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Why investigations?

Substantively, I have always been fascinated by criminal law, but the most lasting draw has been the opportunities that this practice affords me to get out of my office and into the field. Having the chance to interact face-to-face with the people really running our clients' businesses – managers, salespeople and incredibly sophisticated in-house attorneys (to name a few) – really cannot be beaten.

Influences

Within the DC office, Alice Fisher is a savvy, top strategic-thinker whose dedication to her clients is absolute; Bill McGlone is a giant in the export controls and sanctions bar, and absurdly generous with his expertise; and Doug Greenburg is pound-for-pound one of the best lawyers with whom I have worked and very much the voice in my head during an investigation.

Advice to young lawyers

Particularly in working on international investigations, be sensitive to your role and the perspectives of individuals from whom you are trying to elicit information, many of whom will be unaccustomed to and perhaps suspicious of US-style investigations. Also, in government-facing investigations, credibility is critical and easy to squander if you are not careful. As an advocate, it's far easier to deal with bad facts than it is to deal with a bad relationship with the government. Finally (and this probably applies to other areas of the law as well), the only reason to do this job is because you love it.

What's everyone talking about?

The increasing escalation of criminal and administrative penalties the government has been able to extract from companies is a topic on a lot of practitioners' minds. There is a concern that these kinds of penalties have become self-perpetuating in that they are often the product of settlements (and are therefore untested in court) and tend to establish a new baseline for the next round of cases. On a more practical level, investigations lawyers continue to be concerned about navigating data privacy issues in the context of large, cross-border investigations. Laws in the EU and other jurisdictions present real challenges to doing the kind of investigations that many clients and enforcement agencies expect, and lawyers have to be creative in reconciling their clients' sometimes inconsistent legal obligations in multiple jurisdictions.