were unable to reach a unanimous verdict. Ultimately, the government dropped all charges against Mr. Patel.

FUTURE EXPLORATIONS Mr. Bruce sees a future of increasing cases and investigations led by the Department of Justice and SEC and against corporations and individuals due to complex matters in the areas of securities fraud, FCPA, and cybersecurity. Organizations will continue to fall victim to data breaches, either from external threats, or, more commonly, from internal ones, such as theft of proprietary information and client data by employees leaving the company. These breaches have the potential to cause significant damage to a company's operations, its relationships with its clients, and will embroil the organization and individual employees in significant litigation.



ROBERT M. CARY

WILLIAMS & CONNOLLY LLP

PIONEER SPIRIT Rob Cary joined Williams & Connolly in 1991, and became a partner in 1998. Cary has a nose for finding cases going to trial. This skill was developed with many mentors at the firm who offered unique perspectives he uses today. He has extensive experience representing individuals and companies in connection with criminal and civil investigations conducted by various government agencies, including state and federal prosecutors and the U.S. Securities Exchange Commission.

TRAILS BLAZED Mr. Cary is well known for his representation of the late U.S. Senator Ted Stevens, who was indicted on ethics charges less than 100 days before he was to stand for re-election. After eight months of tumultuous litigation, Senator Stevens was exonerated when it was revealed that the prosecution had hidden evidence from the defense that contradicted the prosecution's principal theory. *The American Lawyer* described Williams & Connolly's work on the case as "one of the best criminal defense performances in memory, resulting in a heightened scrutiny of prosecutors that will affect the Justice Department for years to come."

FUTURE EXPLORATIONS Cary has a future wish for the White Collar practice. His wish is that Congress and the Executive Branch would work together to scale back, simplify, and clarify the federal criminal statutes and regulations so that American businesses and citizens can have fair notice of what is criminal conduct. Unfortunately, he doesn't think that is going to happen, and the White Collar criminal space will remain a mess. That means that defense lawyers are going to be very busy for the foreseeable future.



DAVID DiBARI

CLIFFORD CHANCE

PIONEER SPIRIT David DiBari started his legal career in the late 1980's with the former Rogers & Wells (now Clifford Chance). As an associate, he was working on a case with hundreds of client interviews when one interviewee significantly influenced his career. A tangential interviewee coincidentally flew in from Asia and was available for a meeting. Three (3) minutes into the interview he said, "David, I've waited for years for someone to ask me that question," and provided essential information. After that, DiBari knew that "you not only had to see the forest for the trees, but also spot the squirrel on the branch," and decided that the white collar / internal investigations practice area would be his. Now DiBari has more than 25 years of experience in complex civil, administrative and criminal matters arising under the Foreign Corrupt Practices Act, the USA PATRIOT Act, US economic sanctions and export controls and other laws and regulations affecting the conduct of international business.

TRAILS BLAZED DiBari believes that his best corporate and individual client successes to date are those you've never heard of – cases that never enter the public domain. "The best success is where I've been able to demonstrate, as a matter of law, policy or fairness that a client should not be subject to significant enforcement or criminal action. We have been and continue to be successful in defending global companies in multi-jurisdictional investigations, litigation, arbitration, and advising on litigation avoidance strategy."

FUTURE EXPLORATIONS DiBari sees a growing trend of non-US criminal and regulatory agencies taking an interest, alongside US authorities, in multi-national cross border enforcement investigations. "Now more than ever they need an internationally-integrated defensive strategy and end game – which makes compliance an increasingly complicated matter for firms doing business internationally." Finally, DiBari notes an increasing amount of work with boards of directors on risk management and crisis management.



DANIEL J. FETTERMAN

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

PIONEER SPIRIT Before joining Kasowitz, Dan was an Assistant United States Attorney in the Southern District of New York, where he received the Justice Department Director's Award for Superior Performance as an Assistant United States Attorney. Drawing on more than 20 years of experience as a federal prosecutor and a white collar defense lawyer, Dan co-edited and co-authored a highly-acclaimed white collar treatise, "Defending Corporations and Individuals in Government Investigations," published by Thomson Reuters. The treatise, which provides a unique, dual government and defense perspective on how to successfully manage all aspects of white collar investigations and enforcement actions, has been praised as a "must-have resource and reference for any lawyer involved in white collar matters."

TRAILS BLAZED Dan has successfully represented clients in many high-profile matters, including a principal in the Fairfield Greenwich Group - the largest feeder fund into Madoff, Hilton Worldwide in a grand jury investigation relating to its alleged theft of trade secrets, and a consortium of private equity firms (Bain Capital, The Carlyle Group and Clayton, Dubilier and Rice) in connection with a funding dispute over the \$8.5 billion acquisition of Home Depot Supply. Dan has conducted numerous internal investigations on behalf of corporations, boards and special committees concerning alleged corporate malfeasance, insider trading, fraud, FCPA violations, theft of trade secrets and obstruction of justice.

FUTURE EXPLORATIONS Dan sees his practice continuing to represent corporations and individuals in the type of high-stakes, complex litigation and investigations that have made his practice so exciting for the past decade. Dan notes that the government shows no signs of slowing down its investigations and prosecutions of corporations and individuals, especially with respect to cyber, FCPA and financial services crimes.



GRANT P. FONDO

GOODWIN PROCTER

PIONEER SPIRIT Grant Fondo always wanted to do public service as a federal prosecutor, and following his rise to partnership in private practice, he did just that. Prior to coming to Goodwin Procter in 2013, he served as an Assistant U.S. Attorney in the Northern District of California where he prosecuted white collar crime—including investment, bank, and securities fraud—as well as drug trafficking. At Goodwin Procter, Mr. Fondo represents technology, private equity, venture capital and individual clients in a wide range of criminal and civil litigation, and investigative and privacy matters.

TRAILS BLAZED During his time as a federal prosecutor, Mr. Fondo led a multi-jurisdictional take down of an international drug trafficking organization resulting in the largest seizure of methamphetamine in the U.S. history. The case received the 2012 Northern California High Intensity Drug Trafficking Area case of the year award. At Goodwin, Mr. Fondo continues to break new ground with his focus on digital currency, a “disruptive” technology revolutionizing financial services and other industries. This year, it was featured in two groundbreaking settlements with the U.S. government, both led by Mr. Fondo. In the first, Mr. Fondo guided a leading digital currency company through uncharted waters and resolved governmental investigations through a settlement with the USAO and FinCEN. The matter involved FinCEN’s first-ever civil enforcement action against an alleged virtual currency exchanger, and provided insight into the government’s view of the digital currency and FinTech regulatory landscape. Mr. Fondo also represented Sand Hill and its founders in the landmark settlement of an SEC enforcement action for allegedly improperly offering online complex derivatives products in exchange for bitcoin, purportedly on a blockchain, to retail investors, without a license. Mr. Fondo is co-founder and lead editor of Goodwin’s Digital Currency Perspectives blog.

FUTURE EXPLORATIONS The future will see a continued focus by government prosecutors on white collar crime and individual prosecution, including more actions against (and accountability for) individuals as outlined by the DOJ’s recent Yates Memorandum.



MICHAEL J. GARCIA

KIRKLAND & ELLIS LLP

PIONEER SPIRIT Originally intending to be a journalist, Michael J. Garcia earned undergraduate and master’s degrees in English literature. Mr. Garcia eventually decided to study law. After law school, Mr. Garcia practiced corporate law for a year at a Wall Street law firm. He quickly realized his interests were in trial work and left the law firm to serve as a law clerk from 1990 to 1992. From 1992 to 2001, Garcia was a prosecutor with the Office of the U.S. Attorney. In March 2003 President George W Bush appointed Mr Garcia, as assistant secretary for immigration and customs enforcement. The post put him in charge of more than 20,000 staff and a budget of more than \$4bn. Michael served as the United States Attorney from 2005 to 2008. During that time, he supervised some of the nation’s most significant investigations into securities fraud, bringing a series of high-profile insider trading prosecutions. Looking for a place to apply his trial skills and experiences, he joined Kirkland & Ellis in 2009. Michael Garcia is a litigation partner in Kirkland’s New York office, where he leads the Government, Regulatory and Internal Investigations practice.

TRAILS BLAZED Mr. Garcia considers being part of building up Kirkland’s Government, Regulatory and Internal Investigations practice as one of his greatest professional accomplishments. An additional accomplishment he notes is that in the wake of announced anti-corruption reforms announced by the Fédération Internationale de Football Association (FIFA), Mr. Garcia served as the independent Chair of the Investigatory Chamber of the Ethics Committee of responsible for investigating corruption in world soccer, including World Cup bidding, from 2012 to 2014.

