

## Jenner Offers Global Team To Clients In Lawmakers' Sights

By Alison Knezevich

*Law360 (February 21, 2025, 2:31 PM EST)* -- Building on its work preparing clients for congressional investigations in the United States, Jenner & Block LLP recently formalized a practice to help them navigate the glare of scrutiny around the world.

The global hearing preparation practice advises clients ahead of high-stakes public appearances at a time when "a moment can go viral anywhere around the world," practice founder Emily Loeb told Law360 Pulse.

"What we've seen is that more and more clients realize that the rigorous preparation that is necessary to go before a congressional committee is just as valuable and absolutely as needed in legislatures around the globe," said Loeb, a former associate deputy attorney general in the U.S. Department of Justice who also leads Jenner & Block's congressional investigations practice.

The team includes partner Joanna Ludlam, who joined the firm from Baker McKenzie in January to co-chair Jenner & Block's investigations department and launch its London public law and crisis management practice. Ludlam has advised clients in major public inquiries in the United Kingdom, including the British Post Office scandal, in which hundreds of employees were wrongfully prosecuted for theft and other charges based on flawed computer data.

The Washington-based Loeb and London-based Ludlam spoke to Law360 Pulse about their trans-Atlantic collaboration. This interview has been edited for length and clarity.

### Why did you start the global hearing preparation practice?

**Loeb:** It comes out of the work that we've already been doing for clients, out of the reality that we live in an interconnected world where you can't say one thing in one jurisdiction without regulators, policymakers, litigants or the public in another jurisdiction taking note — and moments can go viral wherever they occur. So we think it's essential that multinational companies are thinking about all the different stakeholders that are watching, and maintain a rigorous preparation process for these types of high-stakes public appearances, and a consistent message globally. We come in to help at the center of the Venn diagram between the legal team, the communications team, the government affairs team, to come up with a holistic 360-degree strategy for clients that is taking into account all the different stakeholders that are watching during these types of appearances.



Emily Loeb



Joanna Ludlam

### What political trends are driving these controversies and clients' needs in this area?

**Loeb:** In Congress, there's been an increasing appetite to hear from private sector CEOs and executives, not just when a big event happens, but also as a way to try to pressure companies to change course, to make a different business decision. That didn't really used to be a common theme of congressional hearings. And I think that's partially because Congress has been stymied in recent years and doesn't, frankly, legislate as much. So members of Congress want to use other tools in their toolbox to try to create change.

We've seen that policymakers around the globe watch what happens in the U.S., and they can piggyback on the tactics and strategies of our legislators. So we've seen hearings in the Australian Parliament that are calling private sector executives, hearings in South Korea, and also in Europe.

### Joanna, what process do you have in the U.K. and what topics are of interest to public officials there?

**Ludlam:** In the U.K., we have two slightly different forums for this kind of hearing to play out. The first is the equivalent of congressional hearings, where you have parliamentarians who are scrutinizing the work of government, but also, increasingly looking at specific events or policy issues. And we're seeing they're increasingly branching out and requiring the presence of directors of corporations to account for their conduct or indicate how they are going to address controversial policy development.

And then you also have public inquiries, which are also set up to investigate specific events or policy issues. It's an independent inquiry, but it's usually funded by government, and essentially it will examine evidence and take witness statements and hold hearings like a court would — to allow an airing of grievances, to investigate issues of public concern; so not necessarily legal matters, but controversial areas or emotional matters, and this is to enable victims of incidents to be heard and have a say.

We're seeing these inquiries more and more, and there's been a real range in the U.K., from looking at the incidence of child sexual abuse online to the COVID-19 inquiry.

### What are issues that can be tricky for companies because governments around the world diverge on their views?

**Loeb:** I think one of the most obvious places is around [environmental, social and governance] efforts. Obviously there's been a turn by some politicians in America against ESG efforts. But I see no backing down from that in Europe.

Another example is around [diversity, equity and inclusion], with the new DEI executive orders coming from President Trump to direct federal agencies to disband DEI programs, etc. In Europe, there are still requirements around board gender diversity, so there will be competing considerations around that issue.

**Ludlam:** I think this is really the value of having a global hearings practice like ours, because we're able to consider not just the legal risks that are facing those clients in the different locations in which they do business, but also the reputational risks and the policy positions that they wish to adopt across the world, and bring some consistency to the messaging — and also deal with some of the more tricky reputational issues by preparing the executive appearing to give evidence to know exactly what they will say to particular questions. You might have a U.K. director being called before a parliamentary select

committee at the same time as a U.S. director is also giving evidence in a different forum. So it's essential to have a consistent perspective and position on these points.

### **In what locations has the global hearing preparation team worked?**

**Loeb:** Before Jo even arrived, we did a House of Lords hearing. We've been in Brussels a lot. We've been in South Korea. We've done Australian parliamentary hearings.

Usually, clients have local counsel that have been working on the regulatory issue for a long time, and we'll partner very closely with the local counsel. But what we've found is that in the other jurisdictions, besides the U.S. and U.K., there really aren't lawyers who specialize in what we do, which is understanding this geopolitical risk aspect and how to prepare for these types of public appearances that are politicized in nature, before policymakers and legislatures. We will work closely with the local counsel to understand the specific politicians who will be on the panel, or any specific relevant regulatory issues that exist on the ground, but then plug that into an overall understanding of the global messaging and the global objectives of the client, which we know because of our broader view of the client.

### **What does working with colleagues in other countries add to your practice?**

**Ludlam:** I've come to Jenner recently from a global law firm, and my practice was very heavily global. For me, there is nothing that beats working with colleagues across different jurisdictions, and that's why this group is so exciting and so relevant. The client problems do not exist in silos. What a client does in one jurisdiction will inevitably have ramifications across multiple jurisdictions where they do business. And I think for me, having those local insights and an understanding of how the legal and regulatory landscapes operate is absolutely critical to being able to support clients who are facing these complex challenges. You can't do that effectively if you have a very siloed point of view. So being able to look up and out from your own world, and have the support of expert colleagues who have real-world experience with these matters in their own countries, is absolutely critical.

--Editing by Robert Rudinger.