

Craig D. Singer

Partner

Craig Singer concentrates his practice in three broad areas: professional liability, false claims and criminal defense, and appellate work. Craig has represented numerous lawyers and law firms, including some of the nation's largest firms, in federal and state courts, government investigations, and arbitration proceedings in many jurisdictions around the country. In October and November 2018, Craig was lead defense counsel in a jury trial for an Am Law 100 law firm sued by a large multinational corporation. A Chicago jury returned a complete defense verdict in favor of W&C's client.

Craig has particular experience in defending professionals and firms in matters arising from Ponzi schemes and other frauds. He is the author of a book on that subject, *Professionals, Firms, and Fraud: Defending Professionals Against Liability For Client Fraud*, which was published by the ABA in 2015. As of 2017, Craig is also a member of the TriBar Opinion Committee, which prepares influential reports on legal opinion practice.

In the False Claims Act area, Craig has represented large companies in the pharmaceutical, banking and defense contracting industries in defending against claims by the government and by qui tam relators. In his criminal defense practice, Craig has also represented individuals and entities in criminal cases or investigations relating to various alleged offenses including mail and wire fraud, RICO, antitrust, environmental crimes and securities fraud. In his appellate practice, Craig has handled appeals for clients in significant civil and criminal matters in state and federal courts nationwide.

Craig has represented numerous lawyers and law firms, including some of the nation's largest firms, in federal and state courts, government investigations, and arbitration proceedings in many jurisdictions around the country, including New York, Pennsylvania, Illinois, Texas, Ohio, Oklahoma, Minnesota, Georgia and Kansas. He has played a significant role in developing and litigating defenses to claims commonly brought against lawyers and law firms, including defenses based on *in pari delicto*, elements of aiding and abetting claims, attorney-client duties, proximate causation and damages.

Craig has extensive experience in federal criminal procedure, and is co-author of a treatise, *Federal Criminal Discovery*, published by the American Bar Association in August 2011. As described by the ABA, *Federal Criminal Discovery* "serves as an invaluable resource for judges, academics, prosecutors, and defense lawyers by providing an exhaustive discussion on the statutory and constitutional bases for discovery, and by



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Education

The University of Chicago Law School, J.D., with highest honors, 1993; Order of the Coif; Articles Editor, The University of Chicago Law Review; Joseph Henry Beale Prize, 1991; D. Francis Bustin Prize, 1993; Isaiah N. Dorfman Prize, 1993
Wesleyan University, B.A., 1990

Practice Focus

Law Firm Defense
Criminal Defense and Government Investigations
Supreme Court and Appellate Litigation
Civil Litigation and Trial Practice
Commercial Litigation

Admissions

District of Columbia
Pennsylvania
United States Supreme Court
United States Court of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, District of Columbia, and Federal Circuits

covering the existing law fairly while examining both sides of the issues.”

Craig’s appellate work is wide-ranging. He has represented clients in virtually every federal Circuit and in multiple state appeals courts. He is a former U.S. Supreme Court clerk and a member of the Supreme Court Bar.

Born in Washington, D.C., Craig grew up in suburban Philadelphia. He earned his B.A. from Wesleyan University in 1990, taking off one semester to teach pre-school in Stamford, Connecticut. Craig earned his J.D., with Highest Honors, from the University of Chicago Law School, where he was Articles Editor of *The University of Chicago Law Review*. After law school, Craig clerked for Chief Judge Abner J. Mikva of the U.S. Court of Appeals for the District of Columbia Circuit and Associate Justice John Paul Stevens of the U.S. Supreme Court. He joined Williams & Connolly in 1996.

United States District Court for the
District of Columbia, Maryland,
Colorado, Northern District of
Oklahoma, and Eastern District of
Pennsylvania
United States Court of Federal Claims

Representative Experience

Though all cases vary and none is predictive, Craig’s experience includes:

- Lead counsel for an Am Law 100 law firm in a legal malpractice case that was tried to a jury in Chicago in October-November 2018. The plaintiff, a multinational appliance manufacturer, had alleged over \$30 million in damages, which were reduced by two-thirds through motion practice. After a two-week trial, the jury returned a unanimous defense verdict.
- Counsel for a large law firm in federal multidistrict litigation arising from bankruptcy of the firm’s client, a broker-dealer firm, amid allegations of fraud. Craig represented the client in coordinated proceedings in the Southern District of New York and in multiple associated appeals. He asserted defenses on behalf of the client based on *in pari delicto*, elements of aiding and abetting claims, attorney-client duties, and proximate causation.
- Counsel for a large pharmacy corporation in False Claims Act litigation arising from charitable contributions in New Jersey, which plaintiff alleged violated federal anti-kickback laws. Craig was the principal author of the prevailing summary judgment papers and briefed and argued the appeal, which affirmed summary judgment in favor of W&C’s client.
- Counsel for a large law firm in parallel federal and state legal malpractice lawsuits arising from a corporate investigation the firm conducted. This matter spanned multiple lawsuits in trial court, and an appeal in the Pennsylvania state courts. Craig asserted defenses on behalf of the client based on attorney-client privity, “deepening insolvency” damages, *in pari delicto* and proximate causation.