FUTURE EXPLORATIONS In the near future, Mr. Garcia, will serve on the advisory board of Fanduel (fantasy sports), a forward-looking board aimed at anticipating regulatory challenges in a growing industry



TODD P. GRAVES

GRAVES GARRETT LLC

PIONEER SPIRIT Right out of law school, Graves was employed as an Assistant Attorney General for the State of Missouri, and served that year as a staff assistant on the Governor's Commission on Crime. From 1992-94, Graves was in private practice with the law firm of Bryan Cave. In 1994, he was elected as Platte County Prosecuting Attorney (at the time, he was the youngest full-time prosecuting attorney in Missouri), and re-elected in 1998, an office that he held until his U.S. Attorney appointment. Graves took his oath of office on September 17, 2001, as an interim United States attorney appointed by the U.S. District Court. His appointment was approved by President George W. Bush and confirmed by the United States Senate on October 11, 2001. After resigning from his position as U.S. attorney in 2006, Graves formed the law firm of Graves Bartle & Marcus, LLC, which has evolved into the firm Graves Garrett LLC and is based in Kansas City, Missouri.

TRAILS BLAZED Mr. Graves filed a lawsuit in May 2014 on behalf of political activist Eric O'Keefe (Wisconsin Club for Growth) against the Government Accountability Board (GAB) in Wisconsin, which captured national media attention, including coverage by *The Wall Street Journal*. The lawsuit, which also names Kevin Kennedy, the board's executive director and general counsel, asserted that, under Kennedy's direction, the GAB collaborated with five county district attorneys in a secret John Doe investigation of O'Keefe and the Wisconsin Club for Growth. According to the suit, this was in violation of state statutes that restrict GAB to investigations relating to civil violations of campaign laws.

FUTURE EXPLORATIONS Mr. Graves sees the blurring of lines of civil and criminal practices. What is currently a possible civil action may, in the near future, be more criminal in prosecution (a lowering of mens rea).



MICHAEL S. GOLDBERG

BAKER BOTTS

PIONEER SPIRIT As an Associate, Michael Goldberg became the youngest national counsel for Ford Motor Company, trying their cases around the country. It helped that he never lost a case for Ford. "My attitude as a young lawyer was that I wanted to go to trial, wanted to try jury cases, and wanted to develop the skills so that I would always be more confident in trial than the other side. At Baker Botts, our mantra was that we are trial lawyers, not paper litigators."

TRAILS BLAZED While having some of the most interesting matters, from negotiating with the Chinese government to allow Yao Ming to play basketball in the U.S., to representing Russian interests in the Yukos case, Goldberg routinely deals with governmental leaders around the world in the most complex of matters. This year, besides helping win a 4 billion dollar defense claim at trial, settling a 1.4 billion dollar claim against a foreign government, and obtaining a new hearing in a Texas pro bono death penalty case based on prosecutorial misconduct, Goldberg also represented an energy company in an FCPA investigation where a top African government official was discovered to have had an undisclosed interest in the transaction. In a rare (if ever) occurrence, the SEC dropped the investigation of the company (without a settlement) after the SEC had issued a Wells notice.

FUTURE EXPLORATIONS Goldberg has always had a strong interest in handling clients and issues which have an international component. Fortunately for his practice, the most interesting change he sees is the increasingly international scope of investigations and prosecutions. Today, U.S. companies that do business in almost any developing country are subject to the U.S. government's increasing concern of what it perceives to be red flag countries. As a result, foreign anticorruption investigations are more prevalent, and those may proceed either with or independent of U.S. actions.



TIMOTHY J. HEAPHY

HUNTON & WILLIAMS LLP

PIONEER SPIRIT Prior to law school, Tim served on the staff of then-Senator Joseph R. Biden. After a judicial clerkship with District of Columbia Court of Appeals Judge John A. Terry, Heaphy spent several years at an associate at a San Francisco-based international law firm. He then began his long career as a federal prosecutor, serving as an Assistant United States Attorney in the District of Columbia from 1994-2003, and in the Western District of Virginia from 2003-2005. He left the government to work as a white collar defense partner, where he worked for 4 years. In 2009, Heaphy was nominated by President Barack Obama and became the United States Attorney for the Western District of Virginia on December 11, 2009. He left the U.S. Attorney's office in December 2014 to join Hunton & Williams.

TRAILS BLAZED As U.S. Attorney, Mr. Heaphy led several major investigations, including one of the largest off-label pharmaceutical marketing cases, producing a \$1.5 billion resolution, and a major mortgage fraud matter — which are two primary areas for white collar investigations and litigation. In private practice, Heaphy has represented clients in a wide range of industries in white collar defense matters. Some examples have included the representation of a multinational manufacturing company in government investigation of airline crash involving defective airplane parts and the representation of a major insurer in Department of Justice investigation of company's investment in mortgage-backed securities.

FUTURE EXPLORATIONS In the near future Mr. Heaphy looks to have Hunton & Williams' White Collar Defense practice well branded with the legal and corporate community. The Hunton & Williams' White Collar practice aggressively defends corporations and their board members, executives and other individuals in cases involving allegations of health care fraud, false claims, FDA violations, campaign finance matters, Foreign Corrupt Practices Act violations, securities fraud and environmental crimes.



PHILIP H. HILDER

HILDER & ASSOCIATES, P.C.

PIONEER SPIRIT From his early childhood identifying with television character Perry Mason's weekly client puzzles and challenges to his real life desire to go into criminal law all led to many opportunities after law school. Philip Hilder was formerly the attorney-in-charge of the Houston Field Office of the United States Department of Justice, Organized Crime Strike Force. Prior to his appointment as a special attorney with the Justice Department, Mr. Hilder was an assistant United States attorney in the Southern District of Texas with the Presidential Organized Crime Drug Enforcement Task Force. Since leaving government service, Mr. Hilder has practiced in the area of white collar criminal defense, internal investigations and whistleblower representation.

TRAILS BLAZED Hilder has represented whistle-blowers and other witnesses and defendants in several high-profile white-collar crime cases. He represented Sherron Watkins, the former Enron vice president who helped shed light on details of the company's collapse in 2001. Currently Hilder is co-lead counsel in the defense of the Texas Attorney General (Ken Paxton) who was indicted for securities violations. He still loves what he is doing after all of these years and many trials.

FUTURE EXPLORATIONS Mr. Hilder sees more emphasis, by the Department of Justice, on individual responsibility. Prosecutors will focus on individual corporate liability at all levels of management pitting corporate entities against employees.



JOHN M. HILLEBRECHT

DLA PIPER

PIONEER SPIRIT Prior to joining DLA Piper in 2010, John served for 15 years as an Assistant United States Attorney in the Southern District of New York, garnering extensive trial and appellate experience and receiving numerous awards. “One thing I learned quickly as an AUSA was the paramount importance of developing credibility with the decision-maker, whether jury, judge, or officials at Main Justice. And that carries over to my clients today. You do that through mastering the details and context of a matter and never over-promising.” As a defense lawyer, he represents companies, boards of directors, and individuals in a wide range of government and internal investigations. Clients describe him as a “pragmatic” counselor who understands “the dynamics of complex white collar cases.”

TRAILS BLAZED John has represented entities and individuals in the cross hairs of some of the most high profile criminal investigations of recent years, including the “expert network” insider trading cases, RMBS fraud prosecutions, numerous rate-fixing cases (including the LIBOR, FX, and ISDAfix manipulation cases), the GM ignition switch case, and various FCPA investigations. “To take an individual who gets embroiled in one of these cases, sometimes with quotes from their emails splashed across the front pages of national newspapers, and get them through the process without charges so they can get on with their lives, especially when some of their friends unfortunately end up charged, is really gratifying. And a relief.”

FUTURE EXPLORATIONS Hillebrecht, who has conducted on-the-ground investigations in five continents, believes there is a growing challenge posed by the ever-increasing global reach (“or ‘over reach’”) by US regulators, requiring sensitivity to client costs while managing potential conflicts between local law and US law. Additionally, the recent DOJ “Yates Memorandum” and its focus on individual criminal liability will raise nuanced challenges for those representing companies and individuals, given the perceived need to throw more individuals “under the bus”. As companies decide on how to conduct internal investigations, they will need to be even more sensitive to potential conflicts of interest that may arise.



MARK D. HOPSON

SIDLEY AUSTIN LLP

PIONEER SPIRIT After graduation from the Georgetown University Law Center, Mark Hopson served as a law clerk to Judge Thomas F. Hogan of the U.S. District Court for the District of Columbia. He has served as a trial practice instructor and an adjunct professor at the Georgetown University Law Center. Mr. Hopson is currently the managing partner of Sidley’s Washington D.C. office. Mark is a practice area team leader of the firm’s White Collar practice and is a member of the firm’s Management and Executive Committees.

TRAILS BLAZED Mr. Hopson has represented clients in many headline-making cases as well as those deliberately kept out of the spotlight. In addition to criminal and civil trial litigation matters, the scope of Mark’s practice is reflected in his trial court victories and other recent representations including obtaining an acquittal at trial of Tyson Foods, Inc. on a 36-count indictment charging conspiracy to violate federal immigration laws and seeking criminal forfeiture of over \$100 million – a result that *The National Law Journal* identified as the “Defense Verdict of the Year.”

