

TRAILBLAZERS

LITIGATION

DAVID A. O'NEIL DEBEVOISE & PLIMPTON LLP



PIONEER SPIRIT Dave O'Neil was drawn to criminal cases during his days clerking for Justice Ruth Bader Ginsberg. "I was also fortunate to have some mentors as an associate during the early wave of significant criminal investigations. I decided to join the U.S. attorney's office in the Southern District of New York, then moved to the solicitor general's office." O'Neil eventually became acting head of the Criminal Division of the Justice Department. "I've tried to get as broad an experience as I can."

TRAILS BLAZED O'Neil now focuses on helping companies and individuals before all three branches of government. "These cases have tentacles that go out in all kinds of different places." Among his cases, he was involved in litigation for FanDuel. "In 2015, the company faced a crisis of the most serious kind. It began with concern that employees had used inside knowledge to win FanDuel contests and eventually led to the New York attorney general challenging the company's basic business model. Other state attorneys general joined. It involved public relations management, civil litigation with appellate work, defense against regulatory investigations and responding to legislative interest. The situation required a broader strategy to find the right outcome. Ultimately the New York State Legislature decided to pass a law that addressed the legality of the model, allowing FanDuel to continue its business. It was an emerging area where the rules were not established and there was no clear playbook. That's where I like to practice."

FUTURE EXPLORATIONS Over the last several years, there has been an explosion in existential corporate crises. "No one knows where or why something will hit. The future of the practice is larger cases where regulators are focusing on situations where a company is on the line."