

BIGLAW REVOLVING DOOR REPORT



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The Revolving Door Project and People's Parity Project jointly publish the BigLaw Revolving Door report series. This series investigates the US's largest law firms, those firms' corporate clients, and how they seek to influence executive branch policies and actions and the larger field of regulatory law.

BigLaw Revolving Door Report: Gibson Dunn

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Introduction

Last week, *The Nation* came out with a [damning report](#) that a Biden Administration nominee, Jose Fernandez, previously worked for fossil fuel giants Chevron and Occidental as well as Saudi Arabia's public investment fund. Fernandez, nominated to serve as the Undersecretary for Economic Growth, Energy, and the Environment at the State Department, represented fossil fuel companies and foreign governments including Saudi Arabia, and he personally owns stock in Chevron, Royal Dutch Shell, and the Southern Company.

Fernandez's former employer Gibson Dunn has recently gained notoriety for representing [Chevron](#) in a lawsuit alleging the oil giant contaminated the Lago Agrio region of Ecuador. Following the multi-billion dollar judgement against Chevron, Gibson Dunn sued one of the lawyers representing the Indigenous communities in the region, Steven Donzinger, for criminal contempt. Dozinger has been under house arrest ever since, causing law students to [launch](#) a campaign denouncing Gibson Dunn's actions and the firm's larger role defending fossil fuel giants and other corporations that exacerbate climate change.

Fernandez is just the latest in a series of appointees plucked from huge corporate law firms that defend some of the nation's most abusive corporations. His pending nomination exemplifies the corporate and foreign entities that stand to gain from Gibson Dunn alumni joining the Biden Administration. But Gibson Dunn's clients aren't limited to oil behemoths—the firm has a long history of anti-worker advocacy, and deep ties to Big Tech, the telecommunications giants, as well as the Republican party. This report will provide an overview of Gibson Dunn's corporate work and their abuse of the revolving door, which has allowed them to benefit their clients from inside the government.

Gibson Dunn's Corporate Clients

As a BigLaw firm, Gibson Dunn primarily represents large corporations entangled in complicated disputes with government entities and other corporations. The firm's top clients are some of the most prominent corporations facing antitrust scrutiny today, including Silicon Valley companies like Apple, Amazon, and Facebook. Gibson Dunn has also represented telecommunications monopolists Comcast and AT&T in major Federal Communications Commission and Supreme Court cases, as well as retail giant Walmart and for-profit colleges. In many of these cases, Gibson Dunn lawyers not only aided their corporate clients in getting away with competition and labor abuses, but helped corporations deregulate their industries altogether, clearing the way for other corporations to commit the same abuses.

Big Tech

In the face of growing scrutiny over the monopoly power of Big Tech, Gibson Dunn attorneys have served as the first line of defense for tech giants like Facebook, Amazon, and Apple. As recently as January 2020, former antitrust regulator-turned-Gibson Dunn attorney Kristen Limarzi attempted to [convince the legal community](#) that Facebook is *not* a monopoly, while claiming not to have a stake in the fight (even though Gibson has represented Facebook regularly).

Although Gibson Dunn is not representing Facebook in its ongoing Federal Trade Commission antitrust lawsuit, the firm represented Facebook last year when the FTC found the company guilty of "[deceiving users](#) about their ability to control the privacy of their personal information." Commissioner Rohit Chopra pointed out in his dissenting statement that the \$5 billion settlement [let Facebook off the hook](#) and did nothing to change the company's business practices. A *Law360* article on the case noted Gibson Dunn had secured [favorable terms](#) in the settlement, "including a clause granting the company a massive liability shield for its past behavior."

Gibson Dunn also represented Facebook in [multiple suits](#) stemming from the Cambridge Analytica scandal. The firm led Facebook's [internal investigation](#) looking into misbehavior by the company. Gibson Dunn and Facebook both refused to hand over the findings of the investigation to users suing the company over the scandal.