FUTURE EXPLORATIONS Mr. Hopson sees two (2) emerging movements in the White Collar Crimes practice area. Mark highlights the Department of Justice’s continued prosecution of domestic offenses however these days a lot of their enforcement has nothing to do with DOJ criminal prosecutions. Now the SEC, FDA, FTC and other governmental agencies are devoting their enforcement authority towards corporations and individuals. Every industry now has a regulator pushing their authority and laws specific to White Collar Crime. Additionally, Mark notes an increasing international component to White Collar Crime having little Nexus with the United States. Therefore, more international lawyers will be working with their U.S. counterparts causing more law enforcement from global investigations.



STEPHEN G. HUGGARD

LOCKE LORD

PIONEER SPIRIT After 17 years as a prosecutor with the Department of Justice, Stephen G. Huggard applies his considerable experience to assisting corporations and executives with any government inquiries or internal investigations. Before joining the firm, Huggard served for four years as Chief of the Public Corruption & Special Prosecutions Unit at the U.S. Attorney's Office, District of Massachusetts, overseeing some of the most complex investigations in the office.

TRAILS BLAZED Huggard represented the former President of medical device manufacturer Stryker Biotech in indicted federal health care fraud (off-label promotion) case. All charges were dismissed. Commended by *Financial Times* for innovative legal work in this case. The battle between the corporation's attorney-client privilege and the individual manager's advice-of-counsel defense played out in the Stryker Biotech trial. The result were pretrial rulings that the individual defendant had a right to present evidence of attorney-client communications and advice over the corporation's privilege objection and severance of the individual defendant from the corporation was warranted based on this conflict.

FUTURE EXPLORATIONS Huggard thinks there is going to be continued growing tension between lawyers representing companies and lawyers representing executives. "The government is expecting companies to become a private police force." Trends indicate the government is shying away from FCPA actions because it can be a difficult statute to prove and they focus instead on money laundering charges based on the same conduct.



JOHN W. KEKER

KEKER & VAN NEST LLP

PIONEER SPIRIT John Keker started as a federal public defender in San Francisco, trying all kinds of cases--bank robbery, airplane high jacking, counterfeit money, drugs, assault, mail fraud--during his two years in the office. Mr. Keker went into private practice at a time when big firms still considered criminal law beneath them, and very quickly found himself representing bank presidents rather than bank robbers. But he also represented Eldridge Cleaver and many others who weren't classified as white collar.

TRAILS BLAZED Mr. Keker views his biggest accomplishments during his practice of law are trying and winning criminal cases. One of the sweetest victories was the acquittal of criminal defense lawyer Patrick Hallinan in a very vindictive RICO prosecution in Reno.

FUTURE EXPLORATIONS Mr. Keker is distressed by the lack of jury trials in the federal system, where only 2.6% of indicted cases go to trial. It is one of the reasons he looks for trials wherever he can find one, including civil cases. John is also distressed by the capture of the white collar bar by conference room lawyers who only want to make deals with the government.



STEPHEN M. KOHN

KOHN, KOHN & COLAPINTO, LLP

PIONEER SPIRIT Stephen Kohn received his law degree from Northeastern University. While at Boston University, Kohn was one of the founders of the *B.U. Exposure*, a student-run independent newspaper dedicated to exposing the ethical irregularities of the administration of B.U. President John Silber. After graduating from Northeastern Law, Kohn served as an Adjunct Professor and Clinical Supervisor at the Antioch School of Law, where he oversaw a legal clinic on whistleblower protections from 1984-88. Stephen Kohn founded the law firm now known as Kohn, Kohn & Colapinto with his brother Michael, in 1988.

TRAILS BLAZED Mr. Kohn's major contributions to whistleblower law and protections include obtaining the largest reward ever granted an individual under U.S. whistleblower reward laws and first major award granted under the IRS rewards program (\$104 million dollars). Additionally, Kohn has represented whistleblowers in the O. J. Simpson murder case, the World Trade Center bombing cases, the Oklahoma City bombing case, the Linda Tripp-Privacy Act case, and the Bradley Birkenfeld-UBS AG tax evasion case.

FUTURE EXPLORATIONS Looking into the future, Mr. Kohn sees international changes around the globe. These global changes will be modeled after the US Whistleblower laws. As corporations expand around the world, employees in Africa, Asia, China, Europe and Russia need similar incentives and protections to promote exposures of wrongdoing as the United States laws provide potential whistleblowers.



DAVID S. KRAKOFF

BUCKLEY SANDLER LLP

PIONEER SPIRIT Prior to and during law school, David S. Krakoff had no expectation whatsoever of becoming a criminal trial lawyer. But then a law school friend received an internship with the U.S. Attorney's Office for the District of Columbia and said "you ought to come over here too." The rest is history. Ten (10) years in the U.S. Attorney's Office has led to thirty (30) years representing individual and corporate clients in high-stakes criminal and complex civil litigation and enforcement cases throughout the country.

TRAILS BLAZED Mr. Krakoff's experience spans a variety of class actions, investigations, grand jury, and trial matters involving the Foreign Corrupt Practices Act, accounting fraud, securities, tax, public corruption, antitrust, healthcare, export control, False Claims Act, trade secrets and environmental matters. Mr. Krakoff's experience includes federal and state trials with primary trial responsibility in more than 50 cases. Krakoff is most proud of the representation of a former executive of W.R. Grace & Co. in a lengthy criminal trial in the District of Montana that ended in an acquittal of all charges. Additionally in 2011-12, he represented an individual in the FCPA Sting criminal trial in the District of Columbia that ended in a hung jury mistrial and the subsequent dismissal of all charges by the Department of Justice.

FUTURE EXPLORATIONS Krakoff believes our world is getting smaller and smaller. The Justice Department is expanding its cross-border investigations every year. Foreign governments like the UK are looking to the U.S. as a model for running investigations and prosecutions. He feels we will see even more cooperation by companies with federal, state and foreign law enforcement, providing more evidence against company executives to avoid prosecution and reduce penalties. But the collateral impact may be many more individuals will take on the government at trial.



ANDREW J. LEVANDER

DECHERT LLP

PIONEER SPIRIT Mr. Levander concentrated on tax law while at Columbia, but he quickly found a love for litigation while clerking for Wilfred Feinberg, then a judge on the Second Circuit. From there he vaulted to the solicitor general's office, where he argued several cases before the Supreme Court in his mid-20s. Mr. Levander later served as an Assistant U.S. Attorney in the Southern District of New York's Securities and Commodities Fraud Unit. Upon leaving the U.S. Attorney's office in 1985, Levander went into private practice making a name for himself representing high-profile Wall Street executives and institutions in securities fraud and commercial litigation and criminal and regulatory investigations and has tried more than 50 cases, including several complex arbitrations.

TRAILS BLAZED Mr. Levander obtained an acquittal for Michael Rigas in 2004 on six counts and dismissal on two counts in the Adelphia Communications criminal fraud matter *United States v. Rigas*, despite the fact that Rigas' father and brother were convicted of the same charges. Another significant case by Mr. Levander was the representation of Fannie Mae's former chief risk officer Enrico Dallavecchia where the Securities and Exchange Commission accused executives of hiding a massive subprime from investors. Levander was able to reach a unique settlement with the SEC that left the charges "baseless" and also noted that Dallavecchio's conduct was entirely proper.

FUTURE EXPLORATIONS Mr. Levander looks for the continued globalization of regulatory agencies and a political climate that will feed an acceleration of criminal and civil liabilities for all kinds of conduct, beyond the traditional parameters of criminal enforcement. Additionally, recent DOJ statements demanding individual "scalps" will fuel more far reaching investigations and burdens on corporations and individual rights.



NEAL H. LEVIN

FREEBORN & PETERS LLP

PIONEER SPIRIT Neal Levin's spirit comes from his serious accountability issues. Though the more likely story is that shortly after starting his own practice out of law school, a friend called him up from a big law firm and said "Big law firms know how to get judgments though have no idea how to enforce them. Would you like to enforce a judgment for a big client of ours?" That client happened to be a major insurance carrier that had been prosecuting a number of fraud cases in the early 90s. Mr. Levin accepted the challenge and quickly learned that there are only two reasons people don't pay the money they owe: either they don't have it or they don't want to part with it. Mr. Levin was handed several judgment debtors who squarely fell into the latter category. He realized how much he loved the chase and how much the work was like a good chess match.

TRAILS BLAZED Mr. Levin considers one of his greatest professional accomplishments was when a client said, "you're like Mr. Wolf from *Pulp Fiction*", noting Mr. Levin as his go-to whenever the proverbial you-know-what hit the fan. The label stuck. Being one of his favorite all-time movies, it was like his coming of age moment. Another accomplishment is when Mr. Levin, in 2010 went international, being assigned a case for a Hollywood film studio that was chasing a group out of the Middle East that was operating through a number of shell entities in BVI and other offshore financial centers. All roads lead to a fund out of Bahrain managed by a group in Dubai. So he paid them a visit, quickly recovered the money and set out to re-brand and market his practice, learn how to navigate international waters and offshore havens and embed himself within the master class of international warriors.

