

DAILY REPORT

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Troutman Sanders Snags a Federal Prosecutor

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FEDERAL PROSECUTOR David Chaiken has joined Troutman Sanders as a partner after almost a decade trying insider trading, fraud and other white-collar crime cases at the U.S. Attorney's Office for the Northern District of Georgia.

Chaiken, 42, joined Troutman's white-collar and government investigations practice on Dec. 5.

"I decided this year that, if I were going to go back into private practice, this is the time to do it," he said.

Working as a federal prosecutor has been "an amazing job," Chaiken said—and what he'd wanted to do since law school.

"It is an incredible honor to stand up in front of a jury and a judge and say you represent the United States of America," he said. "But you're only representing one jurisdiction, one party and one court. Private practice opens up a world of possibilities."

There's financial pressure too, he added, since he and his wife have two young children.

Chaiken started his career at King & Spalding, which has an extensive

white-collar practice. He said he chose to return to private practice at Troutman because it has a well-established white-collar team and locations in major markets such as Atlanta, Washington, New York, Chicago, Southern California and San Francisco—but "is not saturated with a team of former federal prosecutors from all over the country. There seems more of an opportunity to build a practice and grow the firm's existing practice."

Chaiken recently finished up a big trial in September with another federal prosecutor, Kamal Ghali, winning convictions against three top executives of Rite Way Service Inc. after an almost two-week jury trial in a public corruption case. The Department of Justice alleged the defendants had bribed Patrick Jackson, who was simultaneously an employee of DeKalb County and the Georgia World Congress Center Authority, for janitorial services contracts in exchange for more than \$100,000 to cover a luxury apartment and other expenses in a multi-year conspiracy. Jackson had already been convicted and sentenced to four years in prison.

► ON THE MOVE



JOHN DISNEY/ALM

David Chaiken has joined Troutman's white-collar and government investigations practice.

Chaiken had also been prosecuting a high-profile case against Nathan Hardwick IV, the former co-owner of residential real-estate closing firm Morris Hardwick & Schneider, and the firm's former CFO, Asha Maurya. The DOJ indicted them in February on charges of conspiracy and wire fraud and alleged that Hardwick, with Maurya's assistance, embezzled more than \$20 million from the escrow and

operating accounts of the firm, which later went bankrupt, and its affiliated title company.

A trial date has not been set for either defendant.

Chaiken said working at the U.S. Attorney's Office in Atlanta, where he was in the criminal division's economic crime section, "surpassed my wildest dreams" for working on high-profile, challenging cases.

"I went to law school to do white-collar crime, corporate fraud and government investigations work. It's what I had my eye on the whole time," Chaiken said. It took him six years after earning a law degree from Emory University School of Law in 2001 to get a job as a federal prosecutor, because the U.S. Attorney's Office does not hire lawyers from law school or even judicial clerkships.

Chaiken interned at the U.S. Attorney's Office in Atlanta while a third-year law student, where he worked for Randy Chartash, who is now the section chief of the office's economic crime unit. After law school, he clerked for Senior U.S. District Judge William O'Kelley of the Northern District of Georgia, then joined King & Spalding, where he'd clerked for two summers. After a move to Heller Ehrman in San Francisco, he landed a job in 2007 as an assistant U.S. attorney for the Northern District of Georgia.

Chaiken said Georgia had become the "epicenter for bank failures" by then, with more local bank failures than any other state in the country. "The FDIC would take over a closed bank and discover all sorts of insider trading or dealings when they started looking through the wreckage," he said.

In one of his first cases, Chaiken won the convictions of the president, general counsel and chief loan officer of the FirstCity Bank of Stockbridge,

which the FDIC shut down in 2009, for bank fraud conspiracy and perjury. The president, Mark Conner, was sentenced to 12 years in prison for directing bank loans to buy land where he was the disguised owner and then, as the real estate market declined, scheming to take foreclosed properties off the bank's books through sales to straw purchasers, concealing that the bank funded the purchases, according to the U.S. Attorney's Office.

Chaiken also co-prosecuted one of the first insider-trading investigations involving a major public company stock in Georgia, which resulted in prison sentences for two former executives of Carter's Inc. and a New York hedge fund manager.

Briefly

Chamberlain, Hrdlicka, White, Williams & Aughtry has added **Steven Wyatt** as special counsel and **C. Reid Barrineau** as an associate. Wyatt joined the tax controversy group, counseling clients on the purchase and sale of family businesses, from **Sydney Cook & Associates** in Tuscaloosa, Alabama. Barrineau, who handles business, tax and planning matters, joined from **Burr & Forman**.

Commercial real estate practitioner **Alison Woodrow** has joined **Hartman Simons & Wood** as senior counsel from the **Law Office of William H. Dodson II**. She's used her legal expertise in the community to advise the Commission on Homelessness, Habitat for Humanity and Camp Twin Lakes on real estate matters.

Joseph McGhee has joined **Stout Kaiser Matteson Peake & Hendrick** in Dunwoody from **Aldridge Pite**, where he represented mortgage servicers in foreclosure cases.

Stuart Johnson has been re-elected the office managing partner for **Barnes & Thornburg's** Atlanta office, a position he's held since opening the office in 2009. It now has about 30 lawyers. Johnson also is a member of the firm's managing committee and chairman of its private equity practice.

Atlanta's **John Marshall Law School** has appointed **Patrise Perkins-Hooker**, the Fulton County Attorney, to its board of directors. Perkins-Hooker is a former president of the **State Bar of Georgia**.

Glianny Fagundo, a partner in the labor and employment practice at **Taylor English Duma**, has been appointed by Gov. **Nathan Deal** to the **State Personnel Board** for a five-year term.

King & Spalding has promoted four Atlanta lawyers to counsel, out of eight firmwide. They are: **Elizabeth Adler** in the business litigation practice, **John Fortuna** and **Heather Howard**, both in the tort and environmental litigation practice, and **Kerrie Howze**, in the healthcare practice. 

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