

TRAILBLAZERS

LITIGATION

THOMAS MUELLER, HEATHER NYONG'O, ANJAN SAHNI WILMERHALE



PIONEER SPIRIT Heather Nyong'o spent about eight years as a prosecutor in the Department of Justice's Antitrust Division. "I tried a bunch of big global cartel cases." Thomas Mueller started out as a general litigator. "I did lots of civil fraud litigation, then got into antitrust work. Around 17 years ago I moved to almost exclusively doing criminal antitrust defense work." Anjan Sahni was a prosecutor in the Southern District of New York for about 10 years trying national security prosecutions, then moving to white-collar fraud prosecutions. "I'm not an antitrust lawyer. I practice almost exclusively in white-collar defense. I believe it's one of the highest callings in the law."

TRAILS BLAZED The three WilmerHale partners successfully defended former Citibank foreign exchange trader Rohan Ramchandani in an alleged price-fixing conspiracy. Ramchandani was indicted in January 2017. Said Nyong'o, "Rohan waived extradition and traveled to the U.S. because he knew he was innocent." After a three-week trial, the jury took less than five hours to announce its verdict, acquitting him of all the government's charges.

"With the swiftness of the decision and the fact that the jury didn't ask any questions, we see that as a pretty resounding rejection of the government's theory," added Nyong'o.

FUTURE EXPLORATIONS Sahni said the government is not slowing down on these types of trade-based cases. "In my view, the Justice Department has stumbled recently, but their commitment will continue." According to Nyong'o, juries don't like traders, "but now legal teams see that defendants can be successful, even in the Southern District of New York." According to Mueller, the acquittal was "quite extraordinary." He said, "Everyone in the antitrust community thought we were crazy to take this to trial. There are lessons that should be learned by the division, but they will go full steam ahead."