FUTURE EXPLORATIONS There are no signs of it slowing, despite there being more laws, more investigators, more prosecutors and an apparent push to increase the number of their prosecutions. The reason for this is simple: the one thing that doesn't change is the fact that fraudsters are incredibly intelligent and know human behavior better than we know them. While the chessboard may take on a different look and a much grander size, he see us warriors also needing to continue adapting and playing the game that we've been playing for years to come.



JANET LEVINE

CROWELL & MORING LLP

PIONEER SPIRIT After graduating from law school, Ms. Levine served as law clerk to the Honorable Arthur L. Alarcon, United States Circuit Judge, Ninth Circuit Court of Appeals, and as a Deputy Federal Public Defender, where she represented indigent defendants charged with a variety of federal crimes. Currently, Janet Levine is a partner in Crowell & Moring's Los Angeles office and chair of the firm's Trial Practice.

TRAILS BLAZED Ms. Levine defended a client in a rare Foreign Corrupt Practices Act case, one of just a few to ever go to trial under the law. During the five-week proceedings, Levine blasted the U.S. Department of Justice team for prosecutorial misconduct, causing the court to lift charges against her client, a Lindsey Manufacturing Co. executive implicated in a cross-border conspiracy to bribe Mexican officials. Levine's 2005 representation of Katrina Leung, the accused double agent whose scandal tarnished the Federal Bureau of Investigation's intelligence-gathering methods and embarrassed high-ranking agency officials, made headlines the world over. The case, a sensational story of an alleged socialite spy's dual interests and love affair, was covered exhaustively by national and global media — including when Levine spearheaded the dismissal of the bombshell charges, proving prosecutorial misconduct.

FUTURE EXPLORATIONS Ms. Levine notes more and more complexity to future investigations and litigation matters brought by the government due to increasing internationalization of laws, conflicting laws of different sovereigns and new types of evidence. Focus by the DOJ, SEC and various state attorney generals on pushing corporations to self-report and to inform on their officers, directors and employees will result in an increase in hard fought litigation by those individuals.



JESSIE K. LIU

JENNER & BLOCK LLP

PIONEER SPIRIT Ms. Liu began her career with Jenner & Block working on general/civil litigation matters but wanted more time in court. Ms. Liu went on to hold a number of positions at the Department of Justice. From 2002-2006, she served as an Assistant United States Attorney; in that capacity, she tried numerous criminal cases and conducted grand jury, pre-trial, sentencing, and post-sentencing proceedings in many other matters. From 2006-2007, as Deputy Chief of Staff in the National Security Division of the Department of Justice and Counsel to the Deputy Attorney General, she advised the Department's leaders on a wide range of national security issues. Just prior to her return to Jenner & Block in 2009, she served as Deputy Assistant Attorney General in the Department's Civil Rights Division, where she supervised approximately 100 attorneys in three litigating sections.

TRAILS BLAZED Ms. Liu views her greatest accomplishment as the ones no one talks about. Her greatest satisfaction is receiving a call from a client, figuring out what to do and how to do it, and getting the best resolution for her client, all out of the public eye.

FUTURE EXPLORATIONS Ms. Liu notes a growing trend of three-branch (or sometimes four- or five-branch) matters -- large investigations and enforcement actions involving many governmental entities, including not only federal, state, and sometimes foreign prosecutors' offices but regulatory agencies and Congress as well. Often, private litigants and the press enter the mix too.



MICHAEL W. MAGNER

JONES WALKER

PIONEER SPIRIT Michael Magner's father was a NYPD officer for 33 years working on police brutality and internal affairs. Michael's exposure to his father's career left a significant impact for the rule of law and how those rules apply to everyone. This influenced Michael to attend law school followed by 20 years as a federal prosecutor with more than 40 successful jury trials in state and federal courts and as defense counsel.

TRAILS BLAZED Mr. Magner, together with co-counsel Steptoe & Johnson LLP, set precedent and secured a complete defense acquittal for David Rainey, the highest ranking executive from BP charged in the Deepwater Horizon disaster. After only two and a half hours of deliberations, a New Orleans jury acquitted Mr. Rainey of charges that he made false statements to the FBI. The acquittal followed a dismissal of an obstruction of Congress charge against Mr. Rainey by the judge. Additionally, Mr. Magner has and continues to take significant interest in Pro Bono matters. Recently Mr. Magner and attorneys with the Innocence Project New Orleans ("IPNO") were successful in Pro Bono Case Involving 61-year-old Reginald Adams wrongfully convicted of First Degree Murder of the wife of a New Orleans Police. The NOPD officer was subsequently convicted of murdering his second wife. The case has received national and international media attention.

FUTURE EXPLORATIONS When asked what the near future of the White Collar Defense practice will look like, Mr. Magner forecasts it will look like the last four (4) years, a nice blend of rewarding corporate level White Collar Criminal Defense work. Much like the work being done with the Innocence Project, "bullies need to be neutralized whether government officials or individuals"



DAVID OSCAR MARKUS

MARKUS / MOSS PLLC

PIONEER SPIRIT Following his attorney father around as a child and then in his footsteps, David Oscar Markus grew up to become a top notch trial litigator. When he was 29, the National Law Journal selected him as one of the top 40 litigators in the country under 40 years old, and it has recognized one of his federal trial victories as one of the top ten defense verdicts in the country that year. David is a magna cum laude graduate of Harvard Law School. While at Harvard, he argued in front of Supreme Court Justice Anthony Kennedy who named him best oralist. After graduating from Harvard, David served as law clerk to the Honorable Edward B. Davis, then-Chief United States District Judge, Southern District of Florida. Following his clerkship, David worked as an associate at Williams & Connolly in Washington, D.C., and then practiced as an Assistant Federal Public Defender in Miami. David is known for his creative and unrelenting approach to cases, which leads to wins in trials and appeals. David focuses on high-stakes criminal litigation for both white collar and traditional criminal matters.

TRAILS BLAZED In one trial victory, David not only beat all 141 counts in federal court for a doctor, but then won attorneys' fees and costs of over \$600,000 for his client in a first-of-its-kind victory. Although the fee award was reversed on appeal, he was awarded the highest honor — the Rodney Thaxton "against all odds" award — by the Florida Association of Criminal Defense Lawyers for fighting against prosecutorial misconduct in that case.

FUTURE EXPLORATIONS David acknowledges that the White Collar field has changed since he began his practice. The government is casting its prosecutorial net wider in charging more individuals and creating a culture of plea bargaining by "snitches" in order to get individuals to plead out versus fighting. David's practice is dedicated to fighting this snitch-first culture and getting back to the true adversarial system.



RICHARD MARMARO

SKADDEN

PIONEER SPIRIT Prior to entering private practice in 1984, Mr. Marmaro served as a law clerk to a federal judge in the Southern District of New York and as an assistant U.S. attorney in the Central District of California, where he was an assistant chief of the Criminal Division. As a federal prosecutor, Mr. Marmaro conducted and supervised numerous grand jury investigations and successfully prosecuted both individuals and companies for business-related crimes. For more than 30 years Mr. Marmaro has successfully defended individuals and corporations, both nationally and internationally, in all phases of complex civil, criminal and regulatory matters, including those involving allegations of insider trading, accounting and disclosure irregularities, violations of the Foreign Corrupt Practices Act, stock options backdating, market manipulation, financial fraud and health care fraud.

TRAILS BLAZED Mr. Marmaro has been fortunate enough to have been involved in many challenging high profile cases but two (2) cases he highlights include the successful defense of William J. Ruehle, the former CFO of Broadcom, in the largest stock options backdating case brought by the federal government. In what only can be described as an extraordinary result, after a jury trial lasting nearly two months, the Judge dismissed the indictment against Mr. Ruehle, dismissed the stock options backdating indictment against Broadcom co-founder Dr. Henry T. Nicholas, who was not even part of the Ruehle trial, withdrew Broadcom co-founder Dr. Henry Samueli's guilty plea and dismissed the case against him, and dismissed the pending SEC case against Mr. Ruehle, Drs. Nicholas and Samueli, and David Dull, the former general counsel of Broadcom. Additionally, Marmaro served as co-lead counsel in the successful defense of a former CEO and chairman of Columbia Savings & Loan, who was acquitted on all 60 criminal counts against him following a two-month jury trial.

FUTURE EXPLORATIONS Mr. Marmaro predicts a very busy future for white collar defense lawyers, particularly ones who specialize in trial work, influenced by the recent Yates Memo, as the Department of Justice and SEC increases litigation and internal investigations of targeted companies and senior executives.



