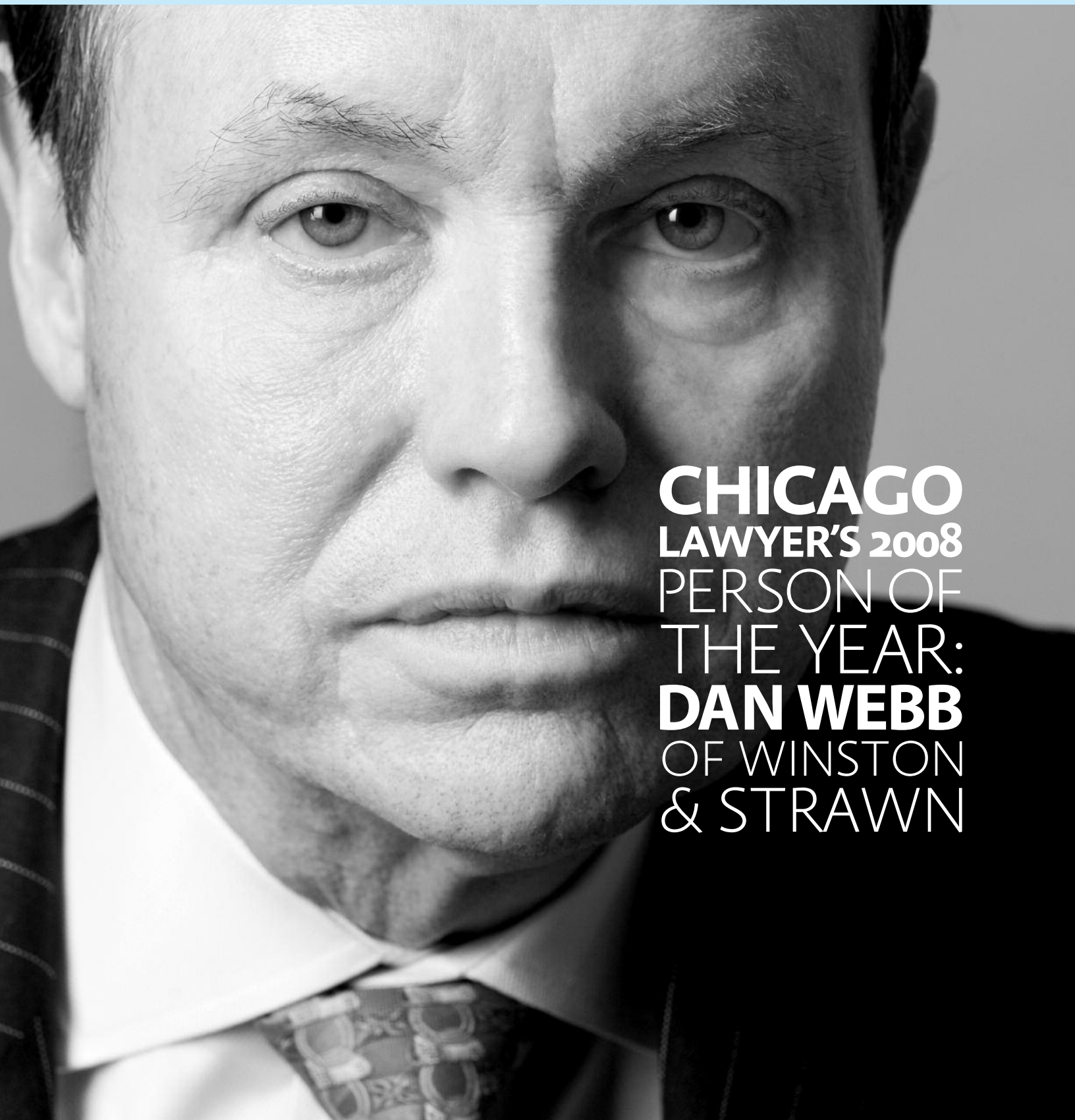


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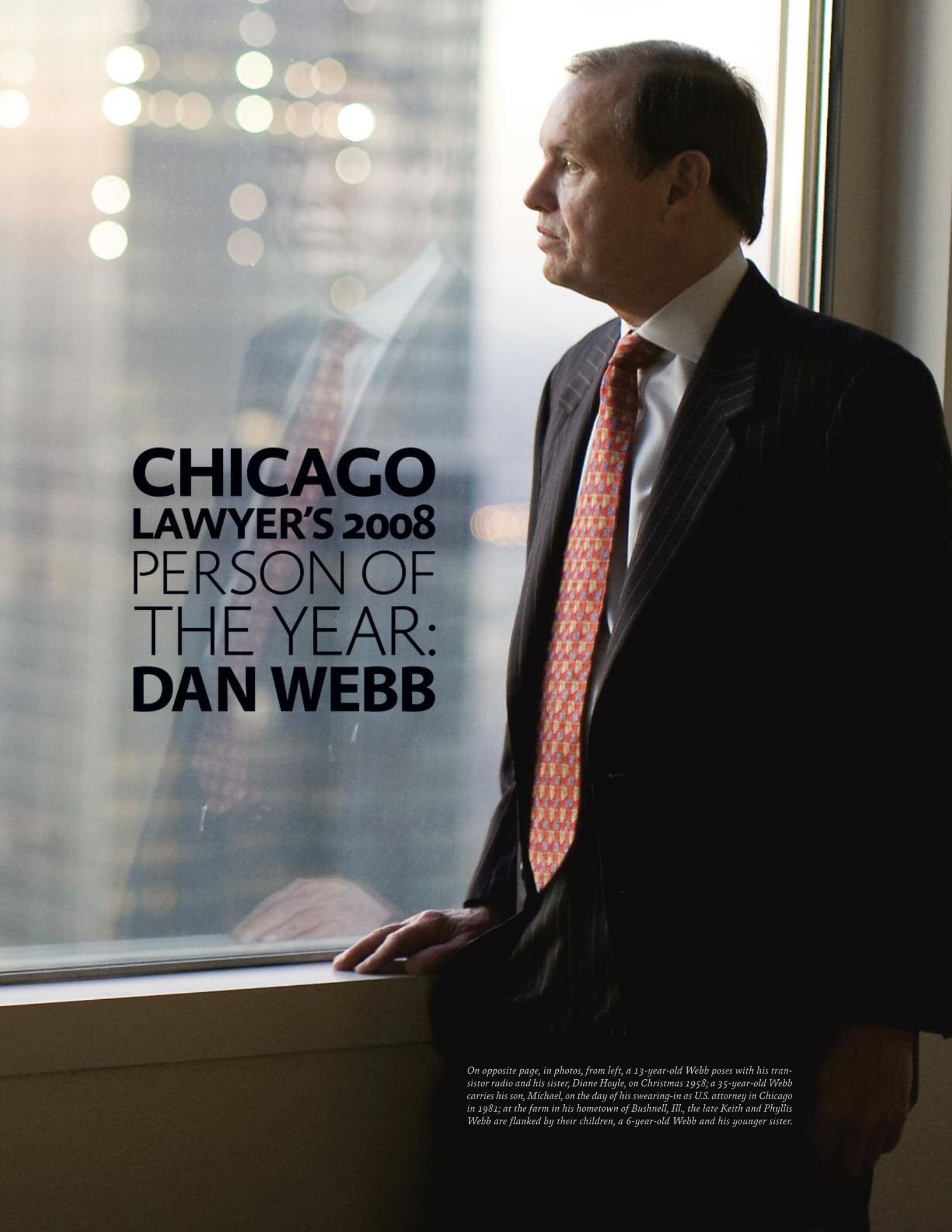
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CHICAGO
LAWYER'S 2008
PERSON OF
THE YEAR:
DAN WEBB
OF WINSTON
& STRAWN



**CHICAGO
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PERSON OF
THE YEAR:
DAN WEBB**

On opposite page, in photos, from left, a 13-year-old Webb poses with his transistor radio and his sister, Diane Hoyle, on Christmas 1958; a 35-year-old Webb carries his son, Michael, on the day of his swearing-in as U.S. attorney in Chicago in 1981; at the farm in his hometown of Bushnell, Ill., the late Keith and Phyllis Webb are flanked by their children, a 6-year-old Webb and his younger sister.

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By Maria Kantzavelos

In his corner office on the 46th floor of the downtown skyscraper that houses Winston & Strawn, Dan K. Webb, who usually arrives for work by 7 a.m., emerges from a desk covered with the case files of multiple clients, files stacked in growing piles.

