

## MVP: Gibson Dunn's Matthew D. McGill

By **Matthew Thomas**

*Law360 (December 19, 2019, 2:47 PM EST)* -- Matthew McGill of Gibson Dunn & Crutcher LLP helped successfully challenge a U.S. Department of Justice reinterpretation of the Wire Act to apply beyond sports betting, notching a win for the online lottery and gambling industries and earning him a spot among Law360's 2019 Sports & Betting MVPs.

### ***HIS BIGGEST ACCOMPLISHMENT THIS YEAR:***

McGill, who was also recognized as a Sports MVP last year, said his biggest accomplishment of this year was his role in successfully challenging a DOJ reinterpretation of the Wire Act in New Hampshire federal court. Overturning a 2011 decision to limit the Wire Act to sports betting, the DOJ's new interpretation — issued in January 2019 — aimed to broaden the law's scope to include online gambling and lotteries.

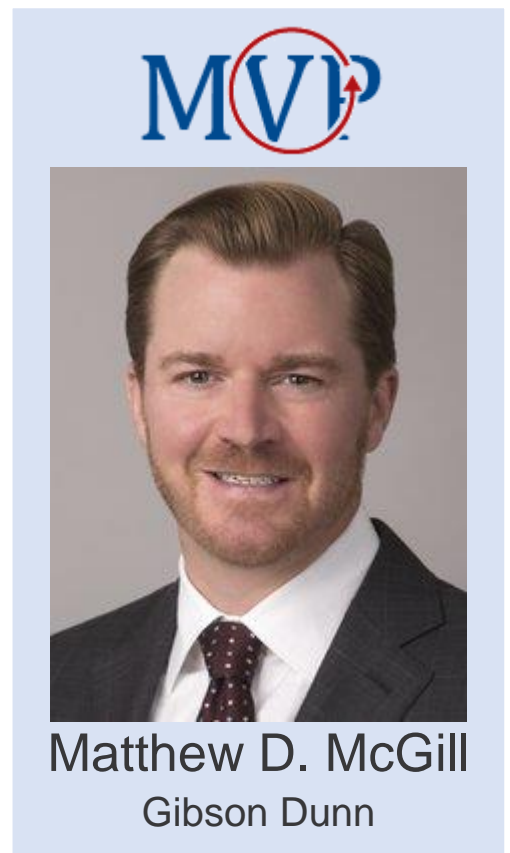
"It threw the lottery and gaming industries into a great deal of uncertainty and in fact threatened the lottery and gaming industries quite directly," McGill told Law360. "The Wire Act is a criminal statute and the deputy attorney general issued a letter that basically said, you have 90 days to wind down your operations and during that time we won't prosecute anybody."

Representing an operator for online lotteries in New Hampshire and other states, McGill and his team argued that the DOJ's new interpretation of the law was unlawful and "contrary to the law itself." They eventually won that argument in June this year, with a federal judge nixing the expanded version of the Wire Act.

The suit remains on appeal in the First Circuit.

### ***WHY HE'S A SPORTS AND BETTING ATTORNEY:***

McGill says he still considers himself an appellate litigator, but he's developed a niche in sports and betting law. It started, he recalled, with his six-year "odyssey" working to legalize sports betting in New Jersey on behalf of the state's government. The case culminated in a U.S. Supreme Court ruling in 2018.



"I've grown up at Gibson Dunn as an appellate and Supreme Court lawyer, and over the years I've participated in more than 20 cases at the Supreme court," McGill said. "But that's how I really got into the sports and gaming side of things."

"My practice is still that of a general appellate litigator, but I have this specialty in the gaming space," he added.

#### **WHAT MOTIVATES HIM:**

McGill says he's been interested in appellate law since he was a kid, growing up as the son of an attorney and, as a high school student, reading the briefs his father filed in the Second Circuit.

"Some people think of lawyers as what they see on Law and Order," McGill said. "I came at it from a different angle. Appellate litigation was my first view of lawyering."

McGill went on to clerk at the Second Circuit and later spent a year at the U.S. Solicitor General's office. He says he enjoys appellate law because of its broad subject matter.

"I was hooked on the appellate process," McGill said, recalling his early career. "What I like about it is that I get to touch a lot of different substantive areas of law — I get to keep learning different areas of law."

#### **HIS ADVICE FOR JUNIOR ATTORNEYS:**

McGill has three pieces of advice for younger attorneys. First, he stressed the importance of learning from colleagues.

"Surround yourself with interesting people because that will always enrich your experience," McGill said, adding that "there is nothing that is more useful than excellent writing."

McGill also highlighted the need to write well.

"Anything you can do to improve your writing is going to help you in your practice as you progress as a lawyer."

Last, he said it's important for attorneys to stay client-focused and bring academic legal discourse down to a practical level.

"It's a client service business," he said. "We can't just reside in the ivory tower of academic legal problem solving, but bring it down to practical realities of people who are trying to run and operate businesses in challenging and often radically changing environments."

— *As told to Matthew Thomas*

*Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2019 MVP winners after reviewing nearly 900 submissions.*