

ACADEMY AWARDS

Jim Walden on His 'Icarus' Cameo and New Law Firm

BY CHRISTINE SIMMONS

SINCE leaving Gibson, Dunn & Crutcher in 2015 and starting a Manhattan boutique with two others, Jim Walden, a former federal prosecutor, has been busy. The law firm has grown from six to 28 lawyers in three years, handling white-collar criminal defense, investigations and commercial litigation, among other areas.

The boutique sets itself apart from others in a few ways. While the partners have varying degrees of experience, they all generally maintain the same billing rate: \$750.

Also unusual for a boutique, the firm is simultaneously handling three large monitorships. It was appointed as monitor for Agricultural Bank of China related to accusations that the bank violated anti-money laundering laws. The firm is also part of a government-appointed monitorship team for General Motors, after GM's ignition-switch failure, and for shipping company Hoegh Autoliners, as a result of its guilty plea to price-fixing.

Then there's the firm's turn at the Oscars on Sunday.

Walden was linked to two films nominated for Academy Awards this



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Jim Walden.

year. One of them, "Icarus," won an Oscar on Sunday for documentary feature. As the lawyer representing Grigory Rodchenkov, a top Russian anti-doping official—turned whistleblower—Walden actually appears in the documentary.

In "Molly's Game," nominated for best-adapted screenplay, actor Idris Elba portrays a fictionalized version of Walden, who is representing Molly Bloom, charged with operating an illegal poker business.

Walden recently spoke with the New York Law Journal about his work for Rodchenkov and Bloom, his role in the films and the types of cases his law firm typically handles. The interview has been edited for clarity and length.

Q: Did you anticipate the amount of work and time you would end up spending on the Rodchenkov matter?

A: I did not, nor could I have anticipated the crazy twists and turns of

the case. I did not appreciate fully that I would be making some powerful enemies in Russia and in the International Olympic Committee. But if a lawyer lets those factors impact his or her advocacy, it is time to open up an ice cream shop.

Q: How did you get involved in the first place?

A: At a critical moment in the making of the documentary, Dr. Rodchenkov was served with a grand jury subpoena. The filmmakers wanted to support Dr. Rodchenkov and endeavored to find counsel for him. A few other firms would not take the case because of conflicts with Russian clients. The lawyer for the filmmakers consulted one of his friends at the FBI, with whom I had worked closely as a prosecutor. The FBI agent recommended me. I met the client and we bonded quickly.

The best decision I made on the case was to ask a young superstar at my firm—Avni Patel—to help me. Avni has been brilliant and dogged, and we would have had none of the successes for Dr. Rodchenkov without her.

Q: You've become an outspoken advocate about doping in the Olympics and the role of Russia and the IOC. Why become so vocal?

A: Zealous advocacy for my client. In the present circumstances, it is hard for Dr. Rodchenkov to use his voice while maintaining his security. It is critically important that Russia not be the only voice in this important discussion, as they

continue to defame and retaliate against him.

But the advocacy is more than a professional obligation here. Avni and I have become disgusted with the corruption in the sporting world. We did not comprehend the depths of it. We feel a moral obligation to call out the complicity and corruption, and hope that it may have a positive impact for the competitors. Thousands of clean athletes are being cheated at every international competition, but the agencies with the responsibility of supporting them are, instead, failing them.

Q: What's your view of the IOC now and its approach toward Russia?

A: The IOC is completely inept when it comes to Russia. They banned Kuwait in 2015 for a far less serious violation, and yet they imposed a weak suspension on the Russians for years of state-sponsored doping and then lifted the suspension despite Russia's defiance of the IOC and the World Anti-Doping Agency (WADA). I am glad that sports leaders and clean athletes are starting to turn on the IOC, and I think Dr. Rodchenkov should be credited for lighting that fuse. He is an incredibly brave man.

Q: How do you communicate and meet with your client when safety is a large concern?

A: Very carefully, and with lots of professional security assistance.

