

COMPANIES & MARKETS

How to Lead. Jim Walden, founding partner of Walden Macht & Haran

Guiding the way in good government litigation

The US lawyer has become a clean sport crusader after defending a Russian whistleblower, writes *Murad Ahmed*

Jim Walden cannot say where and when it happened, only that he was put in the back of a car with a hood over his head. The veteran US lawyer, whose many high-profile clients include the governors of New York and New Jersey, was on a dangerous assignment. “We went on these elaborate detours that took hours so that I wouldn’t know where we were going,” he recalls.

Security personnel took him to meet a client in hiding: Grigory Rodchenkov. The former director of Moscow’s anti-doping laboratory is a whistleblower for a vast conspiracy, a multiyear state-sanctioned doping regime to help Russia’s athletes gain supremacy in the Olympic Games.

In November 2015, Dr Rodchenkov fled to the US, partly in the belief his life was in danger. Earlier this month, Mr Walden says that a law enforcement official told him three of the 60 Russian nationals expelled from the US in March 2018 in response to the poisoning of Sergei and Yulia Skripal in the UK, were actually removed because they were tasked with finding Dr Rodchenkov.

“From some of the things that we learnt from law enforcement during the course of [representing Dr Rodchenkov], it’s very clear that Russia has the means, the motive, the capability of carrying out foreign assassinations,” says Mr Walden. The 53-year-old relays this tale of international intrigue in a private suite at a London hotel. Dressed in a sober suit and tie, he is every inch the discreet lawyer. But representing Dr Rodchenkov has transformed him into a fierce clean sport crusader.

“[Rodchenkov] wanted to stay alive,” says Mr Walden. “He wanted to transition to a normal life when this was all done, but in the interim he had this small project, which was to expose endemic Russian corruption.”

Mr Walden grew up in a working-class family in Levittown, Pennsylvania. It was a difficult upbringing.



As a federal prosecutor in New York, Jim Walden’s work led to the convictions of hundreds of Mafia members
Charlie Bibby/FT

His father struggled with alcoholism and divorced his mother when Mr Walden was 13. After a stellar academic record studying law, he became a federal prosecutor in New York whose work led to convictions of hundreds of Mafia members.

About 20 years ago he moved into private practice, working in international law firms before becoming a founding partner of Walden Macht & Haran in February 2016. Over that time, he has represented leading US politicians and sued government agencies.

Mr Walden says he has learnt how to play “multidimensional chess”, designing complex

legal strategies that gradually move power brokers towards his aims. “People weren’t operating in this space where government meets citizens and there’s some conflict that has a political angle to it. I thought there was an opportunity to create a practice area that didn’t really exist at the time, which I’ve subsequently called good government litigation . . . The more that I did, the more attention it got. Then, instead of me looking for cases, the cases started to find me.”

One of the important cases to reach him was Dr Rodchenkov. Mr Walden was brought in to represent the Russian two days after an explosive article appeared in The New York Times in May 2016. In the piece, Dr Rodchenkov revealed that, prior to the 2014 Winter Olympics in Sochi, he had created a three-drug cocktail of anabolic steroids. Dr Rodchenkov also claimed agents for the FSB, Russia’s secret service, had found a way to replace urine testing bottles, previously thought to be tamper proof. This allegedly allowed many Russian athletes to dope throughout the Sochi games.

Scared for his safety, Dr Rodchenkov wanted asylum in the US. To achieve this, Mr Walden began to build a “narrative” that his client was more victim than protagonist in the Russian doping regime, forced to respond to orders within a corrupted system.

He advised Dr Rodchenkov to co-operate extensively with all parties who wanted sensitive information related to the scandal. “What I really needed everyone to understand was the inherently truthful nature of [Dr Rodchenkov’s testimony] and I needed to viciously defend his credibility,” says Mr Walden.

Relying on evidence provided by Dr Rodchenkov,

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the Canadian law professor Richard McLaren produced a devastating report on Russia’s doping scheme for the World Anti-Doping Agency (Wada). The body that polices drug taking across sport then made an unprecedented call for Russian athletes to be barred from the 2016 Rio Olympics.

Mr Walden was disappointed by the response after that. The International Olympic Committee balked. Instead of imposing a blanket ban on Russia, the games organisers decided individual sports federations should decide if Russian athletes were clean. Ultimately, 271 of Russia’s original 386-strong team entered the Rio games.

In September last year, Wada

reinstated Rusada, Russia’s anti-doping agency, a step that will allow the country to begin testing its own athletes again.

Anger over the sporting bodies’ failure to act against Russia has led Mr Walden to push for the creation of the Rodchenkov Act in the US. The law would give US authorities the power to pursue doping violations as criminal acts, including introducing penalties of up to \$1m and prison sentences for up to 10 years for coaches and government officials involved in organised drug-taking schemes.

Critics suggest that the US can hardly be a fair policeman for international sport, given multiple doping controversies among its own athletes. But Mr Walden says: “Do I think it’s appropriate for the US to do it? Yes. I do as long as the US does it fairly, as long as we don’t protect our athletes and only go after others.”

The lawyer’s work has resulted in mixed success. In recent weeks, Dr Rodchenkov has been granted asylum in the US, says Mr Walden. But Russia has never fully acknowledged the scale of state-sponsored doping in the past and appears on the path to being restored to Olympic sport.

And he insists the battle to establish clean sport will continue. “We bloodied [Russia’s] nose and at least as far as the world sees, they have been tarnished,” he says. “This is not done.”

CV

Education
1988: BA in history from Hamilton College, New York
1991: Law degree (magna cum laude) from Temple University School of Law

Career
1992: Clerk to Anthony J Scirica, US judge, Court of Appeals, Third Circuit
1993: Assistant US attorney at US Attorney’s Office of the Eastern District of New York
2002: Partner, O’Melveny & Myers
2006: Partner, Gibson, Dunn & Crutcher
2015: Founding partner, Walden Macht & Haran