

# Meet the New Generation of DC Fixers

Young. Diverse. Digitally adept. How new crisis management leaders are making their mark.

BY PATRICK SMITH

When crisis management is mentioned, one may think of Winston Wolf, Harvey Keitel's character from "Pulp Fiction." Or Olivia Pope from the ABC series "Scandal." They are the people you call to get stuff done. Fix the situation. Change the narrative.

In real life, when companies or individuals have make-or-break issues that can ruin a brand or tarnish a reputation, they more often than not call an attorney. Those attorneys practice what is commonly known as crisis management, though law firms use varying labels.

The practice incorporates elements of white-collar, litigation, investigations, communication management, privacy and more.

While the need for those skilled at crafting responses to product disasters and personal transgressions and preparing for regulatory investigations isn't anything new, the playing field in which these incidents occur has changed, and so have the players.

A new generation of younger, more diverse, more digitally adept attorneys is emerging in the field. And they are navigating in a new set of circumstances that have made crisis management a very hot practice: the rise of social media, changing societal standards for acceptable behavior and an evolving regulatory environment.



Washington, D.C., is home to many in this new generation.

## The Landscape

"Crises happen in some shape or form to every company," said Lillian Hardy, a partner at Hogan Lovells. "The common element is fear of taking that firm step. In my mind, the most important thing is to support leadership when they are under that pressure."

Hardy began her legal career in investigations, but quickly found that she had a knack for the sort of high-intensity work that often

comes part and parcel with crisis management.

"I was in investigations all my career," she said. "Over time, it seemed that I was catching a lot of the stinkers, the stuff that needed a 72-hour burst of effort to solve a make-or-break matter. It seemed like I had a knack for it."



**Lilian S. Hardy, with Hogan Lovells.**

Hardy, who is African American and not yet 40, leads Hogan Lovells' global crisis management practice, working with a team of more than 30 attorneys. The team operates across industry sectors and brings others in as subject matter experts when necessary. And it even has its own communications specialist.

"I consider myself industry agnostic," Hardy said. "The toolkit is resolving emergency problems, though some industries need more support than others."

Hardy said the work varies quite a bit. One day it could be vetting a potential new executive who has a checkered past, the next it could be dealing with the fallout of a blogger at a media company misusing a photo and being sued for it.

"When they are facing existential moments, boards and C-suites are looking for

advisers who can help navigate the legal complexities but also keenly understand the media, boardrooms, investors and shareholders, workforces and consumers, as well," Molly Levinson, CEO of The Levinson Group, a communications firm well-known for partnering with top law firms on high-profile matters, said in an email.



**Emily Loeb, with Jenner & Block.**

Loeb, 37, a partner in Jenner & Block's government controversies and public policy litigation as well as its investigations, compliance and defense practices, said she has dealt with issues that include prepping executives for congressional testimony and offering a preventative approach to mitigate potential landmines for a client.

"More and more, companies are realizing that even in industries that are not heavily regulated, they need to examine their potential risks," Loeb said. "Damage can occur overnight."

Loeb, who served as an associate counsel in the Office of White House Counsel during the Obama administration for almost two years, credits her experience in politics

for helping her take a holistic view of problem-solving when it comes to her clients.

"Because of the way that crises unfold now, clients want someone who understands the social media and political landscape," she said. "It is validating to have government experience."

### **From Whence They Came**

Most attorneys don't start their careers with the mission statement of "I want to work in crisis management." It's usually a combination of experiences, natural skill set, trial and error, and chance that get them into the arena.

Loeb, who identifies as LGBTQ, is part of the new generation of diverse crisis management attorneys. She said her work in the Obama administration is what put her on the path to crisis management.

"I loved politics and the law," she said. "Inspector general investigations, handling questions from the media. The lawyers were basically tasked with running their own mini-investigations and determining responses. That translated into a private practice in government controversies."

April Williams, a white-collar partner at Wilmer Cutler Pickering Hale and Dorr who estimates she now spends about 50% of her time doing crisis management-related work



**April Williams,**  
with WilmerHale.

in any given month, was doing investigations and false claims work.

“One of the great things about WilmerHale is that as a young associate you get a chance to work on a lot of different matters,” said Williams, who is African American and 41 years old. “I enjoyed handling clients’ most complex issues and it seemed like the right fit for me.”

And Lanny Davis, a veteran D.C. fixer who had turns at the firm now known as Squire Patton Boggs and at Orrick, Herrington & Sutcliffe before opening up his law firm, Davis Goldberg & Galper, as well as an accompanying public relations firm, Trident, in 2016, said that he got into the crisis management game “to help a friend.”

That friend was Hillary Clinton.

