

## Rising Star: Gibson Dunn's Winston Chan

By Joshua Alston



*Law360, New York (May 06, 2014, 11:16 PM ET)* -- Gibson Dunn's Winston Y. Chan's describes his white collar practice as "diverse," which seems modest when he describes what's he's working on — including Taiwan's first-ever mass tort and a Hawaiian case involving spilled molasses — a varied slate that landed him among Law360's top white collar attorneys under 40.

Chan, 38, spent nearly eight years as an assistant U.S. attorney in New York's Eastern District before joining the white collar arm of Gibson Dunn's San Francisco office in 2011. The transition from one side of the aisle to the other can be a bumpy one, but the Rising Star told Law360 his move from prosecution to defense was smoother than he expected, as it was a natural extension of the gift for storytelling that initially attracted him to the practice of law.

"I wanted to be able to figure out the answers to important questions that affect people's lives, and then turn it into a story," Chan said. "It's storytelling, and I've always liked telling stories. What I didn't expect that it's the same type of work on the defense side with white collar litigation. We have to do the same things, we have to figure out what happened, and once we think we know, we have to tell the story in a compelling way."

It also helped that Chan had a trial by fire, as he was tasked with a trip to Shanghai to do compliance work for Siemens AG on his second day on the job. Chan was put in charge of the monitorship of Siemens' China operations, a condition of the German conglomerate's \$800 million settlement with the U.S. government to resolve alleged violations of the Foreign Corrupt Practices Act.

"One of the questions before us was how those business units approached the compliance changes the company agreed to implement as part of its settlement with the United States," Chan said. "It was a great first experience with what has become a really big part of my practice, which is investigations and related work internationally."

Chan was given the massive responsibility so early because he lobbied for it, according to Chuck Stevens, a white collar partner in Gibson Dunn's San Francisco office. Stevens said that while many attorneys have Chan's government experience, not all have his acuity and drive.

“He has the ideal combination of attributes for a successful white collar lawyer,” Stephens said. “He’s a quick study on even the most complex issues, he has common sense, he’s articulate, [he] has strong interpersonal skills, and he’s calm and balanced in his approach. He’s the complete package.”

Chan’s success with the Siemens work led to bigger and more complex cases, including his advisement of BP PLC’s board of directors on the federal criminal investigation of the Deepwater Horizon oil spill. Chan said that through that experience, he learned how to lead a company through the settlement process with the help of his mentor F. Joseph Warin, chair of Gibson Dunn’s office litigation department.

Currently, Chan is working with Matson Inc. as it navigates the investigation of an environmental incident involving tons of molasses that spilled into Hawaii’s Honolulu Harbor in September 2013. He is also advising General Electric Co. as it litigates a matter in Taiwan: a toxic tort — a first for the country — involving the alleged introduction of carcinogens in its television manufacturing in Taiwan.

The latter case is a homecoming for Chan, who spent some of his childhood in Taiwan, where his parents still live, as well as an opportunity to take on one of the challenging cases that most excite him.

“You have lots of parties claiming injury, and you have science, which isn’t always legitimate,” Chan said. “We’re operating in a foreign country with a different tort and judicial system, and it’s a bench trial with different standards of proof and evidence. It’s also a very emotional case because you have people who are ill, and it can be a political issue when the alleged wrongdoer is a foreign entity.”

Chan credited his success at a relatively young age to his clarity on what he likes to do and the shape he wanted his career to take.

“What I’ve found is that the attorneys who sit there and wait for someone else to tell them what their career should be like, those are the people who don’t flourish,” he said. “When you’re passionate about what you do, you naturally do it better.”

--Editing by Elizabeth Bowen.