



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



Erin Sloane

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Why investigations?

I graduated from law school in 2003, just after the Enron and World-Com scandals. Internal investigations was such a new and burgeoning area of law that they weren't even teaching it in law schools yet. One of my first cases at Wilmer happened to be an internal investigation of an accounting fraud at a major luxury retail company. I loved everything about it: pulling the key facts from documents like pieces of a puzzle, working with forensic accountants to follow the money, and the psychology of the witness interview process. I was hooked.

Influences

I have been lucky to have had many mentors both inside and outside the firm, but the person who has had the biggest impact on shaping the lawyer I am today is Roger Witten, the founding partner of Wilmer's pre-eminent FCPA practice. Watching Roger practise law is like watching Roger Federer play tennis. His precision and his judgement are simply impeccable, and he makes it look easy. Roger has taught me many things, but most importantly that you should strive for perfection but always maintain perspective, that you build credibility by being the first to admit when you are wrong, and that you don't have to be the loudest or most loquacious voice in the room to be the wisest or the most effective.

If you hadn't been a lawyer...

After college, I was very torn between going to law school and going to graduate school for a PhD in American history. My father – another great influence in my life – is a historian, and I'm drawn to the challenge of developing intellectual arguments from a set of static historical facts. It's actually similar to practising law in that way.

Advice to young lawyers

Don't underestimate how important you can be to a case, no matter how junior you are. In some ways, investigations are a great equaliser; if you dive in and master the facts, you can be one of the most important lawyers on the matter, period.

What's everyone talking about?

The changing landscape of voluntary disclosure, increasingly active enforcement in foreign jurisdictions, and the formative litigation that is happening in the US around many of the FCPA's key provisions, to name a few. I think one of the most interesting issues we are seeing here is the impact of the Dodd-Frank whistle-blower provisions that arose out of the financial crisis. Not only are many investigations now triggered by whistle-blowers who go to the SEC and DoJ, there is an increase in collateral litigation with those whistle-blowers that is raising interesting issues of incentives, investigative privilege, and the importance of corporate culture.

What's next in investigations?

In the US, we are always watching the regulators closely to try to gauge how the landscape may change. One of the biggest changes we are seeing now is increased governmental resources, which is affecting how actively both the DoJ and SEC are investigating matters. But one of the most interesting trends is happening on the client side. More and more, we are seeing big companies staffing up their investigations departments internally. Law firms will always play a role in big global investigations, especially where the government is involved, but companies are getting smarter about how to calibrate their investigative response to issues internally.

The most interesting place your job has taken you

To do this job, you have to like to travel, and I'm lucky that I get to go to many new and different places and experience vastly different cultures. Although it's not necessarily the most exotic, I think that Moscow is the most interesting place I've been. Russia is an extremely complex place, both culturally and for western companies trying to do business there. It's challenging and exciting at the same time.

Favourite restaurant

Diner, in Brooklyn, New York, where I live. It's where my husband and I had our first date, and as much as I love travelling to new and different places, it always feels great to come home. And their burger is the best I've had anywhere!