

Winston & Strawn's Dan K. Webb Appointed Special Prosecutor in Jussie Smollett Case

AUGUST 23, 2019

CHICAGO – Winston & Strawn LLP Co-Executive Chairman Dan K. Webb has been appointed by the Honorable Michael P. Toomin, Judge of the Circuit Court of Cook County, as Special Prosecutor to conduct an independent investigation of the actions of any person or office involved in all aspects of the case entitled the *People of the State of Illinois v. Jussie Smollett*. Pursuant to Judge Toomin's order and appointment, Mr. Webb and the Winston & Strawn team will have a three-pronged assignment: (1) to investigate if any person or office involved in the Smollett case engaged in wrongdoing; (2) to determine if reasonable grounds exist to further prosecute Mr. Smollett; and (3) to submit a final report to the Court and for the benefit of the Cook County Board of Commissioners detailing the progress and ultimate results of the investigation and any criminal prosecutions commenced.

"First and foremost, we want to thank Judge Toomin for his and the Court's confidence in choosing Winston & Strawn for this important assignment," said Mr. Webb. "We are honored to play a role in helping, as Judge Toomin indicated, 'restore the public's confidence in the integrity of our criminal justice system.'"

Mr. Webb will be joined by Winston & Strawn partners Sean G. Wieber and Sam Mendenhall, who will serve as Deputy Special Prosecutors in the investigation. Their Winston & Strawn firm biographies are attached.

This is the sixth time Mr. Webb has been appointed to act as a special prosecutor or in a similar role. The five previous assignments were: (1) *Review of Procedures of the Federal Civil Rights Litigation Division of the City of Chicago Law Department* (2016); (2) *Investigation and Prosecution Regarding the Death of David Koschman* (Cook County-2012); (3) *Prosecution of National Security Adviser John Poindexter – Iran Contra Affair* (DC-1990); (4) *Investigation and Prosecution of Cook County Election Fraud and Corruption* (1989); and (5) *Investigation of High-Ranking Government Official* (late 1980s-appointment by the Special Independent Counsel Court-under seal).

"Winston & Strawn recognizes it is a privilege to practice law and to be part of this community," added Tom Fitzgerald, the firm's chairman. "It is our responsibility and part of our firm's more than 165-year history to give back to that community, however and whenever we can."

While the order entered today by Judge Toomin allows for reasonable compensation for the Special Prosecutor and his team, Winston & Strawn has made the decision that all fees related to lawyer time spent on this matter will be pro bono - at no charge. However, the County will reimburse Winston & Strawn for certain out of pocket expenses actually incurred during the investigation.

Dan K. Webb

Mr. Webb serves as co-executive chairman of Winston & Strawn and is one of the most distinguished and sought-after trial lawyers in America. He has tried more than 100 jury cases in a wide variety of areas and been named to the prestigious American College of Trial Lawyers. Notably, Mr. Webb achieved international acclaim for his successful prosecution of retired Admiral John Poindexter in the Iran-Contra affair. Prior to joining Winston & Strawn in 1985, Mr. Webb served as the U.S. Attorney for the Northern District of Illinois.

Sean G. Wieber

Mr. Wieber is a partner in Winston & Strawn's Litigation Department. He has extensive experience leading the defense of complex criminal and commercial cases, both for individuals and global corporations, and as across multiple state and federal jurisdictions. He also regularly conducts highly sensitive internal investigations for publicly traded and privately held companies, municipalities, and volunteer and nonprofit organizations. This is the second time Mr. Wieber has served as a Deputy Special Prosecutor, with the first being his service in the *Matter of the Death of David Koschman* (Cook County). Mr. Wieber is deeply committed to the delivery of pro bono services for those in the Chicagoland community, and has been successful in achieving favorable results for pro bono clients in both criminal and civil matters.

Samuel Mendenhall

Mr. Mendenhall is a partner in Winston & Strawn's Litigation Department and is a top-ranked lawyer who has tried a number of cases in both state and federal court. Prior to joining Winston & Strawn, Mr. Mendenhall served with distinction in the United States Army. He is also deeply involved in the community and has served a number of organizations in roles including commissioner, Chicago Housing Authority; Board of Directors, Chicago Bar Foundation; and past president of the board of visitors of the University of Illinois College of Law. In addition to practicing law, Mr. Mendenhall is a licensed ordained minister.

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