

THE 2020 D.C. LITIGATION DEPARTMENTS OF THE YEAR

White Collar Defense Winner

Winston & Strawn

■ **DESCRIBE YOUR FIRM'S APPROACH TO LITIGATION AND YOUR STRATEGY FOR BUILDING SUCCESSFUL TEAMS FOR TRIALS OR OTHER MATTERS.**

We build teams by matching the case with the most experienced attorney from a substantive, industry, and procedural perspective (e.g., investigation, compliance, trial, appeal). We staff across offices to put the best team in the field. We invest in first-chair and “on-your-feet” training at all skill levels. Junior attorneys develop substantive specialties and learn courtroom skills from day one. Our white collar practice has developed a talent model emphasizing courtroom and investigation skills, grounded in apprenticeship, to develop instincts and judgment. This pays off in the form of a lean, thoughtful and powerful team.

■ **DISCUSS THE TWO BIGGEST WHITE COLLAR LITIGATION CASES YOUR FIRM WORKED ON IN 2019 AND HOW YOU REACHED SUCCESSFUL OUTCOMES.**

In representing Banco San Juan Internacional and its owners relating to a search warrant and a civil forfeiture action alleging serious sanction and other criminal violations and seizing \$53 million, we secured an order declaring the search unconstitutional, litigated the forfeiture and settled with the government, which conceded its case was based on faulty information, returned the \$53 million (minus an administrative penalty), and entered into a [nonprosecution agreement] with the bank, its directors and [its] officers.

We obtained the final acquittal of Sen. Hector Martinez, following an eight-year litigation battle including two trials and four appeals (including one to the U.S. Supreme Court). The government alleged that co-defendant Juan Bravo bribed Martinez by paying for some travel expenses in exchange for Martinez's support for two popular public safety bills (already sponsored by Martinez) that passed the Senate nearly unanimously.

■ **WHAT ARE THE MOST CHALLENGING AND SATISFYING ASPECTS OF YOUR WORK IN LITIGATION?**

The most challenging and rewarding aspects are two sides of the same coin. Prosecutors have never had more authority and power than they do now. Being able to pose a strong counterbalance to that and actually succeed—often—is very gratifying. This is especially true when representing companies that, after the Arthur Anderson case, rarely go to trial but for which our work has resulted in successful resolutions and where our trial and appellate work stand up well against the government's typically 95% or higher individual conviction rate.



ABBE LOWELL

■ **WHAT IS THE MOST IMPORTANT PIECE OF ADVICE YOU'D SHARE WITH YOUNG LAWYERS?**

Take more risks, both in your work and in your career choices. The road less traveled may have more potholes and scary turns but often leads to a more scenic destination and a more interesting trip along the way.

Responses submitted by Abbe Lowell, co-chair of the white collar, regulatory defense, and investigations practice at Winston & Strawn. Lowell's practice involves investigation, trials and appeals of complex, high-profile criminal and civil matters. He has successfully tried or appealed cases involving various serious charges before juries in 15 different states and before 10 courts of appeals. He served as chief minority congressional counsel during the Clinton impeachment proceedings.

firm facts

- Number of Partners in Firm's Litigation Specialty Department in D.C.: 6
- Number of Associates in Specialty Department in D.C.: 3
- Number of Other Attorneys in Specialty Department in D.C.: 0
- Number of Partners in Specialty Department Firmwide: 21
- Number of Associates in Specialty Department Firmwide: 14
- Number of Other Attorneys in Specialty Department Firmwide: 1
- Percentage of Firm Represented by Specialty Department: 4%