WILLIAM B. MATEJA

FISH & RICHARDSON

PIONEER SPIRIT Prior to joining Fish & Richardson in January 2005, Bill Mateja served as Senior Counsel to U.S. Deputy Attorneys General Larry Thompson and James Comey in Washington, D.C., where he was point person for the President's Corporate Fraud Task Force while overseeing the Justice Department's white collar, health care fraud, and corporate fraud efforts. Mr. Mateja also served as the Justice Department's Special Counsel for Health Care Fraud, and chaired the Attorney General's working group on sentencing policy. Mr. Mateja is a highly regarded trial attorney who uses his 13 years of experience with the Justice Department in Texas and Washington, D.C., coupled with over 25 years of legal experience, to successfully represent companies and individuals in "high stakes" government and internal investigations, civil enforcement actions, lawsuits, and criminal prosecutions across the country.

TRAILS BLAZED Mr. Mateja notes many accomplishments during his 25 years practicing law. He is particularly grateful to have established a tremendous network of white collar defense attorneys that he considers not only colleagues, but friends. Additionally, serving as the point person for President Bush's Corporate Fraud Task Force was a career highlight. As Senior Counsel to the Deputy Attorney General in 2003 and 2004, Mr. Mateja supervised the Justice Department's efforts in a number of high-profile corporate fraud prosecutions, such as Enron, World Com, Health South, Homestore.Com, Computer Associates, Credit Lyonnais, McKesson HBOC, Reliant Corporation, Symbol Technologies, Adelphia, and Rite Aid.

FUTURE EXPLORATIONS Mr. Mateja has watched the prosecutor's office secure and leverage sophisticated tools to deal with the growing complexity of healthcare fraud and cybercrimes, which he believes will ultimately lead to more prosecutions in this area.



WILLIAM R. (BILLY) MARTIN

MILES & STOCKBRIDGE P.C.

PIONEER SPIRIT Before entering private practice, Billy Martin served as a state and federal prosecutor from 1976 until 1980. In 1980 Mr. Martin was appointed to serve as a Special Attorney in the Organized Crime Strike Force in San Francisco, a position he held for four years. In that role, he was appointed as a special prosecutor in Alaska in a sensitive matter in which the United States Attorney and much of his office was recused. Mr. Martin then moved from San Francisco to Washington, D.C., where he served as an Assistant United States Attorney for four years before being promoted to the Executive Assistant U.S. Attorney for the District of Columbia, a position he held until he left the office to begin private practice. Before starting his own firm, Martin & Gitner, in 2012, Martin was a well-respected senior partner in the Washington legal community. Looking to expand his litigation team by joining a firm with a deep bench of national trial lawyers, Mr. Martin joined Miles & Stockbridge in August 2015.

TRAILS BLAZED As a young 48 year old lawyer, Mr. Martin served as counsel to Monica Lewinsky and holding the family members' nervous hands during the painful public airing of private moments. Another notable past client included Mr. Martin's representation of former Atlanta mayor Bill Campbell on racketeering, bribery and wire fraud charges; Campbell was convicted of three counts of tax fraud, but acquitted on racketeering and bribery charges.

FUTURE EXPLORATIONS Mr. Martin hopes to see future changes and greater exercise of discretion by government prosecutors in charging corporations and individuals. Cybercrime and data security prosecutions look to be growing more aggressively bringing greater challenges to both sides.



DAVID MASSEY

RICHARDS KIBBE & ORBE LLP

PIONEER SPIRIT David B. Massey is a 1997 graduate of Yale Law School. From 1997 to 1998, he served as a law clerk to the Honorable Pierre N. Leval of the United States Court of Appeals for the Second Circuit. Massey joined RK&O as a partner in December 2013 after serving for nine years as a federal prosecutor in Manhattan.

TRAILS BLAZED As a federal prosecutor, Mr. Massey investigated and prosecuted complex cross-border matters involving global corporations relating to, among other things, insider trading, foreign currency trading, complex derivatives, offshore banking, reverse mergers, mismarking of assets, market manipulation, money laundering, Ponzi schemes and IEEPA violations. Additionally, Massey led the investigation and prosecution of the Swiss bank Wegelin & Co., the first-ever indictment and guilty plea of a foreign bank for tax fraud. Mr. Massey also led the negotiation of a non-prosecution agreement with a Liechtenstein bank that included a change in Liechtenstein law that effectively ended bank secrecy for U.S. taxpayers. Massey investigated and/or prosecuted several other Swiss banks, more than a dozen Swiss bankers and asset managers and numerous U.S. taxpayers for conspiring to hide Swiss bank accounts from the IRS.

FUTURE EXPLORATIONS Massey predicts an increase of complex, parallel cross-border investigations by aggressive federal and state prosecutors, the SEC, CFTC and other agencies in the United States and overseas, with multi-country investigations becoming more prevalent. He expects the continued heightened scrutiny of the financial industry to give rise to investigations focused on sales and trading practices, insider trading, foreign bribery, money laundering risk, and sanctions compliance, among other cross-border issues.



STEVEN J. MCCOOL

MALLON & MCCOOL, LLC

PIONEER SPIRIT Following a judicial clerkship, Steven McCool became an Assistant United States Attorney in the District of Columbia to pursue his ambition to become a trial lawyer. Over the next eight years, he prosecuted dozens of jury trials. He established Mallon & McCool in 1999, and since then, he has been commended by his peers as a “very impressive trial attorney.”

TRAILS BLAZED McCool has won a number of high-profile jury trials over the years. He successfully tried an honest services fraud case to a not-guilty verdict against the Antitrust Division, and he prevailed in the 18-week long jury “Shot-Show trial,” which was touted by the Department of Justice as the first large-scale sting operation in a FCPA investigation. McCool has also tried a number of civil and non-white collar cases, including a 13-month Federal death penalty trial, involving 31 homicides, where the jury refused to impose the death penalty. Recently, McCool represented a Federal Judge before a Judicial Special Committee. He has also led a number of internal investigations, including a recent investigation for a publicly-traded company, and he has represented a number of clients at depositions in response to civil investigative demands in False Claims Act cases. Next month, McCool will defend a client in the first Federal trial involving fraud charges related to the controversial “Obama Phone” program.

FUTURE EXPLORATIONS McCool pointed out that the Department of Justice has recently issued new policies that prioritize the prosecution of executives, and has signaled that it will put pressure on companies to provide evidence against these individuals. McCool believes that the demand for recently-tested, accomplished trial lawyers will increase significantly, as Federal prosecutors implement these policies. “Executives who find themselves in the government’s cross-hairs will not be looking for someone who tried a case several years ago.”



JUAN P. MORILLO

QUINN EMANUEL LLP

PIONEER SPIRIT Juan Morillo went to law school in the early 90’s to get into international law but few opportunities existed. Mr. Morillo went on to work as a law clerk, for the Honorable Ricardo M. Urbina of the U.S. District Court for the District of Columbia, which gave him exposure and fondness for criminal white collar work. Mr. Morillo went on to private practice and now has substantial experience in cross-border criminal investigations and civil disputes. Mr. Morillo represents BSI SA, one of the world’s largest private banks, under the unprecedented U.S. – Swiss program to resolve the criminal liability of Swiss banks that helped Americans evade taxes. Mr. Morillo obtained a non-prosecution agreement for BSI, which was the first and the largest bank in the program to settle. Additionally, Mr. Morillo represents Julius Baer in connection with parallel investigations by the DOJ and Swiss authorities involving allegations that officials of FIFA and its affiliates, and sports media and marketing executives engaged in bribery and money laundering schemes, among other criminal offenses, during the period 1991 to the present.

TRAILS BLAZED Mr. Morillo represented The Federative Republic of Brazil in precedent-setting criminal trial of Swiss bankers alleged to have laundered tens of millions of dollars from a fraudulent scheme in Brazil involving senior Brazilian government officials. Prevailed at trial. Mr. Morillo considers the development of his cross border practice, at a young age and as an immigrant, to be a significant accomplishment. He continues to help build Quinn Emanuel’s visibility and focuses on criminal defense and civil litigation for major financial institutions, Fortune 500 companies, large international companies, professional services firms and senior executives.

FUTURE EXPLORATIONS Mr. Morillo’s view of the future for the White Collar practice is greater globalization and complication of the cross border matters due to the convergence of policies, procedures, doctrines and prosecutions being pursued by US and international regulators. Increased level of collaboration by international regulators will lead to increases in criminal and civil prosecutions.



MARC L. MUKASEY

BRACEWELL & GIULIANI

PIONEER SPIRIT When Marc Mukasey was a kid, his dad and all his friends were Assistant US Attorneys and that was the job he always wanted. After serving as an Assistant, Mr. Mukasey thought that defending businesses and their executives would be a terrific challenge and something that is necessary in today's socio - political environment.

TRAILS BLAZED Mr. Mukasey is proud of taking cases to trial over the past few years and giving the government all it can handle. Of course, he also cherishes those cases in which he can convince the government to back down before charges are filed.

FUTURE EXPLORATIONS Mr. Mukasey believes the biggest challenge to business over the next few years will be government intervention and over-regulation. He looks forward to helping those companies and their boards and management keep the government out of their business so they can thrive and prosper.



