

THE AMERICAN LAWYER

With Investigation Practices in Hot Demand, Shook Launches Group That Emphasizes Government Expertise

By Andrew Maloney

June 5, 2024

What You Need to Know

- Amid robust demand in Big Law for white-collar defense services, Shook Hardy is creating a government investigations and litigation group.
- The new group aims to leverage and combine the firm's expertise in trial work, litigation strategy and management and public policy.
- 'It brings a lot of talent together. And I think it helps us with our clients. It's a clearer message of our capabilities,' one of the group's leaders said.

More law firms are investing in white-collar defense and investigation practices, adding laterals or creating dedicated practices, amid robust enforcement activity.

Shook, Hardy & Bacon, which has traditionally focused on civil and product liability litigation, also sees the potential in the practice, launching this week a government investigation and litigation group. While Shook Hardy lawyers have handled this kind of work before under the banner of its litigation practice, the creation of the group means the firm is investing more dedicated resources and staffing for this particular practice.

The group features 23 lawyers in total, with 15 as partners, five as associates and three as senior counsel, according to Shook Hardy, and the firm is actively recruiting for more talent. The firm has 19 offices, and the practice team will span most of them, from New York and Miami to Kansas City and San Francisco.



Photo: Diego M. Radzinski/ALM

U.S. Department of Justice building in Washington, D.C.

The hope is that clients who repeatedly turn to Shook Hardy for its powerhouse product liability and mass torts practices will turn to it for government investigation matters, too. "It [the new practice] brings a lot of talent together. And I think it helps us with our clients. It's a clearer message of our capabilities," said Bill Corrigan, managing partner of Shook Hardy's St. Louis office and a co-leader of the practice.

The firm said the government investigations and litigation practice will bring together some of the firm's "most experienced" trial lawyers and those with direct interactions and history with state attorney's

general offices, the Department of Justice, Federal Trade Commission and other agencies.

The firm will be on the lookout for white-collar expertise to add to the group, noted Corrigan, adding that, in general, he wants to bring in “all-star” laterals who want a national practice working with household-name clients.

Patrick Oot, a Washington, D.C.-based partner and another co-leader of the practice, said the group is in “active conversations with a variety of laterals” and is “keenly focused” on recruiting current and former prosecutors in places that match the firm’s footprint.

Shook Hardy this year already added a strategy counseling practice to help clients coordinate complex litigation proceedings, particularly as mass torts and multidistrict litigations have risen.

There’s a connection between the rise of such plaintiff actions and government enforcement that goes beyond a particular administration, noted Oot, a former senior special counsel at the U.S. Securities and Exchange Commission and a co-leader of the complex litigation strategy practice.

“You’ll see that now if there is litigation, the plaintiffs are also going to attempt a parallel enforcement campaign, so they’ll reach out to government lawyers, and file things like qui tam complaints,” Oot said.

Both Oot and Corrigan, himself a former deputy attorney general in Missouri, noted a rise in activity from state attorneys general as well. Oot said in products liability cases, for example, there’s often a parallel state attorney general investigation. He also highlighted the firm’s public policy practice as a key to unlocking the group’s performance moving forward.

“The world of complex litigation and enforcement is coming together in a sense that you have the finance-driven litigation, then you also see the increase in spending from a policy [perspective], from the requesting parties or plaintiffs’ side advocates,” he said. “So, as a result, the balance that is needed in the defense practice is important.”

Shook Hardy’s creation of new practices this year, including the investigation group and the strategy counseling practice, comes after a mixed year of financial growth in 2023 for the firm. Shook Hardy

last year increased revenue a little more than 1%, to more than \$459.5 million from around \$454.6 million, though revenue per lawyer and profits per partner were down 1% and 5%, respectively, as the firm grew head count by more than 2%.

Litigation Demand

Shook Hardy’s new practice also comes as litigation, enforcement and regulatory practices continue to be lead areas of demand for Big Law.

The most recent Law Firm Financial Index report clocked litigation as increasing 3.8% since the first part of 2023, calling growth in the practice “the defining trait of law firms in regard to demand” so far this year, and noting it was “at its strongest since the post-pandemic snap back in 2021.” Meanwhile, corporate demand was up only 0.6%.

Other firms are continuing to add depth in white-collar practices as well. Winston & Strawn this week said that Marc Krickbaum has rejoined the firm’s Chicago office as a member of its government investigations and enforcement practice. Krickbaum most recently served as deputy special counsel at the Justice Department.

Meanwhile, Skadden, Arps, Slate, Meagher & Flom this week announced the arrival of Andrea Griswold, most recently the deputy U.S. attorney for the Southern District of New York, as a partner in its white-collar defense and investigations practice.

And Dorsey & Whitney this week announced the arrival of Andy Stone, a former assistant U.S. attorney in Arizona, where he was chief of the financial crimes and public corruption section, and Margot Laporte, a partner from Miller & Chevalier who focuses on white-collar criminal defense, securities enforcement, anti-money laundering and investigations.

Robust regulatory and enforcement activity, at both the federal and state level, is fueling the law firm demand for talent in investigation practices. In particular, Shook Hardy noted that the DOJ has recently prioritized environmental rules, changes to corporate cooperation guidelines, enforcing allegations of fraud in civil cyber cases and health care and pandemic relief matters.