- Principal brief writer on the team that defended the late U.S. Senator Ted Stevens against federal criminal charges in the District of Columbia. Craig developed and argued many of the legal theories in that landmark case, which resulted in the government's dismissal of all charges after disclosure of prosecutorial misconduct.

Resources

Publications

- *Just Say No? Managing the Litigation Risk of Refusing to Give an Opinion*, February 2017
- *Defending Malpractice Claims Against A Trustee or Receiver*, November 2015
- *Legal Advice or Business Advice? The Recent Case of Peterson v. Katten Muchin Rosenman LLP and Its Implications for Opinion Givers*, Fall 2015
- *When the Client Is a Fraud: Defending Professionals and Firms Following a Client's Misconduct*, Fall 2015
- *Professionals, Firms and Frauds: Defending Professionals Against Liability for Client Fraud*, September 2015
- *The Supreme Court's Omnicare Decision: Potential Implications for Litigation Concerning Closing Opinions*, Spring 2015
- *Defending the Corporate Deposition of the Law Firm: Selecting the Representative & Preserving Privileges*, December 2014
- *The Opinion Is What the Opinion Says: Understanding So-Called 'Duties of Disclosure' to Non-Clients*, Fall 2014
- *Say What You Mean and Mean What You Say: How Explicit Language or Incorporation by Reference in Legal Opinions Can Affect Litigation Risk*, Summer 2014
- *Federal Criminal Discovery*, 2011
- *Mixed-Purpose Incentives in the Hospital-Physician Context*, November 1999
- *Medicare Anti-Kickback Act: A 'Meat Axe'?*, September 1999
- *Conduct and Belief: Public Employees' First Amendment Rights to Free Expression and Political Affiliation*, 1992

Presentations

- *Craig Singer Presents on Legal Opinions and the Restatement of the*

Law on Torts, November 2019

- *Craig Singer and Bill Burke Present at the Working Group on Legal Opinions Seminar, November 2019*
- *Craig Singer Presents on Legal Ethics at NOLHGA Legal Seminar, July 2019*
- *Craig Singer and Bill Burke Present at the Working Group on Legal Opinions Seminar, May 2019*
- *Craig Singer speaks at APRL Conference on “New Money/Old Rules”, August 2018*
- *Partners Speak at Financial Services Roundtable Lawyers Council Spring Meeting, May 2018*
- *Client Intake and Conflicts of Interest, May 2018*
- *Partners Craig Singer and Bill Burke Present at the Working Group on Legal Opinions, October 2017*
- *Current Ethics Issues Relating to Opinions, November 2016*
- *Representing the Fractured and Imploding Entity, September 2016*
- *Liar, Liar: What to Do When Your Witness is Lying on the Stand and Other Evidentiary Issues, September 2016*
- *Engagement Agreements with Clients: How to Comply with the Ethics Rules and Protect Yourself from Claims, September 2016*
- *In Pari Delicto Defense to Bankruptcy and Other Claims Against Directors, Officers and Third Parties, June 2016*
- *Current Ethics Issues Relating to Opinions, May 2016*
- *Current Ethics Issues Relating to Opinions, October 2015*
- *Risky Business: Who Gets Sued over Opinion Letters, July 15, 2015*
- *Are Communications Between Law Firm Attorneys and the Law Firm’s In-House Counsel Privileged?, June 2015*
- *The In Pari Delicto Defense to Bankruptcy Claims Against Directors, Officers and Other Third Parties, June 2015*
- *Current Ethics Issues Relating to Opinions Practice, May 2015*
- *Risky Business: Who Gets Sued over Opinion Letters and How Can You Reduce Your Chances of Being Next?, May 2015*
- *When Secrets Shouldn’t Be Secrets, March 2015*

- *Engagement Agreements with Clients: How to Comply with the Ethics Rules and Protect Yourself from Claims*, January 2015
- *Client Engagement Agreements: Ethical Considerations for Counsel*, December 2014
- *Current Opinion-Related Ethics Issues*, Fall 2014
- *Overcoming Ethical Challenges for Multi-Firm Lawyers and Their Firms: Fiduciary Duty, Conflict, Fee-Splitting and More*, September 2014
- *Defending the Corporate Deposition of the Law Firm Defendant*, September 2014