

## Trial Ace: Winston & Strawn's Dan Webb

By John Kennedy

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Winston & Strawn LLP's co-chairman Dan K. Webb has cross-examined former President Ronald Reagan and other prominent figures during his 45 years as a trial attorney, a career that's defined by "relentless" preparation and a "common-sense" approach that appeals to judges and jurors alike.

Through both private and public practice, the Law360 Trial Ace has built a reputation as one of the nation's foremost trial attorneys, with a record of success that's hard to match, according to former Illinois Gov. James Thompson, now senior chairman at Winston & Strawn LLP. Due to the exceptional volume of cases Webb has tried, Thompson says it'd be impossible to accurately provide, or even closely estimate, the number of Webb's trial victories.



Dan Webb

When Thompson was the U.S. attorney for the Northern District of Illinois, he hired Webb straight out of Loyola School of Law in 1970 and said after his staff reviewed Webb's credentials, the chief of the criminal division remarked that the Bushnell, Illinois, native was a "nice boy but rural."

"That's what I want. ... That's part of his charm," Thompson remembered saying, before jumping to the present day. "He's the same Dan Webb I hired 45 years ago."

Webb's straightforward, plainspoken manner makes it clear to juries what he's trying to accomplish, says Thomas J. Frederick, managing partner of Winston & Strawn's Chicago office. Despite his intelligence and sophistication, Webb — who graduated at the top of his Loyola class — doesn't get caught up in legalese and speaks clearly and directly to the jurors.

This "art of simplification" is extraordinarily important to learn as a trial lawyer, Webb says, explaining that the secret to winning jurors over is to be the one who boils the case down to its most essential elements and simplifies it in a way they understand, so they credit you as being the one who helped them comprehend the issues.

Part of what helps Webb understand the intimate workings of even the most complex cases is his

methodical approach to preparation, his colleagues say. Because Webb knows the record better than anyone else in the courtroom and is precise with his questioning, he makes the issues easy for a jury to grasp, they say.

“He goes into a trial like you would go into battle — prepared,” Thompson said.

Being a trial lawyer is both an art and a science, Webb says. It’s an art to be able to examine witnesses, think quickly on one’s feet and naturally appeal to a jury, but it’s a science to be the best prepared lawyer in the room, he says.

“Preparation is critical to the success of a trial lawyer,” Webb said, adding that no matter how well you prepare, things could still go wrong, but if you’re not prepared, you won’t be able to cope with the challenge.

It’s what makes Webb’s own ability to cross-examine witnesses “phenomenal” and “a real art,” according to Thomas L. Kirsch, a partner in the firm’s Chicago office. Webb can articulate his theory of the case through a cross-examination while simultaneously discrediting the other side, Kirsch says.

“Cross-examination isn’t about calling every witness a liar — if you’re going to do that, you’re going to lose,” he said. “It’s the ability to consistently present your theory of the case through cross-examination and constantly chip away at the opposing side’s theory.”

Webb considers cross-examination the most skillful act a trial lawyer can perform because the witness is usually trying to badly hurt the other side’s case, while the examining lawyer is working to shred the credibility of the witness’s testimony. He’s cross-examined witnesses from both sides of the aisle, remaining dedicated to his clients no matter what side he’s on.

“With Dan, there’s just a true professionalism, a true desire to serve his clients,” said Matthew Carter, a partner in the firm’s Chicago office.

During his time in the U.S. attorney’s office, Webb successfully prosecuted Clarence Braasch, the fourth-highest-ranking police officer in Chicago, and 23 other high-ranking officers in one of the largest extortion cases ever tried — a case Webb says “put me on the map.”

He joined Winston & Strawn in 1985 but was briefly called back to public service in 1990 to prosecute retired Admiral John Poindexter, the deputy national security adviser for the Reagan administration for his actions in the Iran-Contra affair. During that case, Webb cross-examined former President Reagan himself, and jurors later said the examination was a pivotal issue, Webb said.

In 2005, Webb defended former Illinois Gov. George Ryan against charges of public corruption, racketeering, mail fraud and income tax fraud, a case his colleagues say proves his loyalty to his clients. The case started out paid, but when Ryan’s defense fund ran out, Webb continued anyway at considerable expense to the firm.

“He had undertaken the defense, and he wasn’t going to leave his client in the lurch,” Thompson said. “It was a very honorable decision.”

Webb sticks by his clients’ sides, but believes strongly in treating his opposition and others with respect. Chicago associate Sean G. Wieber says he’s never heard a disparaging word said about Webb after he’s

left the room, either from co- or opposing counsel. The legal world, while large, is figuratively small, Wieber says, so a one-time opponent could end up on your side on the next case.

Each lawyer is trying to do their job and represent their client to the best of their ability, Webb says, explaining that he hates any pettiness or lack of civility that may occur between opposing sides.

“We’re both fighting to be effective advocates, but there’s no reason to do anything more than be friends with your opponent,” Webb said. “We can fight and argue in the courtroom, but there’s no justification for making it personal.”

Webb made his decision to become a trial lawyer in high school and pursued his passion with the same relentlessness that has come to define his career. He attended Western Illinois University, which allowed him to complete three years of undergraduate work and apply his first year of law school toward his bachelor’s degree.

The school canceled that program during his third year, but he sent letters to law schools anyway, landing an interview at Loyola. When the dean realized he hadn’t yet graduated, Webb “gave his finest closing argument,” he said, and the school accepted him.

A few years later, his goal of becoming a trial lawyer was achieved, and Webb saw no reason to go back and finish his undergraduate degree. Those who have worked with him agree — Webb was born to do what he does.

“If you ever saw someone who’s truly in their element,” Chicago partner Lawrence R. Desideri said, “it’s Dan in a courtroom.”

--Editing by Christine Chun and Kelly Duncan.