

Hogan Lovells 'Proof In Trial' podcast series, gives listeners a rare look at how high-stakes cases are tried and won

Washington, D.C., 21 September 2021 – When the stakes are high, and lawyers get hired to fight for a client in distress, what comes next? How are tough cases built and tried? How are they won?

The Proof In Trial podcast series, produced by Global law firm Hogan Lovells, gives listeners a rare invitation into real life litigation. Narrated by partner Cate Stetson, co-head of the firm's Appellate practice, each episode follows a single case, from initial dispute, through the trial and outcome. Each episode features not only the lawyers involved, but the clients who were impacted.

"Clients count on Hogan Lovells trial lawyers to take on the toughest cases not only around the world, but across a broad range of business and social justice issues," said partner Des Hogan, global head of the firm's Litigation, Arbitration, and Employment practice. "We wanted to create a platform to share some of this work in a way that's interesting and easy to listen to—but also illustrates the real impact litigation has on clients."

\$152 Million Trade Secrets Verdict

In Episode 1, a software developer tells the story of creating industry leading property management software, only to have it stolen and copied by a one-time customer and would-be competitor.

The trade secrets case went to trial, twice, and although a COVID outbreak led to a mistrial, in the end a women-led Hogan Lovells trial team obtained a verdict of more than \$152 million.

After the trial, the jury told a Hogan Lovells team that they had nicknamed partner Maria Boyce “The Juggernaut,” partner Cristina Rodriguez “The Crusher,” and senior associate Jillian Beck “The Confident One.”

“I started tearing up,” Boyce recounts in the podcast. “Because I realized that we had done our job for our client. We were able to get our client’s story in front of a jury, in front of eight people who understood what had happened, and who told our client that they had been aggrieved, and that they understood, and that they were doing their part to make it right.”

Public Servant Acquitted of Health Care Fraud Charges

Episode 2 opens with a former state lawmaker turning to Hogan Lovells partner Jim McGovern after being charged with health care fraud. Though our client had suffered addiction in his own family, he had been charged in connection with a broad investigation into an illicit pill mill operation. An executive at a diagnostic laboratory, he had nothing to do with writing painkiller prescriptions. He was simply in the wrong place at the wrong time, and his voice had been picked up on wiretap recordings. Law enforcement officials raided his house while he was out of the country.

“They went through all his stuff at his house while he wasn’t there,” McGovern said. “And you know what they found? Absolutely nothing. They found absolutely nothing incriminating in his home while they were having a press conference to publicly malign this man, who had served so honorably for his community over the past ten years.”

He had been publicly humiliated, his bank accounts were

frozen, and he was desperate to prove his good name.

McGovern led the team that obtained an acquittal of all felony counts, and eventually all charges against our client were dropped.

Largest Wrongful Conviction Verdict in American History

In Episode 3, Des Hogan, who in addition to his work as a leading commercial litigator, has worked on more than 40 wrongful conviction cases, and Cate Stetson, who has argued death penalty cases before the Supreme Court, were asked if they could take on the case of half-brothers who had been wrongfully convicted in the brutal rape and murder of a young girl.

The brothers spent decades on death row before they were exonerated by DNA evidence and released from prison. Then the small amount of compensation they received was lost to an unscrupulous lawyer who was disciplined for his actions.

“We took this case on, on a pro bono basis, because we as a firm, and the individual lawyers who heard about it, felt compelled to do so,” Hogan said. It’s a case about injustice. It’s about civil rights abuses, and the power the police had over the lives of two black teenagers 40 years ago, who were intellectually disabled.”

Before the case could even go to trial, Stetson had to overcome the hurdle of qualified immunity by arguing on appeal that the actions of the officers involved with the brothers’ case were so egregious that they were not entitled to qualified immunity. She succeeded, paving the way for trial.

Des and his team told the brothers’ story, from the heart-wrenching night when they were taken from their mother, interrogated and coerced into signing false confessions, through their decades of imprisonment and time on death row. In the end, the brothers obtained the largest verdict for a

wrongful conviction in U.S. history.

The Proof In Trial podcast is here, and listeners can find it on Spotify, Google Play, iTunes and other popular podcast platforms.

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