

Emmet T. Flood

Partner

Emmet Flood represents individuals, corporations and professional services firms in complex white-collar matters, Congressional investigations, professional liability disputes, and other high-stakes litigation and crisis situations. He has tried criminal and civil cases in state and federal courts and in arbitration, and has represented clients in investigations conducted by grand juries, Independent Counsel and Special Counsel, multiple federal agencies, state agencies and attorneys general, and the U.S. Senate and House of Representatives.

In October 2019, Emmet returned to Williams & Connolly after serving as Special Counsel to President Donald J. Trump in connection with the investigation conducted by Robert S. Mueller III. From October to December 2018, he also served as White House Counsel.

In his civil practice, Emmet has served as lead plaintiffs' counsel in trial court matters involving trusts and estates, ERISA, takings, and professional malpractice, and as defense counsel in complex commercial, securities, professional liability, regulatory and tax matters. He has represented religious institutions in litigation involving the First Amendment's Establishment and Free Exercise Clauses, and has handled many domestic and international arbitrations and related litigation. Emmet has also argued numerous appeals in federal and state appellate courts.

Born in Chicago, Illinois, Emmet grew up in two Chicago suburbs, Oak Park and Riverside. He graduated from the University of Dallas, *magna cum laude*, in 1978, then spent a year teaching English in a Dallas high school before enrolling in graduate school at the University of Texas at Austin, where he received his Ph.D. in philosophy in 1986. Emmet continued as a post-doctoral fellow at Wesleyan University before entering Yale Law School, where he received his J.D. and was Executive Committee Coordinator of the *Yale Law Journal*. Emmet clerked for Judge Ralph K. Winter, Jr. of the U.S. Court of Appeals for the Second Circuit, and for Associate Justice Antonin Scalia at the Supreme Court of the United States before joining Williams & Connolly in 1994.

In early 2007, Emmet left the firm to become Special Counsel and later Deputy Counsel to President George W. Bush. In that role he was charged with formulating and executing the White House and wider Administration response to more than 700 Congressional and other investigations and inquiries addressed to the Executive Branch.

Representative Experience



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Education

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)

Wesleyan University, Andrew W. Mellon Postdoctoral Fellowship in Humanities, 1988

The University of Texas at Austin, Ph.D., 1986

The University of Texas at Austin, M.A., 1981

University of Dallas, B.A., magna cum laude, 1978

Practice Focus

Accountant Liability
Civil Litigation and Trial Practice
Commercial Litigation
Congressional Investigations
Criminal Defense and Government Investigations
Financial Services and Banking
Law Firm Defense
Securities Litigation

- Defense of an oil & gas industry pioneer and his new companies in a suit seeking \$450 million based on allegations of misappropriation of trade secrets, breach of fiduciary duty, and breach of contract. The case settled for no payment, no admission of liability and with plaintiff agreeing to pay millions of dollars in defense costs.
- Defense of Congressional investigations for, among others, a top pharmaceutical company, a major international bank, a leading technology company, an Ivy League university, and a public interest environmental group.
- Oil and gas services company in government investigations and Congressional inquiries relating to the 2010 Gulf Oil Spill.
- Ernst & Young in dozens of professional liability matters related to tax advice.
- Big four accounting firm in litigation relating to independent audit services for a major bank.
- Former President George W. Bush in executive privilege-related disputes involving the House Judiciary Committee and Obama administration after President Bush left office.
- Vice President Dick Cheney in the civil suit brought by former CIA employee Valerie Plame against a number of senior Administration officials, *Valerie Plame Wilson et al. v. I. Lewis Libby, Jr., et al.*
- President Bill Clinton in impeachment proceedings brought by the U.S. House of Representatives and tried before the United States Senate.

Recognitions

"National Litigation Star," *Benchmark Litigation*, 2018

"Local Litigation Star" in White Collar Crime/Enforcement/Investigations, *Benchmark Litigation*, 2018

"Recognised Practitioner" in Litigation: White Collar Crime & Government Investigations (DC), *Chambers*, 2018

Admissions

District of Columbia and Maryland Supreme Court

United States Court of Appeals
Second, Third, Fourth, Sixth and Eighth Circuits

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

Government Service

Special Counsel to the President of the United States, 2018-2019

Counsel to the President of the United States, 2018

Deputy Counsel to the President of the United States, 2008-2009

Special Counsel to the President of the United States, 2007-2008