



## 40 UNDER 40

Global Investigations Review presents  
40 of the world's leading investigations  
lawyers under the age of 40.

At the beginning of 2014, we asked ourselves a question: Who are the next generation that will lead the global investigations bar?

It's a difficult one. For a start, it's not clear there's even a current generation of global investigations luminaries – at least not in the same way as there is in, say, M&A or arbitration. Today, few people introduce themselves as an investigations lawyer. In the US they're typically a litigator, a white-collar lawyer, or a financial services expert. But with the explosion of investigations work in the post-Enron, Sarbanes-Oxley era, a new species is emerging.

Across the pond, the idea is taking hold too. In 2010, Freshfields Bruckhaus Deringer launched its global investigations practice – the world's first, at least by name – recognising that by realigning its various practices under one roof, the firm could more effectively handle multilateral investigations of all types. Other firms have also adopted similar approaches in recent times – particularly those from the English-speaking world, but there's change afoot in other countries too.

With all this in mind, we asked firms across the world to nominate their best investigations partners under the age of 40. And we're going to stick our necks out and say that what we have here is the best of the first generation of global investigations lawyers.

The 40 were self-selecting to some degree. We asked firms to nominate no more than three of their best partners or counsel under the age of 40 at the end of 2013.

To help us make an informed judgement, we required each nomination to be accompanied by three references explaining why the nominee is a cut above the rest: one from

another partner, or a senior colleague at the same firm; one from a client; and a third from another source of the nominee's choosing. Importantly, we also asked each nominee to detail the five best matters they've worked on.

The volume and calibre of the nominations we received was outstanding. These truly are the world's best young investigations specialists: one look at the significance of the cases they're working on, the praise from their clients and, indeed, the quality of the firms they're working for will confirm this. We would love to have published the submissions we received from our candidates, but ultimately the sensitivity of the information precluded us from doing so.

The margin between those who made it into the final 40 and those who didn't was for the most part extremely slim. We're unashamed to say that where the difference between two candidates was negligible, we erred on the side of diversity.

So among our 40 we have 13 women and 27 men from 33 different firms, based in 11 different cities: Beijing, Calgary, Dublin, Düsseldorf, Hong Kong, London, Moscow, New York, San Francisco, São Paulo, and Washington, DC.

After deciding our final 40, we asked each of them a series of questions about themselves and their practice. From adventures down Bolivian mines and corruption in Afghanistan, to eating McDonald's on a Saturday morning and fine dining in Hong Kong, the results, we think you'll agree, make compelling reading.

The full versions of all 40 profiles can be read online at [globalinvestigationsreview.com](http://globalinvestigationsreview.com)



## John Chesley

Gibson Dunn & Crutcher  
Washington, DC  
34

### Why investigations?

Investigations were a natural transition to my law practice. I was a police officer for a brief period before going to law school and there is a part of me that still wishes I had become a homicide detective. Also, while in law school, I had the great opportunity to work for the US Department of Justice as a paralegal. Our section handled criminal antitrust cases and investigations were a substantial part of that work.

### Career highlight

The decision dismissing all charges against our client Ted Urban after a hotly contested two-and-a-half-week SEC enforcement trial. Ted was the general counsel of Ferris Baker Watts, a prominent broker dealer in the mid-Atlantic region, when one of its brokers was arrested for engaging in a Ponzi scheme and stealing tens of millions of dollars from FBW clients. Ted had nothing to do with the misconduct or the broker, but the SEC charged him with allegedly failing to supervise the broker on the theory that, as the general counsel, he was the supervisor of all things legal (and illegal). In a 57-page decision, SEC Chief Judge Brenda Murray dismissed all charges, finding that Ted “performed his duties in a cautious, objective, thorough, and reasonable manner.” I still vividly remember bursting into the office of my partner and co-trial counsel David Burns – interrupting a meeting – to give him the fantastic news. This was a terrible ordeal for Ted, who had a storied career in the securities industry. But we were incredibly happy to be a part of his ultimate vindication.

### Influences

First, Peter Goldberg, who was a senior trial attorney at the Department of Justice, Antitrust Division, where I worked during law school. He gave me opportunities as a paralegal (briefing, running witness interviews, working with our agents, etc) that would make any junior lawyer jealous. This gave me a tremendous leg up for when I started at Gibson Dunn. Second, Joe Warin, the co-chair of our white-collar defense & investigations practice group. He gave me opportunities to run the day-to-day operations of high-profile matters, for significant firm clients, from a very, very “young age” at the firm. Third, David Burns, another one of my partners at Gibson Dunn. I had a real thirst to get into the courtroom as a junior lawyer and David gave hours and hours of his time to help me and a colleague set up a pro bono programme where we represented indigent defendants charged with criminal offences in DC Superior Court. That early experience on my feet in court helped him convince the rest of the Urban trial team to give me an opportunity to take witnesses in that case, which then in turn led to other trial experiences.

### If you hadn't been a lawyer...

I love being a lawyer, but truth be told it was my third choice. First, I was going to be a baseball player, but then I tore my rotator cuff and lost 15 miles per hour off of my already modest fastball. Second, I was a police officer and wanted to be a detective, but it did not work out when

my department found out that I was red-green color blind. The saying about a window opening after a door closes really applies to my life and I could not be happier. (Although I would still answer the phone if the Orioles called.)

### Advice to young lawyers

Two things. First, master the facts. You can never know too much about a situation or its players. And if you want to move ahead and get progressively deeper and more rewarding experiences, there is no quicker way to do so than by making yourself the indispensable person who knows all the key (and, seemingly, not-so-key) facts. Second, never be satisfied that the situation is a lost cause. Many, if not most, times you get at a new case in this area it looks really bad at first. But dig, dig, and then dig some more and you almost inevitably will find a good story to tell for your client.

### A pivotal decision you've made

I don't know if this qualifies as pivotal, but it is a fun story. We had a case where our client's chief compliance officer turned whistle-blower and made all sorts of serious allegations – but none of them were checking out and something seemed off. So on a hunch, I ran his name through a couple of court databases and found someone with the same name who had been arrested two decades earlier. I kept pulling on the thread, one thing led to another, and we ended up uncovering that our “whistle-blower” was not only a convicted felon, but had a history of embedding himself within the compliance function of companies, gathering information, and then filing qui tam False Claims Act cases against the company. Our main (successful) defence in that case was that the “whistle-blower” was wrong on the merits, but telling the story of his history was a good way to start our meetings with the various government agencies.

### What's everyone talking about?

A lot of the talk surrounds what the next major focus of US government enforcement agencies will be. The FCPA has been hot for almost a decade now and shows no real sign of letting up. But anyone with a long view knows that these things go in cycles and we are always looking for the next big wave. Areas that I am watching for potential growth opportunities include health-care fraud, government contracts fraud, and export sanctions.

### What's next in investigations?

The world will continue to grow smaller for our clients as regulators across the Atlantic (and Pacific) work more closely with one another. Multi-jurisdictional investigations will become the norm in the anti-corruption space just as they are now in the cartel arena.