Speaking in a slightly folksy fashion and a voice that offers a hint of his rural, west-central Illinois roots, the big-firm chairman is known as one of the most sought-after lawyers in the country. On a Monday evening in late October, his hand is smudged with ink as he leafs through the pages of his date book.

Days before one of his clients, longtime Republican power broker William Cellini, was indicted in the Operation Board Games probe

of corruption in state government, the famed litigator's workweek was to play out something like this:

A day in Chicago to prep a witness for an upcoming trial in California, sandwiched between two days in New York to meet with a client and attend a bar association event. Then more meetings back in Chicago on Friday.

"That's my life this week," Webb said, matter-of-factly.

It's no wonder Webb says he doesn't keep count of his cases.

"At any given time I may have ... 20 to 30 client matters going on at the same time. They're not all popping at the same time every day, but I have a fairly heavy caseload," he said.

But it is when Webb is on the brink of trial or in the midst of the courtroom contest — putting in 15- to 18-hour work days with his mind focused intensely on the ins and outs of that one case — that he steps into a world he relishes most.

"I love trying cases. It's what drives me. It gets my cork a bobbin' and I love it," Webb said. "I like pressure. I like stress. And, I like moving. I thrive in that world."

Now 63, Webb rose to prominence in Chicago in the early 1980s as the U.S. attorney who oversaw the landmark Operation Greyford probe of judicial corruption. He went on to successfully prosecute Iran-Contra operator John Poindexter, and has spent the last

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two decades in private practice defending corporations like Philip Morris, Microsoft, and General Electric, and a host of politicians, including former U.S. Rep. Dan Rostenkowski and former Illinois Gov. George H. Ryan.

It is Webb's enormous preparation, his willingness to take tough cases and his down-home, "winning way" with juries and judges that sets him apart from other excellent trial lawyers, said former Illinois Gov. James R. Thompson, who stepped down from Winston's top leadership post in 2006, when Webb became its chairman.

"He's No. 1," proclaimed Thompson, a close friend and mentor of Webb's since the early 1970s, when Webb was cutting his teeth as an assistant U.S. attorney in the Northern District of Illinois, where Thompson held the top spot as U.S. attorney. "He just exudes sincerity. No court or juror would ever think that Dan was telling them something that wasn't so."

Described as a true "generalist trial lawyer" who eagerly takes on caseloads that are impressive because of their volume, variety, and complexity, Webb is "one of the more formidable courtroom lawyers in America today," said prominent Washington, D.C., attorney Brendan Sullivan of Williams & Connolly, who has opposed Webb in several high-profile cases.

"He doesn't pick the cases he can win and just try those. He steps into the arena and fights the good fight for his client, whether he's the underdog or the favored," Sullivan said. "In this day and age, where you have so many so-called trial lawyers who don't ever get to court, or if they do it's once every 10 years — they're the great pretenders. But Dan is the real thing."

In recognition of an illustrious career that is rooted in Chicago, his resilience and doggedness as a trial lawyer who has long maintained his standing at the top echelon of his profession, with a reputation that extends beyond the United States, Webb has been selected *Chicago Lawyer's* 2008 Person of the Year.

A passion for action

If the rule of thumb in real estate is location, location, location, Webb has one that

sums up his passion for trial work.

"Action, action, action. I like the action," he said, with a wide-eyed, kid-in-a-candy-store enthusiasm. "I like the pure excitement of constantly being on stage, on trial, where you've got to get up and cross-examine a witness, you've got to give a closing argument, you've got to live by your wits."

Webb's genuine love of trying cases comes across clearly to his friends and colleagues.

"He is driven to be an extraordinary trial lawyer," said 7th U.S. Circuit Court of Appeals Judge Joel M. Flaum, who has known Webb since the early 1970s, when Flaum served as a top assistant in the U.S. attorney's office. "He's not a very materialistic guy. He's not a guy that needs to have the most expensive watch, or car, or clothes. It's just the love of trying cases."

Beyond his skills as a "stunningly good trial lawyer," Webb embodies the traditional values of the profession, said Jenner & Block chairman Anton R. Valukas, a former U.S. attorney.

"He represents part of the old school — lawyers who can brilliantly try a case and then go out afterwards and share a glass with their opponent, knowing that both of them tried to their best," Valukas said. "It's not about the money, it's about the challenge."

For Webb — who is said to consistently work more than 3,000 hours per year in a practice that mixes complex commercial litigation and white-collar criminal defense — 2008 has been especially busy.