GARY P. NAFTALIS

KRAMER LEVIN NAFTALIS & FRANKEL LLP

PIONEER SPIRIT Even the best-laid plans are subject to change. When Gary P. Naftalis graduated from college, he thought that he would pursue a career in the diplomatic corps. He took an internship at the State Department, and while that was a great experience it convinced him that he didn't want to be a Foreign Service officer. So he went to graduate school majoring in history and thought he would become a professor. During Christmas break, after his first semester, he ran into a friend who was a third-year law student. He said, "Why do you want to do that? You should go to law school." He thought it would be more exciting, that Naftalis would be better at it. Naftalis ended up taking the law boards. Naftalis stated that it wasn't a well-thought-out plan. It wasn't one of these things like, "Oh, when I was six I knew I wanted to be a lawyer, it just sort of happened."

TRAILS BLAZED Dam doluptur mod ut exernatur remoditem lab idus, odisque ernam sundis restionecae vollese quatem. Itas sant ad quasimin enim de nones audaepel minctem fugiatem quas ea voluptam, tecepe cuscias perum, sum lam, Dam doluptur mod ut exernatur remoditem lab idus, odisque ernam sundis restionecae vollese quatem. Itas sant ad quasimin enim de nones audaepel minctem fugiatem quas ea voluptam, tecepe cuscias perum, am doluptur mod ut exernatur remoditem lab idus, odisque ernam sundis restionecae vollese quatem. Itas sant ad quasimin enim de nones audaepel minctem fugiatem quas ea voluptam

FUTURE EXPLORATIONS Naftalis predicts an increasing criminalization and expansion of White Collar prosecutions. The overall trend to criminalize things that wasn't criminal in the past, but civil in action. Additionally, with the Yates memo emphasizing the prosecution of individuals, in addition to companies, the new trend will be "who is the flavor of the month".



STEPHEN C. NEAL

COOLEY LLP

PIONEER SPIRIT Upon graduating Stanford, Stephen (Steve) Neal, set his sights on becoming a litigator. Neal returned to Chicago to work with Kirkland & Ellis. After about two and a half years, there, a partner's scheduling conflict led to Mr. Neal trying his first big jury case. After going to Cooley in 1995, Mr. Neal found that the high-profile cases continued. He was named CEO and Chairman of the firm in 2001. During Mr. Neal's tenure as CEO, Cooley has opened offices in New York, Boston and Washington, D.C. The firm also made a major commitment to becoming a leader in pro bono work.

TRAILS BLAZED Mr. Neal has represented many high-profile cases. Back in 1989, he was retained by Charles H. Keating Jr., whom he dubs "one of the most vilified men of the last quarter century." Over the next several years, Keating lost his cases at trial but Mr. Neal got them all overturned on appeal, including one that was ruled a violation of due process based on instructions given to the jury. Steve Neal also led the defense for Kent Roberts, the former McAfee general counsel who was indicted on charges over mis-dated stock options, and won his client an acquittal. Over the course of Mr. Neal's career, Neal has acted as lead trial counsel on more than 45 jury and non-jury cases and argued more than 20 appeals in courts around the country.

FUTURE EXPLORATIONS When asked about the future of the White Collar Crimes practice area, Mr. Neal sees an increasing use of criminal prosecutions by the government where the government has no place in prosecuting. Many defendants don't have the financial resources to defend themselves from purely criminal cases by the state and federal government therefore they extract pleas and testimony they would not normally acquire. Mr. Neal notes the healthcare, pharmaceutical, automotive and financial industries as receiving additional governmental focus and scrutiny.



DANNY C. ONORATO

SCHERTLER & ONORATO, L.L.P.

PIONEER SPIRIT Upon graduation from law school, Danny Onorato served with distinction as an Assistant United States Attorney in the District of Columbia. Throughout his years of service as a prosecutor, Mr. Onorato handled more than 50 criminal trials before juries and judges in the United States District Court for the District of Columbia and the Superior Court for the District of Columbia. Mr. Onorato also participated in several long-term criminal investigations with specialized federal and state law enforcement task forces. As a defense attorney, Mr. Onorato has successfully represented individuals in a wide variety of complex criminal and civil matters, including many high profile white collar criminal cases.

TRAILS BLAZED Onorato is most proud of the work he and his firm do for all clients. Onorato's clients have included executives from high profile cases including HealthSouth, Enron, KPMG and Fannie Mae. Mr. Onorato has also represented clients in both civil and criminal securities fraud investigations and investigations pending with the Department of Justice. Onorato highlights the work done to resolve criminal assault charges filed against recording artist Chris Brown. Mr. Brown received a sentence of time-served following his guilty plea to one count of misdemeanor simple assault in the District of Columbia Superior Court. Mr. Onorato addressed the court on Mr. Brown's behalf and successfully argued in favor of the time-served sentence.

FUTURE EXPLORATIONS The future of the white collar crime / internal investigations field looks to be more complex and more collaborative than in years past. United States government prosecutors and officials and their foreign government counterparts will look to make examples of clients. The Department of Justice will continue to focus and collaborate with foreign governments on FCPA and Antitrust matters.



KEVIN PUVALOWSKI

SHEPPARD, MULLIN, LLP

PIONEER SPIRIT Kevin Puvalowski wanted to be a prosecutor since law school. Having the privilege to work with talented prosecutors, mentors and professors help steer his career choices. Mr. Puvalowski joined Sheppard, Mullin from the Office of the Special Inspector General for the Troubled Asset Relief Program ("SIGTARP"), where he served as Deputy Special Inspector General. Previously, he was an Assistant United States Attorney in the Southern District of New York. Kevin represents institutions and individuals in criminal, civil enforcement and regulatory investigations and proceedings before federal and state courts and regulatory and enforcement agencies.

TRAILS BLAZED Mr. Puvalowski represented Abacus Federal Savings Bank, the only bank to face trial on criminal charges in connection with the financial crisis and the first bank indicted by the Manhattan District Attorney's Office since 1991. The indictment, which was handed down in May 2012, charged Abacus and 11 former employees with conspiracy and substantive fraud charges alleging that the bank knowingly approved mortgages to unqualified borrowers based on falsified documentation and then sold those fraudulent mortgages to Fannie Mae. In June 2015, following a four-month trial, the jury returned a verdict of not guilty on all 80 counts against the bank.

FUTURE EXPLORATIONS During the next few years, Mr. Puvalowski intends to develop his practice and actually try a jury case or 2 per year. Mr. Puvalowski sees fewer cases going to trial due to the significant expense(s) and quantity of data needing to be searched, analyzed and managed. Data searching may become less expensive, in the future, as those tools improve with technology enhancements.



ROBERT W. RAY

FOX ROTHSCHILD

PIONEER SPIRIT Robert W. Ray began his legal career as a judicial law clerk in the U.S. Court of Appeals for the Second Circuit. In 1989, Mr. Ray became an Assistant U.S. Attorney in the Southern District of New York. He joined the Independent Counsel's office in Washington, DC in 1995, where he supervised, conducted and participated in complex, long-term and multi-defendant federal prosecutions involving public corruption at all levels and stages in federal court. Mr. Ray transitioned to private practice, using his prosecutorial skills to aggressively advocate for his clients and developing into a respected courtroom veteran who handles an array of white-collar criminal defense matters, corporate governance and compliance issues, internal investigations and general litigation, including civil RICO and commercial fraud.

TRAILS BLAZED Mr. Ray succeeded Ken Starr as the head of the Office of the Independent Counsel (1999 to 2002) and was responsible for, among other things, the In re Madison Guaranty investigations, which concluded with final reports on the Whitewater scandal, the White House travel office controversy, Monica Lewinsky and the White House FBI files controversy, as well as resolving all then open investigative matters with President Bill Clinton prior to his leaving office in January 2001. In 2002, Mr. Ray transitioned to Deputy Independent Counsel investigating former Secretary of Agriculture Mike Espy, and during and arising out of that investigation, Mr. Ray argued a case involving the federal gratuity statute before the Supreme Court of the United States. With years of experience behind him in which the subjects of his investigations were under public and media scrutiny, Mr. Ray finds that in private practice, keeping his clients not only out of legal trouble but also out of the glare of the news spotlight is the most rewarding aspect of his work.

FUTURE EXPLORATIONS Mr. Ray foresees the health care industry becoming a target of greater focus by federal prosecutors. As the Patient Protection and Affordable Care Act, or "Obamacare," develops, he envisions that government investigations will hone in on the increasing amount of money involved in health care fraud.



MYTHILI RAMAN

COVINGTON & BURLING LLP

PIONEER SPIRIT After attending the University of Chicago Law School and completing an appellate clerkship, Mythili Raman joined the Justice Department, where she served with distinction for 18 years. At DOJ, Raman served in positions ranging from line prosecutor trying cases around the country, to high-level leadership roles in several Administrations, including most recently as the head of the Criminal Division. Over her years both at the Justice Department and now as a partner in Covington & Burling's white collar practice, Raman has developed a deep expertise in and passion for conducting complex investigations and making difficult decisions on thorny questions of law.