Aside from defending the tech giant from allegations from angry users, Gibson Dunn also represented Facebook in lawsuits brought by advertisers. Gibson lawyers are currently arguing against an online advertiser that claims Facebook lied about the [site's targeted advertising](#) abilities.

The firm is so closely tied to Facebook that lawyers go in-house seamlessly: Gibson partner S. Ashlie Beringer left the firm to become Facebook's [deputy general counsel](#) in charge of litigation, regulatory, and privacy issues, only to rejoin Gibson seven years later as a co-chair of the firm's privacy, cybersecurity and data innovation practice group.

In addition to its work for Facebook, Gibson also counts Amazon among its clients, representing the tech giant in several cases alleging worker abuses and antitrust violations. Gibson Dunn is currently representing Amazon in a [suit](#) filed by warehouse workers in New York, who alleged the warehouse conditions posed a COVID-19 risk that resulted in the death of at least one worker and the spread of the virus to family members. In response to the lawsuit, Amazon [claimed](#) that the workers are just looking to "to exploit the pandemic" to get workplace reforms.

On behalf of Amazon, Gibson Dunn [sued](#) the New York Attorney General's office in an attempt to stop Attorney General Letitia James from investigating Amazon's workplace safety response to the COVID-19 pandemic and possible retaliation against employees. As People's Parity Project [tweeted](#) at the time, Gibson Dunn was "working to ensure that big corporations, like Amazon, are above the law," to the detriment of working people. Relatedly, Gibson lawyers successfully argued to toss out a [proposed class action](#) suit against UPS for "systematically endangering workers' health and safety during COVID-19."

The firm is currently suing the [Department of Defense](#) on Amazon's behalf along with fellow BigLaw firm Morrison & Foerster. The lawsuit stems from the Defense Department's decision to award a \$10 billion cloud-computing contract to Amazon Web Services rival, Microsoft.

Back in 2009, Gibson Dunn helped Amazon secure regulatory approval for the company's \$1.2 billion [acquisition of Zappos](#). When the House Subcommittee on Antitrust released their report on competition in digital markets, the authors identified Zappos as one of two key acquisitions that allowed Amazon to achieve its [dominant position](#) in the online retail market. According to the committee staff, Amazon has used this dominant position to engage in "extensive anticompetitive conduct in its treatment of third-party sellers" who rely on the platform.

Rounding out Gibson Dunn's Big Tech client trifecta, the firm is currently representing Apple in the game developer Epic Games' antitrust lawsuit alleging the tech giant charges "[exorbitant](#)" fees to app developers. During the trial, Epic "[painted Apple as a monopolist](#) that concocted a plan to lure software developers and customers into iOS, its mobile operating system, and then lock them in with onerous and restrictive rules." The allegations echo Senator Amy Klobuchar's assertion that Apple's App Store was a "[literal monopoly](#)" at a Senate Judiciary Antitrust Subcommittee hearing on Apple and Google's app stores. Apple is not a new client for Gibson Dunn—the firm previously [represented](#) Apple in lawsuits opposite Samsung and Qualcomm.

Telecomms Monopolies

Aside from representing three of the Big Tech giants in prominent antitrust cases, Gibson Dunn has represented plenty of other monopolistic corporations, including telecommunications giants Comcast and AT&T. Gibson partner Helgi Walker was the lead counsel for the National Association of Broadcasters in a recent Supreme Court case that upheld the Federal Trade Commission's authority to deregulate media ownership controls "[despite a lack of data](#) on how the deregulatory moves might affect women and minorities seeking to gain a toehold in the industry." Walker noted her clients were "delighted" by the ruling, "which gives the FCC the green light for future deregulatory efforts."

Gibson Dunn also represented Comcast in a 2020 Supreme Court case in which the National Association of African American-Owned Media [accused](#) the company of “refusing to carry content from seven television channels” due to racial discrimination. In a “[major step backwards](#) for civil rights,” the Court ruling stipulated that “[accusers now](#) must prove discrimination was the defining factor in a contracting decision, not that it played ‘some role.’”

