



WASHINGTON LITIGATION DEPARTMENTS OF THE YEAR

A SPECIAL REPORT

In this special report, The National Law Journal takes the measure of litigation shops in our nation's capital. We asked top litigation practices to tell us about their operations—headcounts and revenues, biggest wins and, yes, even their losses. Our staff in Washington and elsewhere in the country scrutinized the data and selected the nine firms you'll read about in these pages. Latham & Watkins is the top honoree, but it was a close call, and we selected two runners-up: Hogan Lovells and Sidley Austin. We also recognize firms with distinguished practices in intellectual property, general civil litigation, white-collar defense, insurance, mass torts and labor and employment.

—BETH FRERKING, EDITOR IN CHIEF

STEPTOE & JOHNSON LLP

WHITE-COLLAR DEFENSE



BRIAN HEBERLIG

Politicians and corporate executives in trouble with the feds have a long history of turning to Steptoe & Johnson LLP. Last year, the firm won dismissal of a congressional obstruction charge against a former BP PLC executive and argued for leniency—with some success—for ex-U.S. Rep. Jesse Jackson Jr.

Steptoe boasts one of the nation's top white-collar defense lawyers, Reid Weingarten. The firm has bolstered the practice in recent years with hires from the U.S. Department of Justice—in 2013, for example, it brought on Jason Weinstein, the former deputy assistant attorney general of the Justice Department's Criminal Division, in Washington and former Arizona U.S. Attorney Paul Charlton in Phoenix.

Weingarten often takes the lead on cases, but younger attorneys—including white-collar practice leader Brian Heberlig—have emerged as stars. Heberlig is a lead defense lawyer in a monthslong

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criminal trial this summer in Washington against former Blackwater Worldwide private security guards charged with killing Iraqi civilians.

“We bring, I think, a fair amount of credibility in our dealings with prosecutors,” Heberlig said. “If there’s not a fair resolution to be had, we’re prepared to take it to trial, and we often win.”

In May 2013, a federal trial judge in New Orleans tossed one count from a two-count indictment against former BP PLC executive David Rainey. Rainey was charged with obstructing a congressional inquiry into the 2010 Deepwater Horizon oil spill and making false statements.

The trial judge agreed with Rainey that the indictment didn’t allege he knew about any congressional inquiry—an “essential element” of the crime—and that the federal statute at issue didn’t apply to subcommittees. The government is appealing to the U.S. Court of Appeals for the Fifth Circuit. Rainey was charged under a criminal statute that’s not commonly used, Heberlig said. The case “meshed well” with the firm’s experience with public-corruption cases and congressional matters, he said.

Former Illinois congressman Jesse Jackson Jr. turned to Steptoe after he was charged with stealing \$750,000 from his campaign. Jackson pled guilty. A federal judge in Washington sentenced him in August 2013 to 30 months in prison—more than the 18 months Weingarten argued for, but less than prosecutors’ recommendation of four years.

Weingarten recently began representing former Connecticut Gov. John Rowland, who is fighting charges of campaign finance violations.

Steptoe also handles the more traditional corporate white-collar work that other large firms take on, but Weingarten is proud that his firm is a go-to for high-profile individuals whose cases might not be resolved behind closed doors.

“Most of my calls are from people who the feds are after and they’re seriously contemplating a fight because the stakes are so high,” he said.

—ZOE TILLMAN

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KEYS TO SUCCESS

- ▶ Be prepared—there’s no substitute for good preparation, and you should strive to be the most prepared lawyer in the courtroom.
- ▶ Be good at telling a story—the ability to convey complicated facts and evidence in clear, easy-to-understand ways is crucial, in both criminal and civil cases.
- ▶ Be accurate—your credibility is your most important asset, with both the court and the jury.

—BRIAN HEBERLIG