TRAILS BLAZED During her long career at DOJ, Raman oversaw the work of more than 600 prosecutors and led the Justice Department's national and international criminal law enforcement initiatives, including investigations of complex financial fraud and market manipulation, money laundering and financial sanctions violations, foreign and domestic corruption, health care fraud, and cybercrime. As head of the Criminal Division, she supervised some of the largest international financial fraud cases ever brought, and for her work, earned two of the highest awards given to DOJ prosecutors: the Edmund J. Randolph Award for outstanding service, and the Henry E. Petersen Award for making lasting contributions to the Criminal Division.

FUTURE EXPLORATIONS Raman expects that the DOJ will continue to adopt a forward-leaning enforcement stance on white collar matters both in the US and abroad, while at the same time looking to find ways to reward companies for adopting robust compliance programs.



MARK P. SCHNAPP

GREENBERG TRAURIG, LLP

PIONEER SPIRIT Schnapp grew up in New York and developed a strong work ethic at a young age. At 19, Mark became student body President of the NYU School of Engineering and advocated for students at faculty meetings. "That experience made me think about law as a more exciting choice of careers." Deciding to switch gears, Schnapp enrolled at Hofstra University School of Law, earning his juris doctor in 1976. He began his career at a major New York corporate law firm, and then decided to become a prosecutor and joined the U.S. Attorney's Office in Miami in 1982 where he was Chief of the Criminal Division. Mark joined Greenberg Traurig in September 1989.

TRAILS BLAZED Since joining Greenberg, Schnapp has built a client list that includes healthcare companies, multinationals and financial institutions. Mark Schnapp utilizes his engineering background in approaching complex criminal matters to find effective solutions. One recent example of how his work in this area is always ahead of the curve, Mark's representation of Atkins North America (f/k/a PBSJ) Corporation in defense of a SEC and DOJ investigation achieved a declination from DOJ and the second ever FCPA Deferred Prosecution Agreement from the SEC on January 21, 2015. The international investigation focused on the company's securing and bidding on engineering contracts in Qatar and Morocco. Government officials used the company's remediation presentations as examples of how to make a presentation for lenience, and touted the resolution to explain the benefits of corporate cooperation. Commentators have noted the resolution for its "creativity" and dubbed it one of the top ten FCPA resolutions of the 2015.

FUTURE EXPLORATIONS The government will continue to take an increasingly aggressive investigative posture toward businesses, especially those subject to government regulations. What will be needed is a multi-dimensional coordinated approach to parallel proceedings that is achieved by a seamless integration of attorneys who focus on representing companies and their high-level employees in connection with government investigations.



KAREN PATTON SEYMOUR

SULLIVAN & CROMWELL LLP

PIONEER SPIRIT A Fort Worth, Texas, native and graduate of the University of Texas Law School, Karen Patton Seymour started thinking about a career in white collar law by taking an appellate clinic in criminal law. She found the issues fascinating thus set her on a path of professional success. Fast forward to the present, Seymour is on the management committee at Sullivan & Cromwell.

TRAILS BLAZED Seymour has represented clients in state and federal investigations and proceedings involving allegations of securities fraud, money laundering, obstruction of justice, insider trading, violations of the Foreign Corrupt Practices Act, health care fraud and criminal violations. Ms. Seymour served as Chief of the Criminal Division of the U.S. Attorney's Office for the Southern District of New York from February 2002 through November 2004. In that capacity, she oversaw all criminal investigations and prosecutions in the District, including the investigations of corporate fraud involving WorldCom, Adelphia, and ImClone. She was lead trial counsel for the Government in the prosecution of Martha Stewart and Peter Bacanovic. Proud of all the work her firm does for their clients, Seymour highlights the representation of many clients including ING Bank N.V. and BNP Paribas in proceedings relating to economic and trade sanctions violations, as well as the representations of Dallas Airmotive and Eni SpA and Snamprogetti Netherlands in proceedings relating to Foreign Corrupt Practices Act violations.

FUTURE EXPLORATIONS Ms. Seymour continues to see an increase in criminal enforcement as the U.S. Department of Justice attempts to refocus on charging individuals and speed up its investigations by pushing companies to produce documents and complete their fact-finding more quickly. Ms. Seymour remarked that tightening the time frame for investigations to proceed may discourage companies from self-reporting possible issues before they have fully investigated the facts.



MELISSA BAYER TEARNEY

CHOATE HALL & STEWARD LLP

PIONEER SPIRIT Melissa Bayer Tearney's father was one of the first public defenders in Connecticut, so pursuing criminal defense work after law school was like going into the family business. Ms. Tearney has built a high profile white collar practice by being a trusted, steady and strategic advisor to large corporations and individuals facing the highest stakes litigation. Ms. Tearney has a stellar reputation for handling significant matters for major clients facing charges of healthcare fraud and abuse; bank, mortgage lending and other financial institutions fraud; real estate fraud; hazardous waste and other environmental violations; foreign corrupt practices; customs violations; antitrust violations; and civil and criminal RICO. And she's done it all on her own terms while raising a family and holding leadership roles in the community and at her firm.

TRAILS BLAZED Ms. Tearney has achieved many accomplishments during her 20 years of practicing law. Of course, many of Ms. Tearney's biggest wins are the confidential ones you've never heard about – the cases where she convinced the Justice Department not to bring charges. In cases where government actions are brought, success is often measured in Ms. Tearney's ability to limit settlements to reasonable amounts and to prevent prosecution of individual executives. She recently successfully concluded a complex, multi-year defense of an international pharmaceutical company in federal and state investigations involving sales and marketing practices.

FUTURE EXPLORATIONS Ms. Tearney sees an increasing trend of high level executives being prosecuted for corporate misdeeds by the government.



STEVEN A. TYRRELL

WEIL, GOTSHAL & MANGES LLP

PIONEER SPIRIT Steven Tyrrell knew from an early age that he wanted to be a trial lawyer. A close family friend was both a lawyer and a judge, who often shared stories that provided Mr. Tyrrell an early interest in a legal career. After law school, Mr. Tyrrell served as Law Clerk to the United States District Court of New York and at the US Attorney's Offices. Mr. Tyrrell spent 20 years at the DOJ, serving in various capacities. Tyrrell played a key role advising Department leadership on white collar crime-related legislation, crime prevention, public education and the Department's Financial Fraud Enforcement Task Force.

TRAILS BLAZED As a young prosecutor, Mr. Tyrrell is most proud of the investigation and prosecution of a variety of criminal cases, such as the largest cocaine seizure case, with an emphasis on white collar matters, including but not limited to securities fraud, health care fraud, government contract fraud, bank fraud, tax fraud, FDA fraud, and public corruption, as well as related money laundering and asset forfeiture work. He also was lead counsel for the United States in nearly forty criminal jury trials. Mr. Tyrrell's peers and clients view him as "patient and collaborative" and "able to strike a deal which makes sense for the client."

FUTURE EXPLORATIONS Mr. Tyrrell's practice looks to be very busy with the DOJ having a lot of pressure to secure results. Furthermore he sees additional resources being added to the White Collar Criminal Defense space (more prosecutors, trial attorneys, investigators and staff).



KERRY BRAINARD VERDI

VERDI & OGLETREE PLLC

PIONEER SPIRIT Kerry Brainard Verdi started her legal career as a securities litigator during the Enron times. As a young lawyer, Ms. Verdi gained a lot of litigation experience and discovered her passion for White Collar issues. She had the professional good fortune to work at a large DC firm with her then mentor Billy Martin, for 11 years, focusing on White Collar Criminal Defense work. Ms. Verdi has opened Verdi & Ogletree - a firm that provides top notch legal counsel with a personal touch. Ms. Verdi handles White Collar criminal defense, securities litigation, arbitrations and other civil matters advising both large and small companies on ways to develop and improve corporate compliance programs, policies and procedures.

TRAILS BLAZED Ms. Verdi lists several professional accomplishments which include the opening of her own law firm, with business partner Benjamin Ogletree, a recent client win for wire fraud representation forcing the government to dismiss the case and her representation of not for profit organizations. Additionally, Ms. Verdi highlights her recent service as outside counsel to the House of Representatives Committee on Ethics in a difficult and lengthy investigation of a Member of Congress, including an in depth review of the actions of the Committee itself.

FUTURE EXPLORATIONS Ms. Verdi forecasts her recently started firm growing with the hiring of more women and minorities mirroring her corporate and individual clients and their needs. Furthermore, Ms. Verdi sees more technology advancement that will allow for balance of 24/7 access to/for her clients and family.