This year he faced the likelihood of at least six trials, including the widely publicized defense of Detroit Mayor Kwame Kilpatrick, who recently entered a plea bargain agreement and was sentenced to four months in prison.

In a victory last year, Webb led a Winston trial team to a \$58 million jury verdict for his client, Verizon Communications, in a patent infringement case in an Alexandria, Va., federal court against Internet phone company Vonage.

This year, while facing the prospect of about a half-dozen trials, Webb also served as chair of the Chicago Bar Foundation's 2008 Cam-

paign for Justice, which raised more than \$1 million, a record-breaking amount for a city-wide effort aimed at increasing the compensation of Chicago's legal aid attorneys.

On a Webb trial team

At Winston & Strawn, the most sought-after assignments are to work with Webb, said managing partner Thomas P. Fitzgerald.

Being on a trial team with one of the best known trial lawyers in the country is never a "Mr. Webb" thing — it's "Dan," said Thomas J. Frederick, a Winston partner who chairs the firm's litigation department.

"Dan is a very even-keeled guy; very easy to work with. But he's never happier than being on trial," said Frederick, who has worked with Webb since 1989. "There's a real esprit de corps that breeds around a Webb trial team."

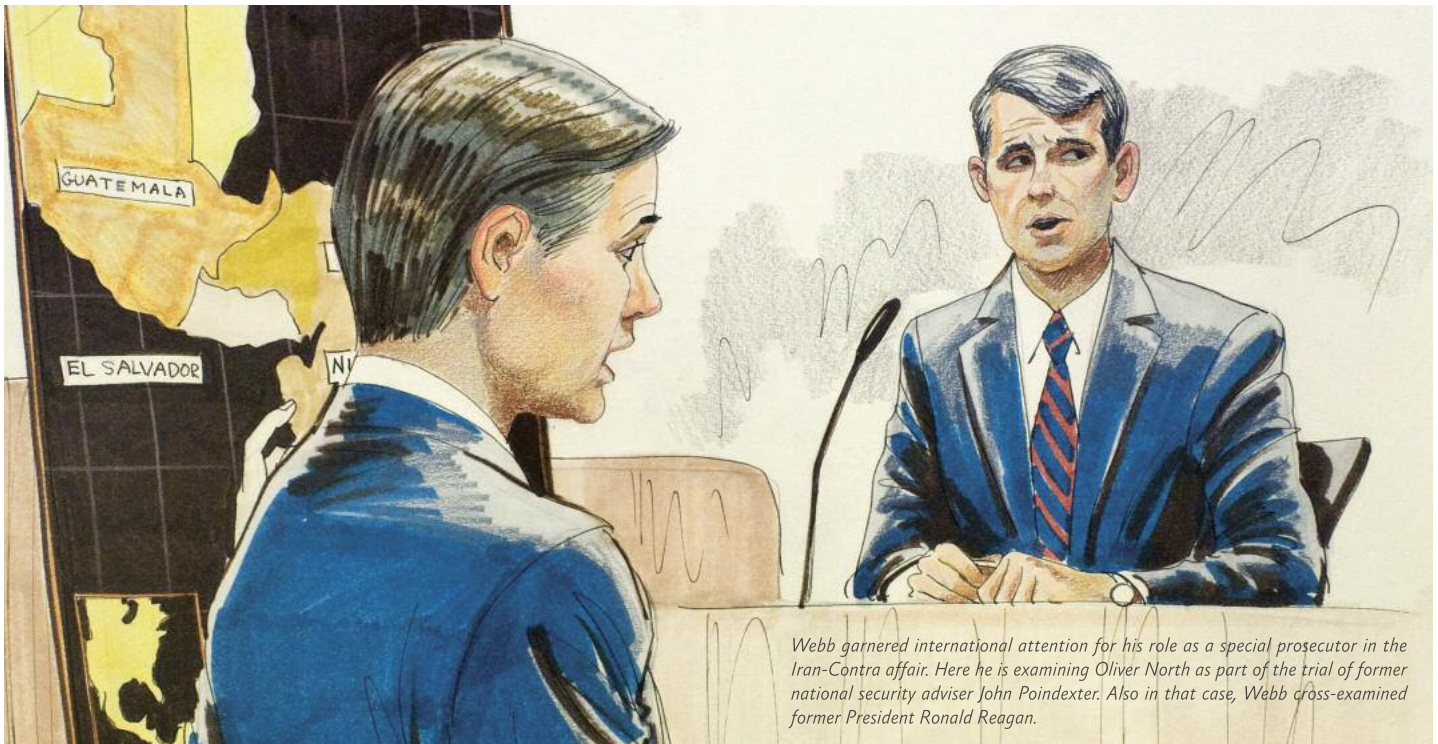
In his dealings with people, from support staff to associates, partners and clients, "there is no aspect of the prima donna to Dan — none," said Bradley E. Lerman, a Winston litigation partner who works with Webb on major matters. "He demands a high level of performance from everybody, but he's as approachable and as ordinary as anybody, in terms of just a genuine, good person, dealing with people."

