

WilmerHale snags antitrust division litigator

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In a boost for its Palo Alto office, Wilmer Cutler Pickering Hale and Dorr has added an antitrust partner who joins from government with a noted trial record.

The new WilmerHale partner is Heather Tewksbury, acclaimed for her seven years in the San Francisco field office of the US Department of Justice's antitrust division.

Tewksbury is a recipient of the US attorney general's award for distinguished service and the anti-trust division award of distinction for her work on the LCD investigation. She was a lead trial lawyer in *US v AU Optronics*, and led the sentencing of the corporation to a record \$500 million fine and the appointment of a corporate compliance monitor. She also served as lead counsel in the jury trials of two AU Optronics executives.

"From our perspective, having Heather's trial experience and being in the Bay Area are the two most critical aspects" of her joining the firm, says Thomas Mueller, global co-chair of WilmerHale's competition practice.

"I think she's going to have a fantastic career and become a terrific defence lawyer. Her insights and her ability to make the assessment of what can be taken to trial, and what the weaknesses are, are going to be very useful for clients," he says. Mueller and Tewksbury first met while on opposite sides during WilmerHale's plea negotiation for Chi Mei Optoelectronics in the LCD case.

"In trying to figure out what arguments will play, it's helpful in this space to have a broad practice. Having someone from the division gives you a greater depth. It's a very important aspect of plea discussions to figure out how we can move the needle most effectively," Mueller adds.

Gibson Dunn & Crutcher partner Scott Hammond, who was head of the antitrust division's criminal enforcement during all but the last few months of Tewksbury's time there, says, "Heather helped lead some of the largest criminal antitrust investigations and prosecutions in recent memory. She is a terrific communicator with a wealth of credibility and experience which will serve her well in both courtrooms and boardrooms."

Niall Lynch was assistant chief of the San Francisco field office from Tewksbury's arrival until he departed at the end of 2010 to become a partner at Latham & Watkins. He calls her a rising star in the antitrust bar, with an unusual level of experience for her age. Tewksbury is 38.

Lynch says, “She’s hardworking, a team player, very good on her feet, very committed to her work. I had one case with her [since Lynch entered private practice] and she showed equal skill in prosecuting cases as she did when I was supervising her. She’s very tough and fair and thorough.”

Tewksbury anticipates defending foreign corporations and individuals. She says, “My true love is doing these international cartels, and I’m excited to do it from the defence side now.”

“I was fortunate enough when I was in the division to have a lot of great opportunities and work on some of the most significant matters that the division has had recently, and I’m grateful for those opportunities. But I was really excited to take this next step,” she adds.

While the technology sector is significant for the division’s San Francisco office, Tewksbury says she has experience in a gamut of industries. She worked on the coastal freight shipping price-fixing trial of Frank Peake, which resulted last month in the longest sentence ever imposed on an individual for a Sherman Act violation.

Tewksbury explains that San Francisco chief Brent Snyder brought the shipping case from the national criminal office in Washington, DC. “We had done the larger AU Optronics matter and retried an individual toward the end of that year, and then two weeks later we turned around and went to Puerto Rico to try the executive in the Puerto Rico shipping cases.”

Noting that attorneys in the San Francisco field office would work on cases in venues around the country, Tewksbury says she expects her career in private practice to be similarly far-flung. “I’ll be trying to do a lot with the San Francisco office and build up the practice there, but that doesn’t mean I won’t also be doing that on a national level, working with offices in Chicago and New York and DC.”

Tewksbury received both her 2002 JD and a 1997 BA with honours in political science from the University of California at Berkeley, as well as a certificate of international studies at L’Institute des Etudes Politiques in Lyon, France.

She was a paralegal specialist at the antitrust division in Washington, DC, between college and law school. Before going to the DoJ in 2006, she worked at Farella Braun & Martel as an intellectual property and complex civil litigation associate.

The addition of Tewksbury brings the number of antitrust partners at WilmerHale to 24 globally, 17 of which are in the US.