KENNETH L. WAINSTEIN

CADWALADER

PIONEER SPIRIT Ken Wainstein always wanted to be involved in law enforcement. Television shows like Perry Mason inspired Ken to attend law school. He earned his J.D. from the University of California at Berkeley. Following law school and clerking, Ken spent 12 years as Federal Prosecutor in Manhattan and then in the District of Columbia. He then worked for the Federal Bureau of Investigation, as General Counsel and as Chief of Staff to the FBI Director. He was United States Attorney for the District of Columbia, and then the first Assistant Attorney General for National Security at the Justice Department. Wainstein was appointed Homeland Security Advisor by President George W. Bush on March 30, 2008. In that position, he chaired the Homeland Security Council and advised the President on Homeland Security and Counterterrorism matters. With 20+ years of experience in significant positions in the U.S. government in the areas of criminal enforcement and national security, he brings clients a deep understanding of the substantive and procedural issues involved in white collar defense.

TRAILS BLAZED Wainstein and the Cadwalader team have conducted many complex investigations. Wainstein highlighted one notable independent investigation into allegations of academic irregularities at the University of North Carolina at Chapel Hill. Furthermore, Wainstein is very proud of the representation of an Assistant United States Attorney in connection with the special prosecutor's investigation of potential contempt of court charges arising out of the Justice Department's prosecution of Senator Ted Stevens.

FUTURE EXPLORATIONS Wainstein sees an increasing need for corporate compliance reviews and independent investigations. The white collar practice will focus on helping companies with compliance issues and programs required and/or requested by regulators.



F. JOSEPH WARIN

GIBSON DUNN

PIONEER SPIRIT F. Joseph Warin believes he was destined to be a trial lawyer from birth. His father was a trial lawyer, uncle was a prosecutor and two older brothers are lawyers. Mr. Warin served as Assistant United States Attorney in Washington, D.C., from 1976-83. In that capacity, he was awarded a Special Achievement award by the Attorney General. As a prosecutor, he tried more than 50 jury trials. Joseph Warin, currently, is a partner with Gibson Dunn & Crutcher and chairman of the Washington, D.C. Office's litigation department. Mr. Warin also serves as co-chair of the firm's white collar defense and investigations practice group.

TRAILS BLAZED Mr. Warin's areas of expertise include white collar crime and securities enforcement. He has handled cases in more than 35 states and in more than 60 foreign countries. Mr. Warin highlighted the representation of Joseph Cassano, a former senior executive of AIG Inc. The unrelenting press coverage created a drumroll vilifying of Mr. Cassano and purportedly linking the unit's transactions to financial collapse of the U.S. economy. The Gibson Dunn team decided to engage with the prosecutors and regulators from the beginning providing an enormous deep dive into the facts, reconstructing minute-by-minute and day-by-day extremely complicated issues and putting them against the landscape of their client's good faith beliefs. After a very comprehensive investigation, the government informed Gibson Dunn and Mr. Cassano that they had closed the investigation. Mr. Warin's strategy of using a proactive approach of engaging the government instead of a more predictable and safer defense posture made the difference and resulted in an extraordinary result for our client.

FUTURE EXPLORATIONS Mr. Warin foresees a continued globalization of criminal and civil investigations and prosecutions. He further notes that Gibson Dunn's lawyers will need to forge the new paradigm of how to convince multinational regulators and prosecutors to avoid penalties and duplicative sanctions for the same conduct.



DAN K. WEBB

WINSTON & STRAWN

PIONEER SPIRIT Dan Webb always knew he wanted to be a trial lawyer. His high school guidance counselor even suggested it because he was good at debate. After law school, he took a job as a federal prosecutor with the U.S. Attorney's office in Chicago and personally tried a lot of the larger cases in the corruption and financial fraud unit. He served as chief or co-chief trial counsel in dozens of major cases involving allegations of fraud, embezzlement, corruption, and a host of other assorted malfeasance. When he segued into private practice, white collar defense and investigations was a natural transition.

TRAILS BLAZED Webb has been fortunate to handle a number of high-profile matters during his career. Some of his biggest accomplishments can all be attributed to staying true to the core foundation of a successful trial lawyer: always be unrelenting; aggressively advocate your clients' positions from the moment you're retained to the moment an investigation or litigation has officially concluded; and use creativity and innovation when strategies out of an old playbook simply won't suffice.

FUTURE EXPLORATIONS It's always tricky to predict what the future holds, particularly in an area like white collar law. It will be interesting to see what, if any, effect the Yates memo has on individual prosecutions and, in particular, issues of privilege in internal investigations. Some believe that much of what was in that memo is not new but rather a repackaging of existing policy. However, if it's a sign that the Department of Justice intends to dedicate more resources to individual prosecutions, it might be more impactful than we expect. Webb thinks we may also see greater information sharing and cooperation between the Justice Department's civil and criminal divisions, particularly in securities cases, false claims cases, and whistleblower cases, which is likely to lead to increase in criminal investigations and charges. In the anticorruption arena, he thinks we are likely to continue to see increased compliance challenges brought about by the proliferation of foreign-based enforcement.



REID H. WEINGARTEN

STEPTOE & JOHNSON LLP

PIONEER SPIRIT In the early 1970s, while studying at Dickinson Law School, the Newark, New Jersey, native took a job working for District Attorney Roy Zimmerman, who later became Pennsylvania's attorney general, under what he said was a rule at the time that allowed law students to try cases if a practicing attorney was with them. "The minute I stepped up to the podium I was at home," Weingarten said. "I knew this was what I was going to do." "I have one mission, and that's to do what's right," Weingarten said. "I'm not one of these guys who thinks prosecutors lie, but I also see abuses. I see ends-justify-the-means mentalities. I'm very comfortable with the idea that the government needs to be reminded, effectively, there are rules."

TRAILS BLAZED Mr. Weingarten's peers have stated he is "one of the country's preeminent white-collar defense lawyers" which has helped attract high-profile clients including former WorldCom CEO Bernard Ebbers, former Enron chief accounting officer Richard Causey, former Tyco general counsel Mark Belnick, Goldman Sachs CEO Lloyd Blankfein, BP executive David Rainey, former U.S. Secretary of Agriculture Mike Espy and ex-GlaxoSmithKline PLC associate general counsel Lauren Stevens. Weingarten is most proud of helping Steptoe build a White-Collar Criminal Defense team that "fights for their clients," that "win far more than we lose" and "represent people."

FUTURE EXPLORATIONS Weingarten notes big changes are coming. "The time of billion dollar settlements by public corporations with the US government based on very little evidence is over." "We are going to see public companies cooperate with US government offices but not pay billions of dollars to settle, more of a stand and fight with compelling evidence."



SHAWN M. WRIGHT

BLANK ROME LLP

PIONEER SPIRIT Early in her career, Shawn M. Wright was fortunate to work alongside leading White Collar Defense lawyers who focused their practices on White Collar defense work, specifically, FCPA and accounting and corporate fraud. She was quickly drawn to these areas of concentration and continues to love her practice, as it provides her with the opportunity to apply her problem solving abilities to the benefits of her clients. Ms. Wright is viewed as a trusted legal advisor to corporations, boards of directors, and corporate executives. She helps clients defend and manage risk across several regulatory and legal areas, such as white collar criminal matters and litigation; international anti-bribery and anti-corruption laws like the Foreign Corrupt Practices Act (FCPA), International Traffic In Arms (ITAR) and the Department of Treasury Office of Foreign Assets and Control (OFAC); and defending high profile clients against charges involving violations of corporate and accounting fraud, securities, healthcare and procurement fraud, public corruption, and other matters involving criminal exposure.

TRAILS BLAZED While Ms. Wright has experienced many accomplishments throughout her career, she attributes her success to her ability to successfully walk her clients through the investigation process and position them to minimize risks and prevent detrimental impact.

FUTURE EXPLORATIONS Ms. Wright sees the nature of her practice expanding in the future, as corporations and individuals recognize the need to be more proactive in designing and implementing effective compliance programs, and conducting thorough risk assessments to prevent investigations and potential prosecutions.



BRUCE E. YANNETT

DEBEVOISE & PLIMPTON

PIONEER SPIRIT Mr. Yannett developed an interest in white collar crime in law school and solidified his interest as a law clerk to the Hon. Edward Weinfeld of the U.S. District Court of the Southern District of New York. While planning to join the U.S. Attorney's Office immediately following his clerkship, a hiring freeze led him to join Debevoise in 1986. In 1987 and 1988, he served on the team of lawyers selected by Lawrence Walsh to investigate the Iran/Contra matter, acting as an Associate Counsel in the Office of the Independent Counsel. From 1988 to 1992, he served as an Assistant U.S. Attorney for the District of Columbia, where he was lead trial counsel in 20 jury trials ranging from bribery to murder. He also served in the Transnational and Major Crimes Unit, where he conducted investigations related to international terrorism, money laundering and sanctions violations. Mr. Yannett returned to Debevoise in 1992.

TRAILS BLAZED Bruce is extremely proud of his group's work with Siemens AG's Audit Committee in a worldwide investigation into possible corrupt payments to government officials, and an early settlement with U.S. and German authorities. Debevoise's white collar group has seen continued success and growth under his leadership, even after Mary Jo White's departure.

FUTURE EXPLORATIONS Mr. Yannett sees continued internationalization of the practice and more multinational investigations of major companies. Further, he sees a rise in active regulators and prosecutors around the world.

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