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## Ericka Aiken

**Age:** 37

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# Ericka Aiken of Wilmer Cutler Pickering Hale and Dorr

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### Please describe two of your most substantial, recent wins in practice.

Earlier this year, my team and I achieved a historic \$12.5 million settlement on behalf of a class of Black special agents at the Drug Enforcement Administration (DEA). The case was originally filed in 1977 to challenge DEA employment practices that discriminate because of race, including practices regarding promotions, salaries, work assignments, supervisory evaluations, and discipline. Since prevailing at trial in 1981 and then on appeal in 1986, WilmerHale has worked to bring DEA into compliance with the district court's orders to stop the discrimination. I took on a lead role in the matter in 2023. The latest settlement specifically concerns promotions to the GS-14 and -15 levels, which refer to highly specialized and valued positions available for Federal employees. The \$12.5 million (all of which will go to individual plaintiffs under the terms of the settlement) will compensate class members who were discriminated against because of race in such promotions.

I also represent Cummins, an engine manufacturer. Cummins retained WilmerHale to advise and represent the company following a \$1.6 Billion settlement with the federal government related to emissions. After the settlement, lawsuits have been brought against Cummins in state and federal court. Thus far, we have successfully obtained a full dismissal of one lawsuit against Cummins and have had multiple other victories in federal court. The other matters are very active and still ongoing.

### What is the most important lesson you learned as a first-year attorney and how does it inform your practice today?

You don't have to know everything; you just have to know who has the expertise you need. As a young attorney, I often felt pressure to get everything right and to know the answer to every challenge put before me. I quickly learned that there usually isn't time to master every aspect of every case. Our clients are often facing public crises and need excellent guidance quickly. In order to provide that guidance without compromising excellence, it's helpful to know who to turn to for certain areas of expertise. Even now, this approach has helped me as a partner because I am more effective at cross-selling work to my partner colleagues. I have invested time into getting to know them and the skills they bring to the table. Similarly, I have spent years getting to know my clients so that I can anticipate their needs before they arise. Teamwork is critical to lasting success. You can only go so far alone. Together, you can accomplish much more.

## How do you define success in your practice?

I was fortunate to serve as a law clerk to incredible judges. One of my judges once told me to "reach for the kind of justice that transcends keeping track of wins and losses." I do not measure success by the number of cases I win, but rather by the amount of positive change I am able to accomplish. I aim for justice focused on equality and fairness, one case at a time.

## What are you most proud of as a lawyer?

As a lawyer, I've had multiple proud moments related to client work, including securing victories for clients who were being discriminated against, and securing a favorable outcome for a corporate client seeking to protect the privacy interests of their customers. But my most proud moment doesn't relate to any of my matters. I'm most proud of being a lawyer my family can be proud of. I'm the first person in my immediate family to graduate from a four-year college or university. I'm also the first person in my family to attend law school. The achievements I've made along the way are worth celebrating, but the look on the faces of my older family members when they tell people about me is priceless.

## Who is your greatest mentor in the law and what have they taught you?

Judge Damon J. Keith is my greatest mentor in the law. I was fortunate to serve as his law clerk from 2015-2016, a few years before he passed away in 2019. Some generations are fortunate enough to experience dynamic, powerful, and life-changing leaders. While history shows that such leaders are rare, their impact is both undeniable and remarkable. Judge Damon Keith was one of those great leaders. He was a brilliant and caring mentor, often devoting a significant amount of time to ensure that each of his law clerks understood the importance of civil rights and justice. A champion for justice, Judge Keith was incredibly humble. He taught me the value of always treating others with respect. During my clerkship, I told him that I had ran into a man who had his wrongful conviction overturned by Judge Keith. The man was incredibly thankful and told me about all he had accomplished since his release, including starting his own company which had expanded internationally. Judge Keith smiled and said: "Justice won't always come easy, but if you can only help just one person, it's worth the fight." Those words have stuck with me and still guide my moral and legal compasses to this day.

## Tell us your two favorite songs on your summer music playlist.

"On My Mama" by Victoria Monet and "Black Like You" by Joseph Solomon.