

THE NATIONAL LAW JOURNAL

An ALM Publication

NLJ.COM | September 2020



WINNING LITIGATORS

Our 2020 honorees are conquerors
of the courtroom



**LEE DUNST
AND MITCH KARLAN**
GIBSON, DUNN & CRUTCHER

■ **TELL US ABOUT YOUR BIGGEST WIN FROM JANUARY 2019 THROUGH JUNE 2020 AND HOW YOU ACHIEVED THE RESULT FOR YOUR CLIENT.**

We successfully defended Textron Financial, an asset-based lending company, accused by a bankruptcy trustee of facilitating a massive Ponzi scheme causing thousands of investors to lose millions of dollars. In the early 2000s, Textron had extended a standard line of credit to Fair Finance, which later collapsed when the FBI later uncovered a massive criminal fraud. The goal at the February 2020 trial was to make the jury understand that the fraud had nothing to do with Textron's straightforward loan transaction. We achieved this with

a relentless focus on explaining a complex loan in easy terms for a jury to understand, as well as presenting extensive evidence that exonerated Textron of any knowledge of the fraud.

■ **SHARE TWO TRIAL TIPS THAT HAVE BEEN KEY TO YOUR SUCCESS.**

1) It is critical to adjust your approach to the judge and the jury as each case is different. What may work in federal court in New York may not work in state court in Florida.

2) A diverse trial team is paramount to success. Juries reflect each community and it is critical that the jury relate to the trial team. Moreover, such diversity enhances the quality and effectiveness of presentation to the jury. ■