

MVP: Winston & Strawn's Cari Stinebower

By Jennifer Doherty

Law360 (October 23, 2020, 3:15 PM EDT) -- Cari Stinebower of Winston & Strawn LLP negotiated the removal of ships from a U.S. Treasury Department blacklist, in two cases bringing the vessels back online in a fraction of the time it usually takes to reestablish good standing, and helped a fleet of vessels facing civil forfeiture avoid designation altogether, making her one of Law360's 2020 International Trade MVPs.

HER BIGGEST SUCCESS THIS YEAR:

In May, Stinebower's firm got a call from the owner of a small fleet of tankers whose vessels had been flagged for allegedly shipping Iranian oil to Venezuela.

Announcing the case in July, the U.S. Department of Justice cited allegations that the Middle Eastern oil was being used as a "source of influence" for the Iranian Revolutionary Guard Corps, which the U.S. government designated as a foreign terrorist organization last year.

Stinebower and her team secured the fleet's cooperation as the government moved to seize the cargo.

"We were going down uncharted territory. The U.S. government and the client had never really had an example of how we could put all this together and how it would work," Stinebower said.

The task was complicated by the IRGC's reputation for menacing vessels and their owners. In August, for example, U.S. Central Command tweeted a video of Iranian forces boarding a Liberian-flagged tanker in international waters. Such instances have made Stinebower wary of discussing her cases too openly.

Coordinating the ships' cooperation required finding vessels that could offload the seized oil as well as obtaining licenses from the Treasury Department that would keep all sides insured and allow banks to process transactions related to the illicit cargo.



Proceeds from the forfeited oil, now being held in Houston, will go to the U.S. Victims of State-Sponsored Terrorism fund, which provides compensation to survivors of attacks including the Iran hostage crisis and the 1998 U.S. embassy bombings. The successful cooperation saved the owner of the fleet from blacklisting by the Treasury's Office of Foreign Assets Control, a penalty that effectively kills all an entity's commercial relationships to the U.S.

OTHER HIGHLIGHTS FROM THIS YEAR:

Last fall, Stinebower helped another vessel, the New Hellas, escape economic exile on OFAC's Specially Designated Persons and Blocked Nationals list. The ship and its owners, Lima Shipping, wound up in hot water with the U.S. government for allegedly transporting Venezuelan oil to Cuba, even though the transaction took place outside U.S. jurisdiction.

The ship was designated shortly after then-national security advisor John Bolton sent a tweet putting shipping companies on notice to steer clear of Venezuela's state oil company, PDVSA, or risk repercussions.

"What became apparent from the Lima New Hellas case — and then there were other cases that were parallel to it — was that if you're in the maritime space, not only do you have to look out for whether there's a violation of U.S. law, but when it comes to Venezuela and Iran in particular, you also have to look at us foreign policy objectives," Stinebower said.

An OFAC designation bars an entity from interacting with U.S. individuals, including banks, insurance providers and commercial clients, which can be devastating for a business. While it usually takes at least a year and a half to clear a designation, Stinebower and her team succeeded in getting the New Hellas back online in five months.

In June, the owners of another tanker sought Winston & Strawn's help to delist their vessel, which was also caught up in the U.S.'s "maximum pressure" campaign against Venezuela's president, Nicolás Maduro. While the details of that case are not yet public, under the guidance of Stinebower and her team, the vessel was off the SDN list in under a month.

ON WORKING THROUGH A CHALLENGING 2020:

While she was leading the groundbreaking cooperation between the U.S. and the owner of the seized oil tankers, Stinebower and her team were also managing the struggles of working through the pandemic. Stinebower additionally had to deal with her father's death in April.

"I think one takeaway here, setting aside the need for good health practices and everything else, is the value of life and just needing to continue moving forward so that, professionally and personally, nobody's just stuck in a stasis," she said.

Stinebower and her team, many of whom worked together at Crowell & Moring LLP before making the jump to Winston last year, have worked to stay connected and bolster each other through the ups and downs of 2020.

"We're just a super team-oriented, really friendly group, and I think we've managed, all of us, to come through it," she said.

WHY SHE'S AN INTERNATIONAL TRADE LAWYER:

"It just sort of all fell together," she said, calling the start of her global career "pure happenstance."

Shortly after finishing law school, she landed at the Treasury Department and was soon spending time in Colombia, working with local counterparts on sanctions law related to 1999's Kingpin Act, designed to block drug traffickers from accessing the U.S. financial system.

After 9/11, Stinebower's expertise in drug financing was called into play in the government's war on terrorism, and she watched as terrorist groups adapted their illicit financing to under newly intensified scrutiny.

"The terrorist financing trade-based money laundering has gotten increasingly sophisticated, but because we started with them, we sort of have grown with them in their sophistication," she said. "It's been fascinating now, 20 years later, how the financial institutions have adapted and adjusted to tracking and monitoring not only terrorist financing, but sanctions evasion and avoidance."

Rogue nations like North Korea are employing the same tactics once used by drug traffickers and terrorists these days, Stinebower said, adding that part of the appeal of her work is its ever-changing nature.

HER ADVICE TO JUNIOR ATTORNEYS:

Having found an area of the law that has held her attention for more than two decades, Stinebower advises junior attorneys to dig deep and identify their interests early.

"What is it that really makes me happy? What really piques my intellectual curiosity? Once you have those answers, I think you can find the area of law that makes the most sense and follow that," she said.

She encourages attorneys to find a focus that makes them excited to get out of bed in the morning, adding that "a career path is a long one."

— *As told to Jennifer Doherty*

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2020 MVP winners after reviewing more than 900 submissions.