



ATTORNEY SEARCH

By Kenneth Davis

Trial Attorney Glenn V. Whitaker Takes Charge as Partner at Vorys, Sater, Seymour and Pease, LLP



Cincinnati-based trial lawyer Glenn V. Whitaker has had a long and distinguished legal career and is recognized as one of the top litigators in his field. He worked as Special Litigation Counsel for the United States Department of Justice for four years and has litigated a broad spectrum of cases over the course of his career. He is also a member of the American Board of Trial Advocates and a fellow of the American College of Trial Lawyers. And he was recently named in *The Best Lawyers in America* in three categories: criminal, business litigation, and personal injury. Whitaker is also included in *Ohio Lawyer* as one of the state's "Winningest" litigators. In 2004, he was selected by his peers as one of the top

10 "Super Lawyers" in Ohio.

"I really enjoy being a trial lawyer," said Whitaker, who's a partner in the Cincinnati office of prominent national law firm Vorys, Sater, Seymour and Pease, LLP. "And I've done a lot of trial work over time, and I hope to continue doing that the rest of my life because that's the part of the work that I enjoy most."

From 1976 to 1980, Whitaker was Special Litigation Counsel for the Civil Division, Special Programs Branch of the United States Department of Justice. As Special Litigation Counsel, he was involved in a number of high-profile cases, including one in which he represented the two FBI agents who were sued in labor union activist Karen Silkwood's case.

Silkwood's family sued the two FBI agents who investigated her mysterious death in a car crash. The family believed that Silkwood was the victim of foul play because of her union involvement and vocal criticism of the Kerr-McGee plutonium production plant where she was employed as a chemical technician; Silkwood alleged that a number of employees had been contaminated by plutonium while working at the plant and that the plant failed to take steps to prevent it from happening. Her family believed that the agents covered up the alleged wrongdoing on the part of Kerr-McGee. Whitaker was able to get the case against the two agents dismissed. The motion picture *Silkwood* was based on Karen Silkwood's life and her union activities.

Also while with the Department of Justice, Whitaker represented the CIA in a couple of different lawsuits against former CIA employees who had written books about the CIA without getting prepublication review.

In 1980, Whitaker left his job with the Department of Justice and moved back to his hometown of Cincinnati, OH, to practice law there. He said he was compelled to leave because many of the cases he handled for the Department of Justice were "pretty closely monitored by the White House and by people who were more interested in the political implications of the case than they were in the case itself."

"And I really got kind of tired of that and decided I'd just get out of government service and do something else," he said.

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Whitaker said he has done all kinds of trial work with two different law firms since moving back to Cincinnati.

"I started out doing some white-collar criminal work way back in the early '80s and was successful at it," he said. "And it kind of fit nicely with the complex litigation I was doing on the civil side, anyway, because most of the criminal cases I did were fraud cases and involved lots of documents and complicated issues that had to get worked through."

At Vorys Sater, Whitaker practices in the area of general litigation with an emphasis on the representation of individuals and corporations in complex civil litigation and criminal proceedings. His expertise extends to qui tam and false claims litigation, environmental issues, construction law, toxic torts, healthcare fraud and abuse, government procurement, and antitrust violations. He has also represented defendants in a wide variety of complex qui tam False Claims Act actions. Whitaker is one of the few attorneys in the country who specializes in matters pertaining to the False Claims Act.

"I've tried two cases successfully now to juries in that area, and that's fairly unique," he said. "I don't know that there are many, if any, other lawyers in the country who have had that many trials in that area of law."



Whitaker said that the False Claims Act was enacted during the Civil War and was designed to eliminate fraud perpetrated on the government. The people who conceived of the statute, which Congress passed, decided to make it a sort of "bounty hunter statute" so that any private citizen who learned of some fraudulent act on the government (the submission of a false claim for a payment to the United States, for example) could bring a lawsuit; and the statute has evolved over time.

"In 1986, it was amended," he said. "And it got considerably more teeth, I guess, at that point and has become quite a well-used statute. In fiscal year of 2006, the government has recovered \$3.1 billion under the False Claims Act. So it's grown exponentially over time, really, from '86 forward. It's being used, or has been primarily used in the past, at least, in the government contracting area."

Whitaker received his B.A., *magna cum laude*, from Denison University in Granville, OH, in 1969. And he earned his law degree, also with honors, from The George Washington University Law School in Washington, DC, in 1972.

Whitaker is an adjunct professor at the University of Cincinnati Law School, where he teaches trial practice.

He had the following advice for law students who are interested in becoming trial lawyers:

"I always tell people that you have to be careful if you make the choice of being a trial lawyer, because it's more of a lifestyle choice than it is a job," Whitaker explained. "I mean, you have to deal with the ups and downs, and Lord knows there are plenty of them. I mean, it's great to win, but you can't win everything; so you're going to lose, and you've got to get used to that rollercoaster ride where your emotions go up and down. And if you can't do that and you can't commit to a case that's going to take you away from home for a month at a time sometimes, or more, it's not for you."

About Vorys, Sater, Seymour and Pease, LLP

Vorys, Sater, Seymour & Pease, LLP, was established in 1909. It was recently recognized as one of only 25 firms with the most practice areas used by corporate America and one of the top 25 national firms serving the retail and industrial manufacturing industries. With nearly 400 attorneys, Vorys is one of the largest firms in the United States. The firm's clients range from some of the world's largest companies to individuals and small businesses. Vorys represents 12 of the 18 largest companies in Central Ohio and more than half of all Ohio-based Fortune 500 companies. The firm represents clients across the country and world in litigation, business, and personal transactions involving virtually every legal subject; it has offices in Columbus, Cincinnati, Cleveland, and Akron, OH, as well as in Washington, DC, and Alexandria, VA.

Whitaker has two daughters, a 13-year-old and a 15-year-old. He said his 13-year-old plays basketball, so he goes to a lot of her basketball games. And his 15-year-old is an equestrian, so he also attends a lot of horse shows. When he's not going to basketball games or horse shows, Whitaker likes to go hiking and backpacking in Southeastern Utah.

On the Net

Vorys, Sater, Seymour and Pease, LLP

www.vssp.com

The George Washington University Law School

www.law.gwu.edu/default.htm

United States Department of Justice

www.usdoj.gov