Being on a Webb trial team also means its leader is the hardest worker of them all.

"People who think that the skill and the excellence they see in the courtroom is, somehow, the work of inspiration and not perspiration are missing the essential feature of Webb, which is, he simply outworks everybody," Lerman said.

During his occasional downtime, Webb might catch a Cubs game at Wrigley Field, square off in a tennis match, or take a chance on some horseracing at the track or at a few rounds of poker or blackjack ("I was just in Las Vegas trying a case in Reno, and I taught everyone on my team how to play blackjack," he said).

Running has been a constant outlet for Webb. Since age 30, he said, he has made the time for a run — whether it's day or night, in a park or on a treadmill during a quick



Webb garnered international attention for his role as a special prosecutor in the Iran-Contra affair. Here he is examining Oliver North as part of the trial of former national security adviser John Poindexter. Also in that case, Webb cross-examined former President Ronald Reagan.

break from work.

“Running is my way of kind of getting in tune with myself, kicking out the cobwebs, and being healthy,” Webb said. “There’s no question, it’s an addiction.”

If he’s at a trial site in some faraway city, Webb said he likes to break away for a 45-minute run.

“Then I get back in my room and I have all these thoughts. I put them on a piece of paper,” he said. “Then, I sometimes drink some Jack Daniel’s (on the rocks, never with Coke), and I think more, and I write those thoughts down on a piece of paper.

“I put them in a folder called ‘Closing Argument,’ and three weeks later I read them over and decide which ones I really want to incorporate into a closing argument.”

Joy of victory vs. agony of defeat

After stepping down as U.S. attorney in 1985, Webb joined Winston & Strawn as a partner, and has been there ever since.

With well over 100 trials under his belt in his 38-year-long career, he said he can’t point to the one case he’s most proud of.

Lining a wall of his office at the firm are framed courtroom sketches featuring him in scenes of some of the trials that resulted in what he acknowledged were major victories.

There’s one depicting Webb examining Bill Gates, when Webb represented Microsoft Corp. in 2002 as co-lead counsel in an antitrust case brought by nine states.

Another sketch depicts Webb in 1990 examining Oliver North during Poindexter’s trial, which resulted in a conviction that was reversed on a technicality on appeal.

And there are other mementos of his big wins, like the framed *American Lawyer* magazine cover featuring Webb with two other lawyers he worked with as chief trial counsel for General Electric Co. in 1994, when the Justice Department accused GE and the South African diamond company DeBeers of conspiring to fix the price of industrial diamonds.

That case, Thompson said, solidified Webb’s reputation as one of the nation’s top go-to litigators. Webb was able to persuade the judge to throw out the case after the government presented its evidence, Thompson recalled.

“He got up in front of the jury and he had

this stand with a picture of the GE factory down the road in Columbus, Ohio. He said, ‘My name is Dan Webb. I represent General Electric. We make refrigerators,’” Thompson recalled of Webb’s opening statement. “He was taking the jury back to the ‘50s when GE was the household brand in household appliances.”

The cases Webb has handled over the last two decades in private practice have run the gamut.

He represented the New York Stock Exchange in connection with an internal investigation over compensation to the former chairman, Richard Grasso, and continues to represent the NYSE in related litigation.

Webb lost a Big Tobacco case in a civil suit in Florida in 2000, when the industry was ordered to pay \$145 billion, the largest civil judgment in U.S. history, *Engle v. Philip Morris USA*. But today, the case is considered one of his big wins, since the judgment was overturned on appeal.

While Webb has won some big cases, he has also seen some big defeats, which he concedes make him feel miserable for at least a few days.

