

## Q&A With Mayer Brown's Vincent Connelly

Law360, New York (October 26, 2010) -- Vincent J. Connelly is a partner in Mayer Brown LLP's Chicago office and co-leader of the firm's white collar defense and compliance group. Connelly focuses his practice on criminal and civil trial work, including cases involving securities, antitrust, government contract and program cases, RICO, commercial and financial frauds, FCPA, and public corruption. He also represents major corporations, officers, board members and law firms in federal and state proceedings. He has had primary trial responsibility in over 80 federal and state cases, including 55 jury trials.

### **Q: What is the most challenging case you've worked on, and why?**

A: While a federal prosecutor, I was asked to coordinate an undercover investigation focused on efforts by business entities to corruptly influence the elected officials seeking to privatize parking ticket collections in Chicago. An informant with a very checkered past was a critical link between the companies seeking the contract and the politician. The investigation lasted for many months, generated enormous numbers of taped conversations and eventually resulted in successful prosecutions in both Chicago and New York.

Providing legal analysis to the FBI, working with the informant, answering the numerous concerns of the U.S. Department of Justice in Washington, D.C., and determining the nature and scope of the charges provided a great opportunity to learn just how many balls I could keep in the air at the same time and the importance of remaining level-headed while making daily decisions of real consequence.

### **Q: What accomplishment as an attorney are you most proud of?**

A: Five mid-level management employees of Blue Cross/Blue Shield were charged with extensive federal criminal violations of various health care statutes. I represented one of the five and convinced the four other defense attorneys that we should all row in the same direction. Despite a number of government cooperating witnesses and a reasonably compelling favorable series of documents for the government, all of the five defendants were acquitted on all counts after a several-month trial. It is the only time in my career that a criminal jury read the verdict and then left the jury box to shake the hands of all of the defendants.

Particularly because of the high stakes in health care trials, corporate defendants are extremely reluctant to go to trial and even individual defendants feel pressure to enter plea agreements rather than risk a post-trial sentence. We were able to show that a united defense can generate a full-blown win.

### **Q: What aspects of law in your practice area are in need of reform, and why?**

A: A recent series of high-profile cases has shown that there is often a significant gap between what prosecutors believe must be provided to defendants as a part of the discovery process and what defense attorneys consider exculpatory

information improperly withheld by the government. (Often shorthand as the government's "Brady" obligation.) Both proposed legislation and a number of thoughtful law review articles have suggested reforms in the area.

**Q: Where do you see the next wave of cases in your practice area coming from?**

A: The number and nature of FCPA-related cases appears to be accelerating. Surprisingly, the widely expected indictments in the financial sector stemming from the market disruptions in 2008 have not yet occurred. But if history is a guide, there was a similar "lag" in indictments after the more contained savings and loan crisis in the late 1980s — before a large number of financial fraud cases were eventually brought.

**Q: Outside your own firm, name one lawyer who's impressed you and tell us why.**

A: Bob Tarun of Baker & McKenzie LLP has been on the practical side of defending white collar cases for more than 25 years. He has translated his own experiences into two impressive and extremely practical treatises. He co-authored a manual for conducting internal investigations and has more recently authored "The Foreign Corrupt Practices Act Handbook." Both are requisite reading for anyone who wants "real world" answers in those fields.

**Q: What advice would you give to a young lawyer interested in getting into your practice area?**

A: Conventional wisdom still holds: The best place to learn the white collar criminal trade (and learn a lot about yourself) is as a courtroom lawyer for a governmental prosecution agency. If that route is unavailable, make it clear to whoever practices in the white collar area within your firm that you are readily available for any and all assignments. Regularly volunteering for criminal pro bono matters also will help you grow while performing very satisfying and important work.