

LATHAM & WATKINS LLP

Recognized for: Distinguished Service
Practice Group of The Year Category



The 2013 Best FCPA Lawyers Client Service Awards highlight exceptional service in Foreign Corrupt Practices Act and global anti-corruption matters. Awards were determined by Main Justice based on submissions by firms, interviews with firm partners, client feedback and public records.

Main Justice is an independent news organization that covers the U.S. Department of Justice.

Latham & Watkins is distinguished in the category Practice Group of the Year. The firm is recognized for exceptional all-around service in global anti-corruption and FCPA counseling and investigations.

Latham delivers client service through strategic coordination across offices, emphasizing support for all team members. The firm purposely approaches matters based not on the personal relationships of individual attorneys, but on the targeted issues at hand broken down by industry, geography, and language requirements. This approach means the firms' partners trust each other, which minimizes internal competition and fosters productive resource sharing and training. The collaboration redounds to the benefit of the clients, who obtain high quality representation for better value.

It also results in strong bonds with institutional clients who routinely engage the firm beyond one-off investigations and into regular, ongoing counseling, and M&A and joint venture assessments.

The Collective Mentality

Latham's global anti-corruption and FCPA team resides within the firm's White Collar Defense and Investigations practice. The group includes 33 full-time white collar partners and counsel, and boasts nearly 200 lawyers working either full or part-time on white collar matters across Latham's 31 offices around the world.

In 2012 alone, Latham says it handled approximately 40 separate investigations and assisted with compliance reviews or other acquisition due diligence in more than 30 other matters in 40 countries.

David Schindler, the white collar practice co-chair, says it's hard to find a jurisdiction where Latham lawyers are not experienced. He emphasizes the firm's strength in Asia, Eastern Europe, and Latin America.



David Schindler

The practice has been structured to achieve three core objectives – 1) prevent investigations through effective compliance and adequate internal safeguards; 2) full-service representation to clients targeted in criminal and/or parallel civil investigations; and 3) devise comprehensive global strategies for clients to address any other issues that arise.

Schindler explains part of what distinguishes Latham is its lack of a geographic center. “We approach matters on a team basis,” says Schindler. “A lot of work is done out of the West Coast, and we collaborate on matters. Historically, matters are broken down by industry and geography consistent with the philosophy of the firm to approach challenges by group.”

This collaborative approach explains the practice’s consistent 15 percent year-over-year growth, he says.

Latham strategically rotates out co-chairs of the group as part of the firm’s “unselfish lawyer model,” Schindler adds. “We have an ingenuous model,” he says. Latham’s success is based on its exceptionally well-coordinated approach to client counseling across the group.

Part of this approach is to assist incoming partners, whether they be experienced in the private sector or new laterals fresh out of the government, by fully supporting them through the collective resources of the team. He notes that good firms emphasize and reward collaboration.

Client Portfolio

Latham’s portfolio consists of a wide range of clients of all sizes and across industries. Current and recent clients include **Eli Lilly & Co.** and **JGC Corporation**. While they normally do not represent a lot of individuals in anti-corruption matters, they are also currently representing a **Wal-Mart** executive in the high-profile investigation of the retailer’s reported cover-up of bribes paid in Mexico.

In one current matter, the firm attorneys **Doug Greenburg, Alice Fisher, William McGlone, Barry Sabin, Robert Sims, and Margaret Tough** are representing a company in the extractive industry in a grand jury investigation conducted by the U.S. Department of Justice, in close coordination with DOJ’s National Security Division, into the company’s business operation in U.S. sanctioned countries.

The matter reflects the increasing entwinement of FCPA issues with national security, and in that context Latham boasts a particularly strong team. Fisher is a former head of the DOJ’s Criminal Division; Sabin is a former chief of the former Counterterrorism Section in the Criminal Division, which he also oversaw as a Deputy Assistant Attorney General; and Greenburg served on the congressionally chartered National Commission on Terrorist Attacks Upon the United States, known as the 9/11 Commission.

In another example, **Manny Abascal** from the firm’s Los Angeles office led the representation of JGC Corporation, a Japanese company snared in one of the largest FCPA investigations to date involving corruption allegations involving the Bonny Island liquefied natural gas facility in Nigeria. The firm negotiated a settlement with the DOJ on the client’s behalf that was considerably more favorable than other settlements, and obtained non-prosecution agreements in other jurisdictions.

The matters above illustrate Latham’s collaborative approach based on geography and industry experience, which allows the group to provide on-the-ground counseling within hours of a crisis, tailored to the particular risk profile of the client’s industry. The group’s growing portfolio and its collective expertise qualifies the practice for elite status.



Manny Abascal