In 2010, Gibson Dunn represented Comcast in the company’s challenge of the FCC’s authority to [impose net neutrality](#). The firm’s antitrust practice also successfully represented Comcast in a class action suit that alleged the company [monopolized](#) the Philadelphia cable market.

Gibson Dunn lawyers [represented](#) AT&T in the Department of Justice’s challenge of the AT&T-Time Warner merger. The DOJ [ultimately lost](#) their case, opening the door for the merged company “[to make life miserable](#)” for upstart competitors and creating “heightened incentives to crush new forms of online content.”

Anti-Worker Advocacy

At the center of Silicon Valley’s efforts to erode labor rights in the name of “innovation” stands Gibson Dunn’s client, Uber. After Uber and Lyft spent [\\$205 million](#) to pass California’s Proposition 22, which exempts gig worker-reliant companies from a number of labor regulations, Uber looked to Gibson to apply that law in ongoing litigation. In a class action suit brought by 5,000 drivers claiming Uber [misclassified them](#) as independent contractors filed in 2019, Gibson Dunn lawyers argued that Prop 22 effectively invalidated their suit.

Gibson lawyers also argued that Uber’s workers were not [exempt](#) from forced arbitration clauses, in an attempt to insulate the company from liability. Gibson Dunn itself long used mandatory arbitration agreements for its employees, a practice that incurred a [boycott by law students](#) (organized by People’s Parity Project, one of the organizations behind this report). The law students argued that Gibson Dunn and other BigLaw firms use “forced arbitration to sweep discrimination, harassment, and other workplace misconduct under the rug.”

Gibson Dunn’s most infamous anti-labor work involved [representing Walmart](#) in a class action lawsuit in which the Roberts Supreme Court allowed the company to evade full responsibility for [systematically discriminating](#) against its female employees for promotions and pay. Gibson Dunn also [counseled](#) the Retail Industry Leaders Association (of which Walmart is a member) in the association’s successful efforts to strike down Maryland’s “anti-Wal-Mart Law” in 2007. The law [required](#) “companies with more than 10,000 employees in Maryland to spend at least 8 percent of payroll on health care or contribute the difference to the state Medicaid fund.” Walmart was the only large company that was not already spending at least 8 percent of payroll on employee’s health care. The Gibson Dunn partner [leading](#) the case was none other than Trump Labor Secretary Eugene Scalia.

For-Profit College Industry

Gibson Dunn represented the Association of Private Sector Colleges and Universities (APSCU), a for-profit college trade group, in their lawsuit against challenging the Department of Education’s [gainful employment regulation](#). The Obama administration developed this rule to ensure that [career training programs](#) produced graduates who could find jobs in their desired field with incomes sufficient to repay their student loans. While the APSCU and Gibson were not successful in their challenge at the time, the Trump administration later overturned the rule in 2019.

According to the firm’s website, Gibson Dunn has “[substantial](#) experience handling” False Claims Act (FCA) cases for for-profit schools. The FCA statute allows individuals to sue for-profit schools for “failing to provide a quality education, violations of requirements imposed on schools by state regulators and private accrediting bodies, and even grade inflation” on behalf of the government. In 2009, Gibson Dunn Lawyers wrote in a memo stating that “unfortunately, for a number of reasons, we expect to see an increase in the number of” FCA lawsuits. In 2017, after a [Supreme Court decision](#) increased the standard for invoking the statute, Gibson Dunn lawyers [wrote](#) that “the tide may also be turning back to a more reasonable approach in FCA cases.”

Gibson Dunn's Revolving Door to the Executive Branch

An investigation by the Revolving Door Project and the People's Parity Project found at least 30 current Gibson Dunn partners with executive branch experience under either the Obama or Trump Administrations (see Tables 1 & 2). These partners held positions across the federal government, including the Department of Justice, the Federal Trade Commission, and the White House. The full analysis by RDP and PPP can be found [here](#). In the following section, we explore these connections, detailing how Gibson Dunn utilizes the revolving door to benefit its clients in both Republican and Democratic Administrations.

