

EMMET T. FLOOD, PARTNER

Emmet T. Flood represents individuals and entities in white-collar matters, Congressional investigations and in other high-stakes litigation and crisis situations.

Mr. Flood tries civil and criminal matters in state and federal courts and in arbitration and has defended investigations conducted by grand juries, federal agencies, Independent Counsel and Special Counsel, state attorneys general, the SEC, and the U.S. Senate and House of Representatives. His clients have included public officials of both major political parties, executives, and business entities in some of the most significant and visible cases of the last decade.

His public-record matters include:

- Representation of former President George W. Bush in Executive Privilege-related disputes involving the Committee on the Judiciary of the U.S. House of Representatives and the Administration of President Obama;
- Representation of Vice President Cheney in the civil suit brought by a former CIA employee against a number of senior Administration officials, *Valerie Plame Wilson et al. v. I. Lewis Libby, Jr., et al.*;
- Representation of President Clinton in impeachment proceedings brought by the U.S. House of Representatives and tried before the United States Senate;
- Representation of a Big-Four accounting firm in both arbitration and in state/federal courts across the United States in dozens of professional liability matters relating to tax advice rendered by certain of its employees.

In early 2007, Mr. Flood became Special Counsel, and later Deputy Counsel, to the President of the United States, after control of the U.S. Senate and House of Representatives changed hands in the November 2006 elections. In that role, he assumed lead responsibility for devising, coordinating and executing the White House and wider Administration response to more than 700 Congressional (and related press) investigations and inquiries directed to the Executive Branch. He served as principal Administration representative-negotiator with U.S. Senators, House Members and Congressional staff on oversight matters initiated by numerous Committees of Congress, including the Senate Armed Services, Environment and Public Works, Finance, and Homeland Security and Government Affairs Committees, and the House Energy and Commerce and Oversight and Government Reform Committees. Within the White House, Mr. Flood coordinated internal senior-level White House oversight response strategy



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PRACTICE AREAS

- Appellate
- Arbitration
- Criminal Defense
- General Civil Litigation
- Professional Liability Defense
- Securities and Financial Services Litigation

EDUCATION AND HONORS

- Yale Law School, J.D., 1991; John Fletcher Caskey Prize: best oralist, mock trial competition, 1989; *Yale Law Journal*, Executive Committee Coordinator (1990-1991), Editor (1990)
- Andrew W. Mellon Postdoctoral Fellowship in Humanities, Wesleyan University, 1987-1988
- University of Texas at Austin, Ph.D., 1986; M.A., 1981
- University of Dallas, B.A., *magna cum laude*, 1978

BAR ADMISSIONS

- District of Columbia, Connecticut, and Maryland
- Supreme Court of the United States
- United States Courts of Appeals for the Second, Third, Sixth, and Eighth Circuits

among the Counsel, Press, Communications and Legislative Affairs offices, and he worked with the Departments of Justice, Defense, HHS and Treasury (among other Cabinet Agencies) to coordinate Agency responses to Congressional inquiries affecting the White House. Mr. Flood also managed the White House response to dozens of inquiries from inspectors general, the Office of Special Counsel and other investigative authorities.

In his civil practice, Mr. Flood has argued numerous appeals in federal and state appellate courts and has authored merits and amicus briefs in cases before the Supreme Court of the United States. He has served as lead plaintiffs' counsel in trial court matters involving trusts and estates, ERISA, and professional malpractice, and as defense counsel in complex commercial, securities, professional liability and tax matters. He has represented religious institutions in matters litigated under the First Amendment's Establishment and Free Exercise clauses, and he has handled domestic and international arbitrations and related confirmation, enforcement and *vacatur* proceedings.

GOVERNMENT SERVICE

- Deputy Counsel to the President of the United States, 2008-2009
- Special Counsel to the President of the United States, 2007-2008
- Law Clerk, Associate Justice Antonin Scalia, Supreme Court of the United States, 1993-1994
- Law Clerk, Judge Ralph K. Winter Jr., United States Court of Appeals for the Second Circuit, 1991-1992

- United States District Courts for the Southern District of New York, District of Columbia, District of Maryland, Eastern District of Michigan, and District of Connecticut