“Hillary said, ‘We have a lot of friends, and a lot of friends who are lawyers,’” he recalled, “‘but we need someone who knows how to talk to the media and also has a law degree.’”

It was a good fit for Davis, who would end up representing other high-profile figures in times of need in the years to come, including Martha Stewart and Michael Cohen.

Davis, sooner than most, recognized the power of speaking to the media and utilizing information to control the narrative to his client’s benefit. And he lauds the younger attorneys for their vision to follow suit.

According to Davis, who is 74, this gives them a leg up as the practice continues to grow. “They know and are experienced in the internet,” Davis said. “They know a viral lie can’t be stopped and that it can cause shares to crash. They know to be proactive to get the facts out. The younger the lawyer, the better their understanding of the internet and media. The older the lawyer, the more they want to say ‘no comment.’”

### **Riding the Information Wave**

Some of the attorneys practicing in this space say the presence of social media has made a major difference in their niche over the last 25 years. In broader context, the primary distinction is the speed with which information, especially the kind that’s harmful to a client, could spread. “I think there are a lot of reasons the practice area is hot,” Hogan Lovells’ Hardy said. “Our reliance on the internet and social media means the public has access to information almost immediately. Companies have to turn to emergent problem-

solvers like me to use instinct and experience to make decisions without the benefits of protracted legal analysis.”



**Eric Nitz,** with MoloLamken

Eric Nitz, 36, a partner at D.C.-based MoloLamken who handles white-collar defense and complex litigation cases, said

that although there are more tools at the disposal of modern attorneys to handle information flow, the rapidity with which information moves now can be an issue for those looking to manage the narrative of an event.

“One thing that bothers clients is that when a lawsuit is filed, that is the first thing that comes up when people search for them [online],” Nitz said. “You have to help them manage their reputation.”

That seems to be a concern for many attorneys in this space: the speed with which information can get out, and out of control.

“What has changed is how quickly things can spread,” Loeb said. “In 1990, it had to be really big to break into the nightly news. Now something that may not be ‘big’ on a grand scale but is really important to a specific group of people can spread like wildfire. And those people might

be very important to a specific company.”

This is where companies need to take action. Although the incident in question might not register on an industry or national level, a small group of individuals that are heavily invested in a company’s reputation or financial health can have an outsize influence on the trajectory of a crisis-level event.

Once stakeholders are engaged in the matter at hand, it is time for the crisis managers to step in and advise company management on how to best appeal to its constituents.

“My way of looking at a problem is to take stock at what is immediately in front of me and see how that fits into the big picture,” Hardy said. “The ship must sail and it must move quickly.” Loeb agreed, stating that access to information online and the ubiquitous presence of social media make having a legal element to crisis control invaluable.

“Social media can turn the tide for their bottom line,” Loeb said of the clients who request her services. “People are looking for holistic legal strategists. Clients want to have lawyers who know the whole thing.”

## Risk-Taking and Rewards

As technology advances and the global marketplace continues to expand, there’s little doubt that the demand for crisis management will follow suit.

“Companies are willing to take more risks now,” Hardy said. “Doing that means there are big rewards, and also emergencies.”

Jenner & Block’s Loeb agreed, noting that many clients today are taking a more proactive approach to dealing with potential emergencies, choosing to prepare for the worst and hope for the best.

“[We’re] seeing a lot of work in prepping executives to testify in front of Congress,” she said.

“And that is prompted by headlines of investigations that didn’t even involve my clients. They are trying to make sure that if they do end up having that problem, they are prepared.”

Levinson also said she has seen that “think ahead” approach develop recently. “Leaders aren’t waiting for problems to erupt, they are engaging teams of crisis managers to develop strategies and systems to help mitigate risks and avoid challenging issues in the first place,” she said.

Williams sees market efficiencies driving business her way.

“Corporate law departments have moved their investigations in-house,” she said. “So when they come to us, it really is their highest-risk matters.”

Williams also believes that the 2020 presidential election could have an impact on how her practice grows, saying that a Democratic presidency could lead to more resource allocation around regulation.

Whatever the reasoning, many in the practice agree it’s on the up and up, driven by a new generation of attorneys who recognize the power of digital information flow and social media.

“That is key to understanding the new generation of crisis managers,” Levinson said. “This work requires completely breaking down silos that may have historically existed between legal teams and others so that there is a smart, agile, holistic strategy in place that is being executed around the clock.”

*Patrick Smith, based in New York, covers the business of law, including the ways law firms compete for clients and talent, cannabis law and marketing innovation. Reach him at [pasmith@alm.com](mailto:pasmith@alm.com) or on Twitter at [@nycpatrickd](https://twitter.com/nycpatrickd)*