Republican Party

Gibson Dunn has extensive ties to the Republican Party and has defended the many ways Republicans have attacked the nation's democratic institutions. Gibson Dunn's long history in Republican politics is rooted in their strong connections to President Ronald Reagan, whose Attorney General William French Smith [was](#) a Gibson Dunn partner. The firm has kept their connection alive through Gibson Dunn's Ted Olson, who [holds](#) a seat on the Board of Trustees at the Reagan Foundation. Olson, who later served as a solicitor general in the George W. Bush administration, [represented](#) Bush in the infamous *Bush v. Gore* Supreme Court case that prevented valid votes from being counted in the 2000 presidential election. Olson's later efforts to hold the Republican Party accountable (vowing not to donate to Republicans who voted to acquit Trump in his *second* impeachment trial) ring hollow considering his past efforts to undermine democratic elections and his [assurance](#) that he had not changed his party registration.

Gibson Dunn's efforts to challenge legitimate elections did not end with Olson. In 2018, Gibson Dunn attorneys Helgi Walker and Thomas Dupree [represented](#) Republican Rick Scott's recount efforts, which involved defending the practice of poll workers "of unknown training" disqualifying ballots. The firm also [represented](#) oil conglomerate Koch Industries in their efforts to lobby

House Republicans on tax reform in 2017 to the tune of \$100,000. Presumably, this was part of Koch Industries' successful [mission](#) to dodge over \$1 billion in taxes via the Trump tax law passed that same year.

Gibson Dunn lawyers have deep financial and personal ties to the Republican Party. In 2020 alone, Gibson Dunn attorneys [gave](#) \$109,184 to the National Republican Senatorial Committee, and they were one of the top [three](#) law firms in total donations to Trump's re-election campaign. Gibson Dunn can even count Republican politicians and officials as their own alumni; far-right Republican Senator Tom Cotton [started](#) his law career as an associate with Gibson Dunn in their labor division. Cotton later [advocated](#) for Gibson Dunn partner Eugene Scalia for Trump's Labor Secretary, calling him a "champion for working Americans" despite his long record of anti-worker [litigation](#).

Gibson Dunn helped out the Republican Party and Donald Trump in one other key way: pushing [the confirmation of anti-worker](#), anti-women's [health](#), and credibly [accused](#) sexual predator Brett Kavanaugh to a lifetime appointment on the Supreme Court. The firm's Ted Olson [testified](#) on Kavanaugh's behalf in front of the Senate Judiciary Committee, and Gibson Dunn attorney Kathryn Cherry [appeared](#) in a Judicial Crisis Network ad to boost his nomination. Gibson Dunn partner Mark Perry even [wrote](#) an op-ed in the *Washington Post* claiming that since he had a friendship with Kavanaugh that started after the alleged assault, he could definitively rule Kavanaugh's accuser's lived experience as false. Another partner, Helgi Walker, defended Kavanaugh's behavior during his Senate testimony, perversely suggesting that his "[forceful behavior](#)" further proved his innocence.

Gibson Dunn's coup d'état was the use of the revolving door to install a staunch corporatist, Eugene Scalia, as the Secretary of Labor, where he undermined the rights of American workers and boosted Gibson Dunn's corporate clients from an unbelievably powerful Cabinet post. Even at an anti-labor firm like Gibson Dunn, Eugene Scalia's record stands out for the sheer quantity and scale of his efforts to tear down workers' rights. Scalia, the [son](#) of arch-conservative Supreme Court Justice Antonin Scalia, was a [veteran](#) revolver whose nomination as Trump's Labor Secretary was [opposed](#) by practically every labor and consumer advocate group. Scalia's

public financial disclosure listing his corporate clients at Gibson Dunn revealed a laundry list of bad actors in American politics, including Facebook, Chevron, the Chamber of Commerce, Walmart, Goldman Sachs, and the American Petroleum Institute. He fought a labor union lawsuit on behalf of Boeing and defended Walmart's alleged illegal firing of corporate whistle-blowers who reported abuse at the hands of their supervisors. According to *Mother Jones*, Scalia was a "management side labor lawyer," constantly litigating cases against American workers.