Sharing more would not be in the best interests of my client.

Q: What are you doing now for Rodchenkov?

A: His efforts to bring transparency to doping in sports continues. He is continuing to cooperate with WADA, the IOC and in pending criminal investigations. And, very soon, he will appear at a congressional commission to brief legislators about doping in Russia and elsewhere. So he has much work left to do.

Q: How is your firm being paid for the work?

A: Some of our expenses are being covered by FairSport, a terrific organization devoted to protecting clean athletes. They are a group of true believers and deserve much of the credit for inspiring an international movement for stronger actions against doped athletes.

WADA and the IOC also agreed to help cover some expenses, although the IOC reneged on their financial commitment after I started publicly criticizing the IOC president Thomas Bach for his weakness toward the Russians.

[*Note: The IOC did not immediately respond when asked about this accusation. The IOC has rejected other statements by Walden, including accusations it has failed to protect his client against Russia retaliation. The IOC has said it "categorically denies" Walden's claim that it has taken no action, according to an IOC statement in December.*]

But we are not the only legal team on this. Bo Cooper and Daniel Pierce of Fragomen, Del Rey, Bernsen & Loewy have been handling Dr. Rodchenkov's immigration case, and they are simply brilliant. More recently, Patterson Belknap Webb & Tyler [Gregory Diskant, Derek Borchardt, and Elena Steiger Reich] volunteered their pro bono assistance after Dr. Rodchenkov was sued for defamation by three athletes banned by the IOC. Avni and I are so grateful for all the extraordinary work of all our partners.

Q: How did Molly Bloom find you as her attorney, and why did you take her case?

A: A dear friend (and a legendary defense attorney), Chuck Clayman, referred Molly to me, as he was already representing a defendant in that case. I met Molly and we immediately hit it off. Her financial situation was strained, but my then-law firm, Gibson, Dunn & Crutcher, graciously let me take the matter despite the resource constraints. It is one of the many reasons I will always be grateful to Gibson Dunn.

Q: Were you involved at all in the making of "Molly's Game"?

A: I was completely uninvolved. As I understand it, Aaron Sorkin, the film's writer and director, did not want my personality/style to influence how he envisioned the character. It shows: Idris Elba gave a commanding performance, but it bore very little similarity to

me. Molly must have had some influence on the film's characterization of me, as there were moments where my actions came through. Most importantly, I did ask my daughter Tessa to read "The Crucible"!

Q: How well does the movie hew to reality?

A: All of the main themes reflected reality. Creative license, understandably, affected some of the details. For example, my first meeting with Molly was very different than what was portrayed in the film.

Q: Is your representation of Bloom and Rodchenkov unique compared with your firm's other cases?

A: These matters are a world away from our normal work. Usually, we are representing companies and executives in either criminal or regulatory matters, including internal investigations, or civil matters. So, it is nice to have some cases outside of the normal routine.

Q: Can you describe your firm's beginnings and whether it has any growth ambitions outside New York?

A: Tim Macht, Sean Haran and I launched our firm in February of 2015, so we just celebrated our third anniversary. We now have seven other wonderful partners—Cathy Sloane, Brian Mogck, Jeff Udell, John Curran, Milt Williams, Sean Casey, and Georgia Winston—all of whom I have known and admired for many

years, and many of whom I worked with in some capacity or another. And our associates, paralegals and staff, all 20 of them, are just spectacular.

We do have ambitions to be a larger firm, with offices in other cities. But right now we have to focus on creating the best possible culture for our firm so that, when we grow, the growth is healthy and sustainable across offices. All of the voices within our firm agree that our ambitions cannot distract from the important, culture-building work at hand.

Q: Why does your firm have the same billing rate for all partners? How does that affect firm culture?

A: We are laser-focused on building a culture with no internal competition and no drama. Having a 'one partner' rate stops the temptation for the 'I am worth more than you' syndrome to occur. But that is only one feature to promote an ethos of 'pulling in the same direction,' which has become something of a firm motto.

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