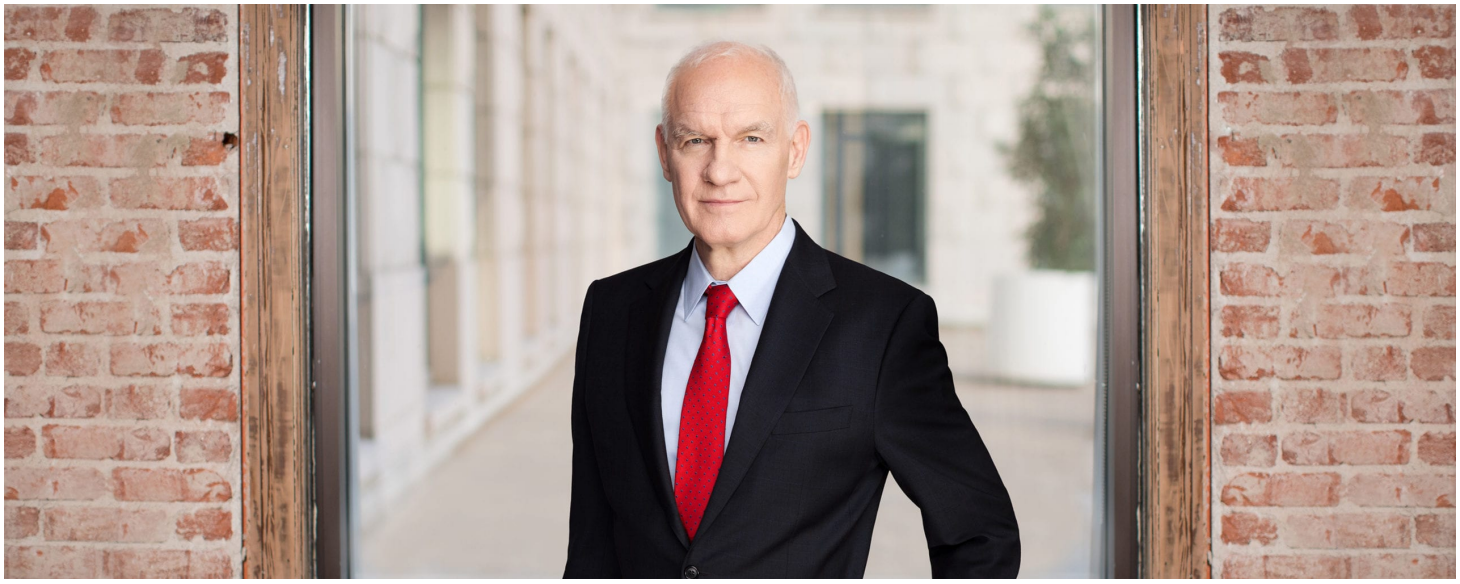

Brian J. Hennigan

Partner

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Education

Northwestern Pritzker School of Law (J.D., 1976) cum laude

Northwestern University (B.A., 1972, Economics)

Admissions

California

Illinois

As one of the nation's leading litigators, Brian Hennigan partners closely with clients to help them navigate civil and criminal litigation and obtain outstanding results. He has achieved those outcomes for corporations and individuals—including professional athletes, leaders of various religious denominations, doctors, lawyers, accountants, and business executives—in numerous high-profile federal criminal matters. Most recently, he defended clients against allegations under the Foreign Corrupt Practices Act, the Securities and Exchange Commission Act, the Internal Revenue Code, and the Sherman Act.

In addition to his white collar defense practice, Mr. Hennigan represents clients in civil actions, including securities and class action matters, patent licensing, antitrust, contracts, and unfair business practice cases. He has also defended law firms and individual lawyers in malpractice claims with regard to complex tax matters.

Mr. Hennigan has earned significant praise from clients and colleagues for his white collar practice. *Chambers USA* has ranked him in Band 1 every year since 2008 in the White Collar Crime & Government Investigations category, lauding him as a "creative thinker and problem solver" and "a terrific attorney because of his great ability to communicate with judges and juries." In 2018, Mr. Hennigan received the California Lawyer Attorney of the Year (CLAY) recognition, which singles out lawyers whose work has had a significant impact on public policy, the law, and the profession. *Benchmark Litigation* has also recognized him as a Top 20 Trial Lawyer in California and among the Top 100 Trial Lawyers in America.