While at Gibson, Scalia's clients' interests were often in direct opposition to the goals of the Department of Labor, and his tenure running the agency under Trump gave him the golden opportunity to weaken the Department he fought for so long. As a corporate lawyer, Scalia helped undo an Obama-era rule to enforce strict requirements on professionals who advised retirement savings investments and represented insurance companies in their challenge to the SEC's authority to regulate certain types of assets. In an almost-cartoonishly evil case, Scalia represented SeaWorld after the Occupational Safety and Health Administration (OSHA) fined the company for their "extensive history" of disregarding their workers' safety that led to a trainer's death at the hands of one of their animals. As early as 1998, Scalia was fighting to weaken OSHA's workplace safety requirements in the meatpacking industry, an immoral position at any time but especially in light of the horrors caused by the industry's unsafe work environments during the COVID-19 crisis.

After Trump pulled him out of Gibson Dunn to serve as Labor Secretary in 2019, Scalia fully delivered for the firm's corporate clients and their deregulation agenda. His legacy at the Labor Department included making it easier for companies to classify workers as independent contractors, thereby stripping them of many workplace benefits; removing limits for how many hours non-tipped employees can work below minimum wage; and allowing federal contractors to discriminate based on "faith." He even passed a rule barring sustainable investing in 401(k)s, preventing retirement plans from considering environmental and social issues in how they invest.

With the arrival of the COVID-19 pandemic in 2020, Scalia's Labor Department's failure to protect American workers reached new heights. His OSHA actually decreased the number of safety

inspections conducted after the pandemic hit, despite the rising risk in workplaces across the country, and heavily relied on “voluntary guidance” over safety requirements. Scalia also actively [worked](#) to limit the scope of unemployment benefits, including increasing barriers for gig workers, at a time when unemployment rates were skyrocketing. His failure to help shore up state unemployment systems [sparked](#) a bipartisan backlash, with even right-wing Senator Lindsey Graham criticizing the unresponsiveness of Scalia’s Labor Department in April 2020.

Scalia’s Department failed to protect workers and consistently sided with corporations, but his damage to the integrity of the Department goes even deeper. Scalia [encouraged](#) political appointees to “water down” the work of career officials, sought complaints from corporations on “overly aggressive” federal officials to allegedly retaliate against career bureaucrats, and gave himself the authority to overturn the Labor Department’s Administrative Review Board’s decisions. Although the Biden Administration is [seeking](#) to reverse many of the changes Scalia made, his structural damage to the institution is long-lasting and will take time and political will to unwind.

Scalia is the paradigmatic example of a Gibson Dunn revolver, but he is far from the only attorney to leap from Gibson Dunn to the Trump executive branch (see Table 1). Rachel Mondl, who [worked](#) with Scalia at the Department of Labor under Trump, also [partnered](#) with him at Gibson Dunn to challenge the DOL’s fiduciary rules on behalf of the pro-business, anti-worker Chamber of Commerce. Two former Gibson Dunn attorneys, Andrew Davis and Chad Mizelle, [served](#) on the transition team for the Trump Administration’s Department of Justice, with Mizelle going on to [serve](#) in the Justice Department and as the general counsel for Trump’s Department of Homeland Security (Mizelle’s wife, Kathryn Kimball Mizelle, also [jumped](#) from a notorious anti-worker BigLaw firm to government, becoming one of the youngest federal judges under Trump despite the American Bar Association rating her “not qualified”). Trump [nominated](#) Gibson Dunn partner Jennifer Rearden to a seat on the U.S. District Court for the Southern District of New York, and Gibson Dunn [attorney](#) James Ho for the 5th U.S. Circuit Court of Appeals. Former Gibson Dunn partner Nicola Hanna, a revolver who joined the firm after working as a federal prosecutor, [worked](#) as Trump’s U.S. Attorney in the Central District of California before immediately rejoining the firm with a press release that touted his government experience.

