

SDNY Veteran Jumps to Cooley, Further Boosting Its White-Collar Practice

Russell Capone was until recently the chief counsel to U.S. Attorney Audrey Strauss. Cooley has been bolstering its white-collar capabilities to keep pace with tech clients' evolving needs.

BY DAN PACKEL

What You Need to Know

- Capone spent a decade at the SDNY, leading the public corruption unit before becoming chief counsel to the U.S. Attorney
- He rejoins his former SDNY colleague Andrew Goldstein, who prosecuted Michael Cohen.
- The firm is bolstering its white-collar defense capabilities as its core tech client base comes of age.

Cooley has hired as a partner Russell Capone, until recently the chief counsel to U.S. Attorney Audrey Strauss in the Southern District of New York. It's a further example of the law firm bolstering

its white-collar defense capabilities as its core tech client base comes of age.

Capone, joining the firm's New York office, spent over a decade in the U.S. Attorney's office, starting as a line prosecutor on violent crime and public corruption, before rising to lead the public corruption unit and then serve as chief counsel.

He rejoins Cooley's white-collar defense and investigations practice leader Andrew Goldstein, who preceded him as the public corruption chief at the SDNY.

"It's not in response to any specific enforcement action, but



Russell Capone of Cooley.

as Cooley's core client base has grown and matured, the need for top-flight white-collar expertise has become more and more apparent," Goldstein said of the firm's hiring spree, **which brought him aboard in 2019** after leading the prosecution of Michael Cohen

as one of Special Counsel Robert Mueller III's lead prosecutors.

Capone said that after seeing the U.S. Attorney's office from every possible perspective, the time was right for him to take on a new challenge, particularly with President Joe Biden expected to announce a new U.S. Attorney for the office in the coming months.

"I've experienced as much as I possibly could have wanted," he said. "This was a natural point for me to move on."

Capone emphasized that Cooley's spree of hiring talented rising litigators pushed the firm to the forefront as a destination, as did its client base.

After clerking alongside Goldstein for U.S. District Judge Sidney Stein in the SDNY, Capone spent several years as an associate at Davis Polk & Wardwell. And he was elevated to public corruption chief when his former boss Tatiana

Martins left the role and returned to Davis Polk. Given these ties, Capone did have conversations with the firm early in his search, but he ultimately found Cooley to be the ideal fit.

"Not only are the lawyers here of the next generation, the clients are truly the world's most dynamic companies," he said. "I couldn't imagine a more exciting place to land."

For Goldstein, it was an easy choice to pursue his old colleague.

"We've been building at Cooley what we believe is a team of the most talented white-collar practitioners in the country, and bringing Russell on board was an unparalleled opportunity for us," he said. "We see him as the top person coming out of the Southern District, not just on experience and leadership but his judgment and character and the perspectives he's going to bring to the firm."

Other recent Cooley white-collar defense hires include **Matt Kutchner**, who joined in Chicago from the U.S. Attorney's Office for the Northern District of Illinois at the end of June, and Daniel Grooms, who came aboard in Washington, D.C., in 2019 from the Eastern District of Virginia. Goldstein said the firm now has elite practitioners in all of the firm's "major geographies": San Francisco, London, New York, Washington and Chicago.

In the last year, the firm's litigators secured a successful settlement in the largest privacy class action in U.S. history on behalf of Facebook, led a comprehensive global investigation on behalf of Nike related to allegations against Brazilian soccer superstar Neymar da Silva Santos Jr., and successfully defended NVIDIA and its executives against \$1 billion in securities class action claims.