Rising Star: Winston & Strawn's Thomas Kirsch

By Evan Weinberger

Law360, New York (March 31, 2011) -- When white collar defendants turn to Winston & Strawn LLP, the firm often turns to partner Thomas Kirsch, as it did with a major Illinois political player embroiled in the scandal surrounding former Gov. Rod Blagojevich, earning him a spot on Law360's list of five white collar lawyers under 40 to watch.

“Tom has become my go-to lawyer on many of my bigger and more important white collar crime cases,” Winston & Strawn Chairman Dan Webb said. “He's just a dynamic trial lawyer who really gets to the bottom line and gets things done. That's what I need on my white collar cases.”

Kirsch, 37, and Webb are currently collaborating on the defense of William Cellini, who was indicted in the alleged scheme that also brought down Blagojevich.

That trial, which Webb called the most important white collar case to come to trial in 2011, is set to open in August.

Cellini was indicted in October 2008 on charges that he forced a real estate rival to either raise or contribute massive amounts of cash for Blagojevich's re-election campaign. But as Blagojevich's actions prior to the start of his trial became more outlandish, Kirsch said, he and Webb knew that Cellini's case needed to be severed in order for their client to get a fair hearing.

Former Illinois Gov. James R. Thompson, Winston & Strawn's senior chairman and a longtime friend of Cellini's, said Kirsch “carried the water” in doing the research necessary to see if the case could be severed.

“By the time Tom got through, it looked like he had written the book on it,” Thompson said.

Kirsch joined Winston & Strawn in 2008 after serving about seven years in the U.S. Department of Justice.
During that time, he was an assistant U.S. attorney in the Northern District of Indiana and spent a year in the Office of Legal Policy in Washington, where he helped set the legislative and legal agenda for the department in areas ranging from violent to white collar crime.

Beginning in 2002, Kirsch was part of the U.S. attorney's office's Public Corruption Task Force. He had a hand in prosecuting dozens of appointed and elected public officials, including the state chairman of a major political party, elected state, county and municipal officials, and the head of the statewide carpenter's union, among others.

Kirsch took more than a dozen cases all the way to a jury verdict, winning each time, and argued cases before the U.S. Courts of Appeals for the Third and Seventh Circuits.

That extensive trial experience has proved to be invaluable in his work at Winston & Strawn, Kirsch said.

“I've seen everything from the other side,” he said. “I understand the job of a prosecutor. I know the way a prosecutor thinks.”

Kirsch has also been a key defense counsel for New York Times bestselling author Kevin Trudeau in his battles with the U.S. Federal Trade Commission, as well as for former Spectranetics Corp. CEO John Schulte in a case involving the illegal importation of laser medical devices for a clinical trial.

He is also representing a client under investigation in a public corruption case that is currently rocking Cleveland, although Kirsch said he could not provide the name of the individual.

Thompson gave high praise for Kirsch, comparing him to a young Dan Webb. When Thompson hired Webb in the 1970s, he said, he thought all the mothers on the jury would say, “That could be my son up there.”

“The same thing strikes me about Tom,” Thompson said. “He just has that kind of litigation personality that inspires confidence in judges and juries and gets them to pay close attention and perhaps accept his arguments.”

Along with his white collar work, Kirsch has an active practice in commercial litigation, including representing tobacco giant Altria Group Inc.

“In his work for Altria, Tom has demonstrated an ability to learn a complex area of the law quickly, has shown excellent judgment and has met all of my expectations,” said Murray Garnick, Altria's litigation chief.

Kirsch received his degree from Harvard Law School in 1999. Although working in private practice, he retains a commitment to public service.
He is an adjunct professor in trial advocacy at the Northwestern University School of Law and serves on the board of trustees for the Lake Area United Way.

Kirsch also sits on the board of directors of Campagna Academy Inc., a 60-year-old nonprofit organization serving at-risk kids.

Each year, Campagna brings in students to speak to the board, he said.

“It’s really quite an experience to see these kids and hope you’re helping them have a productive life,” Kirsch said.

--Editing by Lisa Uhlman.

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