Many Gibson Dunn attorneys in the Trump executive branch actively participated in some of the worst excesses of his Administration. Gibson Dunn attorney Trent Benishek served in the White House counsel's office, where he [helped](#) defend the president in his first impeachment until he was "[dispatched](#)" to the General Services Administration five days before the 2020 presidential election to help block the agency's recognition of Joe Biden's victory. Former Gibson Dunn attorney Samuel Dewey, who [worked](#) at the firm from 2009 until 2015 before revolving into the executive branch, [helped](#) politicize Voice of America at the U.S. Agency for Global Media. Dewey, who had no news background and an active police protective order against him due to "detailed" death threats he made against his father, [served](#) as an investigator to Trump-appointed Voice of America CEO Michael Pack. At Voice of America, Dewey attempted to sway election coverage and sideline career officials pushing for impartiality.

The Trump EPA general counsel who helped [weaken](#) the Clean Waters Act narrowing the government's authority in the Navigable Waters Protection Rule was former Gibson Dunn partner David Fatouhi. With his work weakening environmental protections at the EPA complete, Fatouhi [returned](#) to Gibson Dunn in February 2021 as a partner in the firm's environmental litigation and enforcement area.

Another former Gibson Dunn attorney, Brian Morgenstern, [left](#) the firm in 2017 to join the Trump Treasury Department before becoming Deputy Communications Director, Deputy Press Secretary and Special Assistant to President Trump. In his role working directly for Trump, Morgenstern downplayed the COVID-19 crisis for the Trump Administration, [saying](#) in October 2020, immediately before months of peak deaths and case counts, that "the risk of the virus has gone down." Morgenstern also [covered](#) up the White House COVID-19 outbreak, claiming there were no new COVID-19 cases in the White House just three days before Trump announced he and the First Lady had tested positive. After leaving office, Morgenstern [continued](#) the grift as a "senior adviser" to the America First Policy Institute, a "think-tank" widely [derided](#) as a cushy landing spot for disgraced Trump officials.

Table 1

Gibson Dunn Revolvers: Trump Administration

Name	Firm Title	Federal Title	Federal Years
David Burns	Partner	Principal Deputy Assistant Attorney General, National Security Division, Department of Justice	2018–20
M. Kendall Day	Partner	Deputy Assistant Attorney General (Acting), U.S. Department of Justice, Criminal Division	2017–18
David Gotouhi	Partner	Acting General Counsel, Principal Deputy General Counsel, and Deputy General Counsel, Environmental Protection Agency	2017–20
Nicola Hanna	Partner	United States Attorney for the Central District of California in Los Angeles	2018–21
Robert Hur	Partner	United States Attorney for the District of Maryland	2018–21
Kristen Kimarzi	Partner	Section Chief, U.S. Department of Justice, Antitrust, Appellate Section	2013–19
Eugene Scalia	Partner	U.S. Secretary of Labor	2019–21
Karin Portlock	Of Counsel	Assistant United States Attorney in the U.S. Attorney’s Office for the Southern District of New York	2015–20
David Ware	Of Counsel	Associate Director, Attorney, Division of Enforcement and Investigations, Public Company Accounting Oversight Board	2012–18
Chris Wilson	Of Counsel	Trial Attorney, Transportation, Energy & Agriculture Section of the U.S. Department of Justice – Antitrust Division	2015–18

Source: [Author’s analysis](#)

