

Rising Star: Gibson Dunn's John W.F. Chesley

By **Matthew Villmer**

Law360, New York (April 14, 2014, 3:34 PM ET) -- Recently having successfully pursued the U.S. government over adjusted pension costs, Gibson Dunn's John W.F. Chesley has proved himself a skilled government contracts litigator, making him one of Law360's top government contracts attorneys under 40.

A 2014 Rising Star, Chesley is a partner in the litigation practice group in Gibson Dunn's Washington, D.C., office, where he began as an associate attorney just eight short years ago. Since joining the firm, Chesley focused his practice in the often-overlapping areas of government contract litigation and white collar criminal defense litigation.

"Although my practice started as white collar, one of the things I found was that my clients don't have problems that fit neatly into clearly defined practice group categories," Chesley told Law360. "So I drew from various areas of expertise, and I found my niche in both white collar and government contract litigation."

Chesley said his government contract clients often have various criminal issues that arise due to increased governmental enforcement of criminal penalties over contract issues.

Earlier this month, the 2014 Rising Star helped Raytheon Co. rack up a \$60 million win before the Federal Circuit over adjusted pension costs on four units the contractor sold.

Working with fellow partner Karen Manos, the pair ultimately persuaded the Federal Circuit to disagree with the government's primary argument on appeal: that the trial court erred in finding that segment closing adjustments are not pension costs that trigger a timely funding requirement.

The appellate court also was unpersuaded by the government's argument that the burden of proof should be on Raytheon to show it was in compliance with the law.

Instead, the pair persuaded the panel to find that the cost accounting standard rules do not treat segment closing adjustments as pension costs.

"Karen and I split the case right down the middle — I took the contract issue in the case," Chesley told Law360. "Our client was very excited with the results. Any time you can return value in the form of a large judgment, that's excellent client relations."

In addition to government contract work, Chesley earned his litigation chops early after founding a pro bono program at the firm when he was just a second-year associate.

One pro bono case close to Chesley's heart was the shooting of former Baltimore City police officer Tonia Taylor, a personal friend of Chesley's.

In a tragic set of events, Taylor was shot in the face with her own service weapon while celebrating Thanksgiving with her family. The shooting was initially ruled an attempted suicide, a finding that Taylor disputed.

The Baltimore Police Department initiated administrative proceedings against Taylor, charging her with 29 counts of misconduct, including attempted suicide, reckless endangerment and failure to secure her weapon.

Chesley litigated a five-day trial where he examined five witnesses, including Taylor. Taylor was acquitted on 20 of the 29 counts, including attempted suicide.

"Tanya's case was a personally difficult case for me because she was a friend of mine from college," Chesley said. "She is a wonderful person who rose above her circumstances, graduating from college and then becoming a police officer. Her case, although difficult, allowed me to get into court early as an associate, and we were ultimately able to win on the suicide point, which was important."

Despite his young age, Chesley's fellow partners have high regard for his legal acumen and incredible work ethic.

"John is an excellent litigator and a genuinely nice guy — everyone in the firm likes him," Manos told Law360. "It's incredible the amount of work he does. He will take depositions all day and then turn in a new draft of a brief at night. He has superhuman abilities."

And Chesley's drive to get trial experience early by creating the firm's pro bono criminal litigation program impressed the firm's leadership, paving the way for Chesley's partnership with the firm.

"John actually, on his own as an associate, created a program where our associates work with the public defender's office to take criminal cases on a pro bono basis," Manos said. "Everyone in the firm was impressed because John had the idea to do this and set it up. We've had a lot of other associates take advantage of the trial opportunities since John started the program."

--Editing by Christine Chun.