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US Attorney Takes Lead In Chicago Corruption Case

By **Jessica Corso**

Law360, Chicago (January 12, 2016, 6:44 PM EST) -- Chicago's top federal prosecutor is making a rare showing at the prosecutor's table this week for one of the city's most-watched corruption trials, an appearance that those who have worked with U.S. Attorney Zachary Fardon say draws on his experience in the successful prosecution of former Illinois Gov. George Ryan a decade ago.



Zachary Fardon

Fardon sat alongside veteran prosecutor Laurie Barsella and Assistant U.S. Attorney Timothy Storino as jury selection began Monday in the federal government's case against former Chicago transportation official John Bills. Bills **stands accused** of rigging the bidding process for Chicago's much-maligned red light camera system in exchange for about \$570,000 in cash and other benefits from contract winner Redflex Traffic Systems Inc.

Thus far, it is the only case that Fardon, who was **tapped for the position** by President Barack Obama in 2013, has personally prosecuted as U.S. attorney and the first case he has taken on for the Chicago office since he tried the Ryan case as an assistant U.S. attorney in 2005.

Those who have worked with Fardon say it's likely his experience at that trial, in which he gave a 90-minute opening statement without the aid of notes, that makes him the perfect fit for the Bills case.

"Zach knows his way around public corruption cases, no doubt about that," Perkins Coie LLP partner Patrick Collins, who worked alongside Fardon on the Ryan trial, told Law360.

Collins called the six-month trial, which led to a guilty verdict in April 2006 and a six-and-a-half-year sentence for Ryan, a "lifetime of trial experience in one case" and said Fardon's performance in the case could provide a preview of how he plans to woo jurors in the Bills case.

"He's a great communicator with juries," Collins said. "I think the level-headedness that he exhibits in trials is appreciated by juries in the sense that he doesn't have a table-pounding approach. It's more conversational and thoughtful."

Rachel Cannon, who worked under Fardon until joining Dentons **in October**, said Fardon exhibited many of those same traits as a boss, calling him "charming" and "highly skilled."

"He's the kind of guy you want to go out and have a beer with," Cannon said.

While the sight of a U.S. attorney in the courtroom is somewhat unusual, Cannon admitted, she said she suspects Fardon was attracted to an opportunity to return to his roots.

"To be a trial lawyer, you have to keep your skills polished," Cannon said. "And the only way to do that is to keep getting in the ring."

Collins said that many U.S. attorneys take the opportunity to try at least one case during the course of their tenure and they often choose a high-profile one. For example, the case against I. Lewis "Scooter" Libby, then-Vice President Dick Cheney's chief of staff, was tried by Fardon's predecessor Patrick Fitzgerald and ended in the defendant's conviction on perjury and obstruction charges.

Coming out of the shadow of Fitzgerald's **11-year stint** as head of the U.S. Attorney's Office for the Northern District of Illinois, Fardon may have also been interested in the Bills case as one that originated under his purview, Collins said. Fitzgerald's office also brought charges against former Illinois Gov. Rod Blagojevich, who is currently asking the U.S. Supreme Court to **consider overturning** his conviction and 14-year sentence.

According to Seyfarth Shaw LLP's Andrew Boutros, for the Chicago federal prosecutor's office, the Bills case represents a "continuation of a very strong tradition of bringing public corruption and other types of fraud corruption cases that are of significance." Before **joining Seyfarth** as co-leader of the white collar defense practice, Boutros worked as an assistant U.S. attorney for many years, including under Fardon's leadership.

"This is another example in a long series of cases that dates back to the early days of the office, where we have a tradition of bringing cases that involve breach of trust and breach of corporate trust," Boutros said.

As head of the office, Boutros said, Fardon impressed "with his ability to deliver presentations and speeches and address the office without any notes," a sentiment echoing Collins' recollection of Fardon presenting his opening remarks in the Ryan trial.

It remains to be seen if Fardon will take a similar approach in the Bills trial, as jury selection wrapped Tuesday afternoon. He could possibly step aside to allow Storino or Barsella to take a shot at opening remarks. Barsella is the head of the Chicago office's public corruption team and also helped put Ryan behind bars.

"I suspect you'll see all three lawyers playing a role in the courtroom," Collins predicted.

Fardon's office had no comment on his reasoning for taking the case.

Bills is represented by Nishay Sanan and Stephen Hall.

The case is U.S. v. Bills et al., case number 1:14-cr-00135, in the U.S. District Court for the Northern District of Illinois.

--Additional reporting by Stewart Bishop, Cara Salvatore and Daniel Siegal. Editing by Katherine Rautenberg and Philip Shea.