Democratic Party

It was not just in the Trump Administration that Gibson Dunn attorneys exploited the revolving door. In the Obama administration, former Gibson Dunn attorneys furthered their former corporate clients’ interests, advocating for intellectual property protections and environmental deregulation. Gibson Dunn currently retains [Ronald Kirk](#) as Senior Of Counsel, Obama’s U.S. Trade Representative. Kirk now peddles his prior government experience advising multinational corporations as Co-Chair of the International Trade Practice Group. This practice has advised large corporations like insurance giant Arthur J. Gallagher & Co. and natural gas company The

Williams Companies on sanctions and trade deals. As Trade Representative, Kirk emphasized enforcing [intellectual property law](#) in trade deals, making it more difficult for competitor firms to survive and keeping consumer prices high. Kirk was a key architect of the landmark Trans-Pacific Partnership, a [pro-corporate](#) free trade agreement opposed by many labor and climate groups. Consumer advocate groups criticized Kirk for the lack of transparency and corporate influence over TPP negotiations, which resulted in provisions allowing companies to [bypass clean energy laws](#) via international tribunals.

After representing fossil fuel giants at Gibson Dunn, several attorneys went on to hold key positions in the Obama administration, working on international trade and environmental regulation. As discussed above, Biden nominated Jose Fernandez for a key State Department role after he represented oil and gas giants as a partner at Gibson Dunn. The firm [boasts](#) that Fernandez also served in the Obama administration as Assistant Secretary of State for Economic, Energy and Business Affairs, advocating for U.S. companies abroad. In this role, Fernandez also played a key role in designing and implementing U.S. sanctions including tough sanctions on [Iran](#), [Syria](#), and [Libya](#) that harmed civilians. Stuart Delery, also noted above for his appointment to the Biden administration, served in Obama's Department of Justice in various key roles after representing Energy Transfer Partners at Gibson Dunn. Biden appointee Avi Garbow also represented Chevron at Gibson Dunn after serving as EPA [General Counsel](#) under Obama.

Benjamin Wagner, the [Obama-appointed U.S. attorney](#) for the Eastern District of California, now leads Gibson Dunn's Palo Alto office, where he focuses on white collar defense and government investigations. He has [represented](#) energy, pharma, and tech companies in litigation with the DOJ and SEC, capitalizing on his experience as Co-Chair of the White Collar Crime Subcommittee at DOJ.

Jose Fernandez is not the only concerning Gibson Dunn alum appointed to the Biden administration. Stuart Delery, a deputy counsel to President Biden, was a partner at the firm from 2016 up until President Biden's inauguration. Before that, he served as a DOJ attorney in the Obama Administration. Delery's [personal financial disclosure](#) revealed he made over \$3.5

million in one year representing some of Gibson Dunn’s top corporate clients. His client list includes Big Tech firms Amazon and Facebook, financial giants Goldman Sachs and Capital One, and Walgreen’s among many others. One of Delery’s former clients, Alexion Pharmaceuticals, recently snagged approval for its merger with AstraZeneca in an FTC decision that signaled [business as usual](#) to Wall Street investors hoping for a merger boom. These Gibson Dunn clients benefited from Delery’s insider knowledge from his last stint in public service: he previously [oversaw](#) civil and criminal litigation for the Antitrust, Civil, Civil Rights, Environment and Natural Resources, and Tax sections of the DOJ. And now, as an advisor in the White House, Gibson Dunn’s many corporate clients stand to gain even more influence in the current administration.

Delery also represented Energy Transfer Partners, the developer of the [Dakota Access Pipeline](#), when the pipeline was halted by a circuit court that decided the Army Corps of Engineers had inadequately reviewed the environmental risks of the pipeline. That decision came after months of protests of the pipeline by the Standing Rock Sioux Tribe and other Indigenous and environmental activists. Now, Gibson Dunn is representing Dakota Access in the company’s attempts to [restart](#) the pipeline.