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Annual fishing outings were a long-held tradition for Webb and his friends from his early years in the U.S. attorney's office in Chicago. Pictured on a trip in the early 1970s to Lake Nuelin in Canada's Northwest Territories are, from left, U.S. District Judge Charles P. Kocoras; Winston & Strawn partner Matt Lydon; Mayer Brown partner and former chairman Tyrone Fahner; Jenner & Block chairman Anton Valukas; Webb; and Duane Morris partner Howard M. Hoffmann.

"The agony of defeat is worse than the joy of victory," Webb said. "That's one of the unfair things about what I do. ... When you win one, it feels good, but I don't sit around and think too much about it. I just move on to the next one."

One of Webb's big defeats came with Ryan's 2006 public corruption conviction.

"I felt very strongly about him and his family, and I felt very bad about losing that case," Webb said.

Webb fought hard for his client and friend in a six-month trial that had him sparring with former Assistant U.S. Attorney Patrick Collins.

"It was both a chess match and a street fight," said Collins, now a Perkins Coie partner whom Webb occasionally meets for lunch. "He's tenacious, very competitive. He has a killer instinct in him. Part of having a killer instinct is, you go for the jugular for your client and, he does that. If you want a gladiator, you want Dan Webb.

"I can honestly say, I'm a much better lawyer for being in a courtroom every day for six months with Webb."

If Webb could have a do-over, it would be

the case of David J. Shields, the former presiding judge of the Cook County Circuit Court's chancery division who was convicted on bribery charges in 1991.

"I relived that case a thousand times to figure out how I could've done it differently, because it wasn't a very complicated case, and I hated losing that case worse than any other case I lost in my life," Webb said. "I just know in my heart Dave was innocent of that crime.

"If I get a second life, I'm going to retry that case — I want a retry on that one. But you don't get retries, and I don't think you get second lives."

Trail to trial lawyer

Growing up with his younger sister in Bushnell, a rural town of about 3,000 people in west-central Illinois, where "everyone knows everybody," Webb spent much of his youth pitching in on a grain farm about a mile from his boyhood home, where his grandfather and uncles raised hogs and cattle, and tended to corn and soybean fields.

"I did enough to learn that I just didn't want to be a farmer," said Webb, whose father jug-

gled jobs delivering mail and selling farming equipment. His mother worked as a receptionist at a dental office.

"I can remember baling hay," Webb said. "Baling hay is where you get up in this hay mound and you've got to stack this hay up and it gets to be about 150 degrees in there. You're in there all day long and you're piling these bales with hay and all you want to do is get out of there and get a drink of water — and you learn what hard work is all about."

From a young age, Webb said he knew he had to find a way out of Bushnell, "a good little town with a lot of nice people," he acknowledged.

"But I knew there was a whole world out there. I had to find a trail out to the world," Webb said. "Being a trial lawyer was my trail."

It was a choice, Webb joked, between becoming a trial lawyer or living out his boyhood dream of playing second base for the St. Louis Cardinals, a team to which he still pledges an unyielding loyalty.

As a boy, Webb said, he "could not be pried away" from his transistor radio and the grip-

ping, play-by-play calls of announcers Harry Caray, Joe Buck, and Joe Garagiola.

But it didn't take long for Webb to see the courtroom as his ticket out. That idea came to him at the encouragement of a high school guidance counselor, who observed the freshman in after-school debate classes.

"She thought, because of my skills on my feet as a debater, that maybe I ought to think about being a trial lawyer. She started giving me these books about lawyers," Webb said. "I took all this stuff she gave me and I thought: That's it. I can do this. I can convince people of things."

Webb's sister, Diane Hoyle, recalled how her brother often monopolized the one television set in their childhood home, immersed in "Perry Mason" episodes.

"We'd have to watch them, and then watch the reruns," Hoyle said.

Eager to get on with law school and into the courtroom, Webb entered Western Illinois University in Macomb, where he signed on to a special, joint program with University of Illinois at Urbana-Champaign that would allow him admission to the law school after just three years of undergraduate studies.

"I was going to settle down in one of those towns around there [in Downstate Illinois] and practice law," he said.

It was a combination of happenstance and conviction that drove a 21-year-old Webb to Chicago.

The program at Western was abolished as Webb was finishing his third year there, but still, he made his case and got his way. He sent out applications to other Illinois law schools and received an invitation for an interview on a Saturday morning from the dean of Loyola University Chicago School of Law.