Before co-founding Hueston Hennigan, Mr. Hennigan was a partner at Irell & Manella. Prior to entering private practice, he served as an assistant U.S. Attorney in the Central District of California, where he was an assistant division chief for the office's Criminal Division. In

this position, he conducted numerous grand jury investigations, served as lead trial counsel in more than 30 trials, and successfully represented the U.S. in multiple appeals before the U.S. Court of Appeals for the Ninth Circuit. Mr. Hennigan received commendations for his work in the U.S. Attorney's Office from the U.S. Department of Justice and numerous other government agencies.

Testimonials

"Described by clients as a 'real trial lawyer' with … 'great judgment' and [an] 'ability to handle extremely complex cases and achieve great results'." *—Chambers*

"Creative thinker and problem solver" and "a terrific attorney because of his great ability to communicate with judges and juries." *—Chambers*

"Command of the law, skill in working with people and strong leadership skills." *—Chambers*

"The best of the best" and "a giant in the legal community." *—Chambers*

"He's a great lawyer ... the judges just love him – they all smile and laugh at his jokes ... He has a spark in the courtroom." *—Chambers*

Experience

Secured a favorable plea agreement, including a sentencing recommendation from the Government of probation, for **Marilyn Flynn, the former dean of USC's School of Social Work,** on federal corruption charges in an alleged bribery scheme involving a public official. (See "Marilyn Flynn, ex-USC dean in corruption case with Ridley-Thomas, sentenced to 3 years probation," ***Los Angeles Times***).

Represented the **University of California Board of Trustees** in a high-profile internal investigation of the Office of the President related to alleged improper activity in response to a state audit. The result of this work led to corrective actions within the Office of the President. His work on this matter garnered a California Lawyer Attorney of the Year (CLAY) award in 2018.

Served as trial counsel in the representation of an **individual** wrongfully convicted for the intentional homicide of a family member, as part of the Loyola Law School Project for the Innocent in 2018. After a two-week hearing, the Los Angeles District Attorney's Office stipulated to vacating the conviction and the immediate release of the client.

Represented **GlaxoSmithKline** as plaintiff's counsel in a complex antitrust and breach of contract case related to patent licensing from Abbott Labs. The representation included acting as lead counsel for GSK in district court and representation in the Ninth Circuit. The results of this work gained him praise as "Litigator of the Week" from *The* American Lawyer.

Represented a member of the **Qualcomm Executive Committee** in a Department of Justice and Securities Exchange Commission criminal/administrative investigation of alleged violations of the Foreign Corrupt Practice Act. After a lengthy investigation, no FCPA charges were pursued against the client.

Recognitions

White Collar Crime & Government Investigations, Chambers USA (2008-present)
"Top 20 Trial Lawyer in California" and "Top 100 Trial Lawyers in the U.S.," Benchmark Litigation (2019, 2020)
National Star (White Collar) and Litigation Star, Benchmark Litigation (2021-present)
California Lawyer Attorney of the Year (CLAY) award, Daily Journal (2018)
L.A. Criminal Defense White Collar Lawyer of the Year, Best Lawyers in America (2010, 2018)
Hall of Fame, Legal 500
The Best Lawyers in America (1995-present)
Martindale-Hubbell AV Preeminent®

Activities

Fellow, American College of Trial Lawyers

Board member, Executive Committee, Northwestern University Law School

Chair, Loyola Law School, Project for the Innocent

Board Member, **Social Justice Legal Foundation**

Former Co-chair, Los Angeles Food Bank “Food from the Bar” program (2010-2018)

Former chair, ABA White Collar Crime Committee of the Criminal Justice Section

Board Member (Former president), Federal Bar Association, Los Angeles chapter

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Insights

2/21/2020 The Granston Memo: two years later

1/31/2018 Memo suggests shift in DOJ’s qui tam approach