President Biden recently appointed Avi Garbow as senior counselor to the EPA administrator. Garbow previously joined Gibson Dunn after serving as EPA [General Counsel](#) under Obama, where he represented Chevron in a battle with Oakland and San Francisco over climate change-related infrastructure damage.

Table 2

<i>Gibson Dunn Revolvers: Obama Administration</i>			
Name	Firm Title	Federal Title	Federal Years
Ryan T. Bergsieker	Partner	Assistant United States Attorney for the District of Colorado Assistant United States Attorney for the Southern District of New York	2009–13
Reed Brodsky	Partner	York	2004–13

Stephanie Brooker	Partner	Assistant United States Attorney for the District of Columbia, and Chief, Asset Forfeiture and Money Laundering Section, U.S. Attorney's Office	2005–12
Winston Chan	Partner	Assistant United States Attorney for the Eastern District of New York	2003–11
Daniel Chung	Partner	Assistant United States Attorney for the Southern District of New York	2008–12
M. Kendall Day	Partner	Chief, Money Laundering and Asset Recovery Section, U.S. Department of Justice, Criminal Division	2014–17
Michael Dore	Partner	Assistant United States Attorney for the United States Attorney's Office for the Central District of California	2010–15
Jose Fernandez	Partner	Assistant Secretary of State for Economic, Energy and Business Affairs	2009–13
Chantale Fiebig	Partner	Assistant United States Attorney for the Eastern District of Michigan	2011–13
Scott Hammond	Partner	Multiple positions, including Deputy Assistant Attorney General for Criminal Enforcement, Antitrust Division, Department of Justice	1988–2013
Robert Hur	Partner	Assistant United States Attorney	2007–14
Thomas Kim	Partner	Chief Counsel and Associate Director of the Division of Corporation Finance, Securities and Exchange Commission	2006–13
Kristen Kimarzi	Partner	Section Chief, U.S. Department of Justice, Antitrust, Appellate Section	2013–19
Michael Perry	Partner	Counsel to the Director of the Federal Trade Commission's Bureau of Competition	2015–16
Jonathan Phillips	Partner	Trial Attorney, U.S. Department of Justice	2009–13
Adam Smith	Partner	Senior Advisor to the Director of the U.S. Treasury Department's Office of Foreign Assets Control	2013–15
Jeffrey Steiner	Partner	Attorney Advisor and Special Counsel, Commodity Futures Trading Commission	2009–12
Patrick Stokes	Partner	Chief, FCPA Unit, Fraud Section, U.S. Department of Justice, Criminal Division	2014–16
Eric Vandavelde	Partner	Assistant U.S. Attorney in the U.S. Attorney's Office for the Central District of California	2007–14
Benjamin Wagner	Partner	United States Attorney for the Eastern District of California	2009–16
Stephen Weissman	Partner	Deputy Director, Bureau of Competition, Federal Trade Commission	2013–15
Avi Weitzman	Partner	Assistant United States Attorney for the Southern District of New York	2005–12

Ronald Kirk	Of Counsel	United States Trade Representative	2009–13
Karin Portlock	Of Counsel	Assistant United States Attorney in the U.S. Attorney’s Office for the Southern District of New York	2015–20
David Ware	Of Counsel	Associate Director, Attorney, Division of Enforcement and Investigations, Public Company Accounting Oversight Board	2012–18
Chris Wilson	Of Counsel	Trial Attorney, Transportation, Energy & Agriculture Section of the U.S. Department of Justice – Antitrust Division	2015–18

Source: [Author’s analysis](#)

Conclusion

In this report, we have outlined just some of the corporate clients Gibson Dunn has aided in avoiding oversight and deregulating entire industries, to the detriment of everyday Americans. Gibson Dunn accomplished these acts, at least in part, by investing in a close relationship with the Republican Party and pushing their partners into executive branch roles during both Republican and Democratic administrations. We urge the Biden Administration to end Gibson Dunn’s pernicious legacy in the executive branch and work to undo the damage they wrought on behalf of their corporate clients.