As Webb remembers it, early on in the meeting, the dean closed the young student's file when he discovered that he had no undergraduate degree and told him apologetically that he could not enter law school without it.

"That was my first challenge to be an advocate, because I had to convince him to let me in," Webb said.

He used his sympathy.

"I said, 'I want to go to law school. I know I can make it. All I want to do is be a trial lawyer,'" Webb recounted. "I told him, 'I'm not going to waste another year. I want to go to law school, I'm ready to go to law school, and you called me all the way up here, and then you misread my transcript. So, I want in.'"

After about an hour, Webb said, the dean agreed to make an exception.

"That was the biggest break I ever got in my life, because that guy, sitting in his office on a Saturday morning, made a decision to let me go to law school," Webb said.

Webb took out loans to cover the costs of law school during his first year, living with two other roommates in a small apartment in Uptown, where a closet beside the toilet became his makeshift bedroom.

"I had my clothes hanging over my head and my bed underneath it and a toilet right next to me," he said.

His sister recalled their mother's reaction when she returned from a visit there.

"We didn't have very much money. Dad and mom helped him when they could," she said. "My mother was just sick when she came home. She sat down and cried. It wasn't really good living conditions."

Lonely in a strange city and heading deeper into debt during his first year at Loyola, Webb switched to night school and worked by day at a bank as a supervisor for clerks who processed checks. That move, he said, opened up his world.

"I fell in love with the city, and I became a part of the city," he said.

In the trenches

The second biggest break for Webb came around 1970. After graduating at the top of his law school class, he landed his first job in the U.S. attorney's office, a place that would lay the foundation for his career and where he would form long-lasting friendships with a network of mentors and colleagues who would also move on to greater acclaim.

A naïve "farm kid" with "hayseed still in my hair" walked into the office for a round of interviews at a time when leaders were charged

with hiring a lot of new lawyers, said Samuel K. Skinner, former secretary of transportation and chief of staff for President George H.W. Bush, and a former U.S. attorney in Chicago.

Trial experience, said Skinner, now of counsel to Greenberg Traurig, was not an issue.

"We wanted people who were smart, articulate, didn't look like they were arrogant or conceited, and had a great academic record. Dan fit into that category," Skinner said.

Judge William J. Bauer of the 7th U.S. Circuit Court of Appeals, was then the U.S. attorney who gave Webb his first job.

"I saw a guy who really wanted to be a good lawyer. He was smart, he was nice and he was eager," Bauer said. "I like hungry people and he was hungry. He wanted the job so bad he could taste it."

Webb's boyish looks also helped.

"At the time he looked about 16, and that was one of his traits," Skinner said. "They called him 'Boy Lawyer.' We always thought the jury kind of looked at him as their son."

Thompson likes to tell the story of when Webb sat down that day for an interview with Arthur Connelly, then a top prosecutor in the office, who left the notation "NBBR" on Webb's application. When Thompson asked Connelly about the meaning behind the note, "he said, 'Nice boy, but rural,'" Thompson recalled. "I said, 'That's the point.' ... He was fresh off the hammer factory."

With that, Thompson said, Webb was hired. And within a couple of weeks, the Boy Lawyer was trying cases. He served as an assistant U.S. attorney for six years.

"Thompson and Bauer, they turned us loose," Webb said. "We had all this political corruption and we indicted all these people and we tried all these big cases, and we did a lot of good things. Those were challenging, fun years. That was a big break."

U.S. District Judge Charles P. Kocoras was among the young assistants hired with Webb.

"I knew how good he was from the get-go," Kocoras said. "We were all driven to be the best, and I knew I could never be better than him. I could just tell how he assessed things; how hard he worked. If I put in 60 hours a

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week, he'd put in 70. If I put in 70, he'd put in 80. If I tried a major case, he'd try two of them."

It was "in the trenches" of the U.S. attorney's office where Webb met some of the people he now considers some of his closest friends.

Fishing trips to Canada became an annual ritual for years, the latter of the trips extending into warmer destinations, like Costa Rica and Belize.

"It was a hoot," Valukas said. "They were typical road trips, the theory being, what happened on the trip stayed on the trip."

Webb met his wife, Laura, in the U.S. attorney's office. The two were married in 1974. Bauer presided over their wedding ceremony, with Kocoras serving as the groom's best man. The couple raised five adoptive children — now ranging in age from 20 to 36. Thompson is godfather to three of them.

