## THE LAWYER

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## Spotlight: This transatlantic firm beat Trump - now it's helping clients appear in front of millions

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Jenner & Block has made headlines recently for successfully challenging the executive order issued against it by President Trump, and for representing Harvard University in its ongoing disputes with the White House. This week in *Spotlight*, we dive into the firm's global hearing preparation team who are helping clients to appear in public hearings around the world.

The market: From Mark Zuckerberg's eight hearings before US Congress, to Amazon's HR directors who appeared in front of the House of Commons' Business and Trade Committee at the end of last year, business leaders and private citizens are increasingly being called to give evidence before legislative committees. The approach is a popular and effective tool to force change in companies across the world. The fact this is not unique to one country adds to the challenge. Providing a consistent message in local contexts can be difficult. The comments of an under pressure mining company at a hearing before Australia's Parliament can be used against it in a court in South Korea, or appear on the social media feeds of users in France. Although a statement at a public inquiry in London may prevent the company's prosecution in the UK, it could implicate the CEO in Malaysia.

The legal and reputational risks of appearing before public bodies across the world have never been greater, and the role of lawyers is now well established in preparing their corporate clients for such matters.

These experiences can even be trickier than giving evidence in court. They do not come with the same protections that a witness might have, with strict rules for opposing counsel to follow and a friendly lawyer ready to re-examine them. Those doing the questioning may not cross-examine like a KC with all the applicable documents, but they may be pursuing their own political agenda in a far from diplomatic way. The witness might not have to answer to a judge, but their words might be broadcast to millions, with such hearings having become a favourite for the news media to clip up and broadcast online and on air.

This is where Jenner & Block's new global hearings practice comes in.

Jenner & Block's global hearing

The team: The global hearing preparation practice is led by co-chairs Emily Loeb, Jo Ludlam and Sam Ungar. The team is also formed by partners Josh Hsu and Jonathan Skladany, special counsel William Jones, and associates Bradley Pough, Kate Mather, Rachel Palermo, Andrew Santana, Erica Turret, Isabel Farhi, Michael Brady and Joshua Kell.

preparation team: Jenner's team is designed to provide a consistent voice and a global strategy for businesses dealing with public hearings across jurisdictions, particularly the US, Europe and the "Pacific Rim." Cochaired by Emily Loeb and Sam Ungar in Washington D.C., and

London-based Jo Ludlam, the practice operates as a "global coordinating counsel" for clients, working alongside local counsel. While lawyers' involvement in preparing clients for public hearings is nothing new, the trio believe that Jenner is the first firm to offer this kind of international practice to provide a constant international strategy.

Ludlam, who is also chair of Jenner's London public law and crisis management team, joined from Baker McKenzie at the start of the year, where she had been for 15 years. Her recent successes will be familiar to UK audiences. She led the team for the United Nations High Commissioner for Refugees (UNHCR) in its intervention in the Rwanda asylum case before the Supreme Court. UNHCR's evidence was a crucial piece of the puzzle in the Court's decision. Her team also acted for the Lord Advocate on behalf of the Scottish Government against the UK Government in the infamous prorogation of Parliament Supreme Court case back in 2019.

Meanwhile Loeb, who has been called a "DC fixer", also co-chairs the firm's congressional investigations practice, and has previously prepped the likes of Apple CEO Tim Cook for his appearance before Congress in 2020. The partner has worked in several government roles, including as associate deputy Attorney General at the US Department of Justice during the Biden administration. Most recently, she was one of the partners leading the charge on Jenner's challenge to the executive order issued against it by the Trump administration.



## THE LAWYER

Ungar, who splits his time between DC and San Francisco, was made up to partner this year. He has represented the likes of Fiona Hill, the British-American foreign affairs adviser to President Trump during his first term and more recently the co-author of the UK's Strategic Defence Review. He also helped prep Hilary Clinton for her presidential debates in 2016.

Around a dozen partners and associates are also part of the team. Although they are very much a legal team, several come from a communications and political background. Kate Mather, an associate in the team based in San Francisco won a Pulitzer Prize when she was a reporter at The LA Times for her and her team's coverage of the San Bernardino terrorist attack. Partner Jonathan Skladany previously worked for the House Committee on Oversight and in comms for the International Monetary Fund.

The team prides itself on bringing a flexible method to their client preparations, rooted in experience and often using mock hearings to prepare. A particular focus from investigation committees around the world has been on BigTech and AI, healthcare, and in the US, businesses relationships with China. As public hearings are increasingly used to change business behaviour, targeted sectors are expected to grow.

Competitors: Key competitors in the congressional investigations space in the US include Akin, King & Spalding, WilmerHale, Paul Weiss and Covington. In the UK, there are less regular advisers for Parliamentary appearances, but those competing in this and the inquiries space includes Fieldfisher, Kingsley Napley, Herbert Smith Freehills and Hogan Lovells