'Yes' to top prosecutor

By 1976, Webb left the U.S. attorney's office to set up a litigation boutique downtown. A few years later, after Thompson became governor, Webb moved to Springfield to head up the Illinois Department of Law Enforcement.

Around the same time, Webb said, people were pushing him to run for public office, "but I missed the courtroom. I just couldn't stand not being in the courtroom."

He returned to private practice for a short while, when U.S. Sen. Charles H. Percy approached him with the idea of serving as U.S. attorney. Webb by then was a fairly well-known lawyer in the city. His litigation boutique was doing well, he said, and he was not inclined to go back into government.

He almost turned down Percy's invitation, until Bauer and Thompson convinced him otherwise.

"Thompson and Bauer, in particular, said, 'You can't say no to being U.S. attorney. To be U.S. attorney in Chicago is something that is just very special. ... Don't worry about the fact that you're making all this money now. ... There's no other answer. The answer is yes.'"

President Ronald Reagan appointed Webb

in 1981. In an ironic turn of events years later, Webb, serving as a special prosecutor in the Iran-Contra affair, cross-examined Reagan in the Poindexter case.

A highlight of Webb's four-year tenure as U.S. attorney was Operation Greylord. In 1984 Webb personally prosecuted John M. Murphy, the first of the judges to stand trial as a result of the investigation of the Cook County court system.

Murphy was convicted, but Webb learned a valuable lesson early on during the trial, at the start of his cross-examination of the judge. It was a lesson that hit home again years later, he said, when he set out to cross-examine Reagan, the president whose politics he respected and who named him U.S. attorney.

When he set out to cross-examine Murphy, "I had made up my mind that I had to show respect for his office. So, I had to be firm, but not harsh or aggressive."

After about an hour, the court had recessed for the day, and Webb returned to his office.

"I knew it hadn't gone well. It was just okay; it wasn't great. There was so much at stake and if the jury believed him, I was finished," Webb said. "I just sat there for a while."

Webb was trying to figure out what he did wrong, when a colleague gave him the answer.

"He said, 'You are not being Dan Webb. You're trying to tone down your style. You're trying to show respect to this man, and you're forgetting that he's a defendant in a criminal case that took bribes. If you continue to cross him like this, we will lose this case.'"

"I sat there for hours and redid the whole cross-examination. I slept for two or three hours and I was up and ready to go, and I felt really good," Webb recalled. "I was going to be Dan Webb again. I got up the next morning, and these people thought that I pretty much did the job on Judge Murphy."

In the courtroom, Webb is admired for his methodical and relentless cross-examinations, a favorite part of a trial that he considers "truly, an art."

"The most challenging performance of a trial lawyer is figuring out how to approach

someone who is dead-set on harming you," Webb said. "I have to figure out a way to find a path to show the jury that the witness is wrong, or mistaken, or lying. ... Whenever I finish a good cross — that's a good day."

Webb, whose country charm is said to resonate with juries, said it was after he left Bushnell for law school in Chicago and began trying cases, that he came to appreciate his small-town roots.

"I think that kind of rural upbringing may have been a big blessing for me," he said. "I learned how to communicate with people in a very basic, simple way."

But Webb is not one to rest on his laurels.

"I don't believe that because I've had success in the past that it guarantees success in the future," he said. "Each case is a new challenge and something new to get done."

"If you lose a case, you are a loser — you're no longer a winner," he said. "You better win one, because until you win one, you're a loser."

On the night when the nation elected its first African-American president, Webb — a self-described "political junkie" who likes to devour "every conceivable magazine and newspaper I get a hold of" — was cramming in some prep work in the quiet of his corner office before jetting off on a flight to New York. He was due to appear in court there the next morning, for a hearing in another case headed for trial.

For the last two decades, Webb said, he has kept a fairly consistent workload. With no intention of slowing down any time soon, Webb is geared up for about another 20 years.

"I'm 63 years old, and I love what I do," Webb said. "If I had to guess, I'll practice law until about 80. As long as I'm healthy and as long as the clients want me ... as long as I can try cases, I doubt if I'd retire."

But somewhere along the way, Webb hopes to set aside a stretch of a few months to prepare for a trial of another sort.

"I am going to train for one marathon," Webb said. "That's one of my goals before I leave this earth. I've already promised myself that." ■