



Jim Bennett and Ed Dowd

## Crossing the aisle

By: Catherine Martin    March 5, 2018

For a law firm filled with politically prominent lawyers — and a firm that is representing the sitting governor of Missouri on a criminal charge — Dowd Bennett is not a particularly political law firm.

Ed Dowd is a Democrat; Jim Bennett is a Republican. But rather than bogging down amid polarized politics, they've forged an effective partnership on cases known for their legal complexity rather than partisan overtones.

The firm's two name partners said they agree on most issues, even if they don't vote for the same candidates.

"It's much more important to get along," said Bennett, 47.

The St. Louis firm has attracted notable legal talent from both parties with multiple layers of experience in government. In addition to former Republican Sen. John Danforth and former Democrat Gov. Jay Nixon, its list of members includes another former U.S. Attorney, another former U.S. Supreme Court clerk, seven former clerks to U.S. Courts of Appeals, six former clerks to U.S. District Court judges, two former state Supreme Court clerks, three former Assistant U.S. Attorneys and a former Missouri state prosecutor.

Both Dowd and Bennett said mixing parties and politics causes no controversy at the office, where meeting client needs regardless of political views is the priority. Nor was there hesitation about the firm's representation of Republican Gov. Eric Greitens, who was indicted for felony invasion of privacy charges on Feb. 24.

"Everybody is totally supportive of our efforts," said Dowd, 69.

### 'It works for them'

Michael Wolff, former Missouri Supreme Court chief justice and dean emeritus at Saint Louis University School of Law, said it's not unusual for large firms to include name partners with different political leanings, but some smaller firms are more likely to comprise only one party. Having leaders with different political views can be positive, he said.

"I think it's advantageous because there's a lot of people who either don't care about it, or you get clients from both sides of the political spectrum," he said.

Dowd, a former U.S. attorney, and Bennett, who clerked for U.S. Supreme Court Justice Anthony Kennedy, opened the firm in 2006 after leaving Bryan Cave. Since then, the firm has flourished, working on high-dollar cases and growing from four attorneys — Megan Heinsz and Robert F. Epperson Jr. also are founding members — to a roster of more than 30 lawyers.

Bennett served as the lead lawyer among nearly 30 attorneys in a case against the MetroLink transportation system not long after the firm opened. The attorneys defeated MetroLink in the \$130 million case involving cost overruns in construction of an eight-mile rail extension between Forest Park and the suburb of Shrewsbury.

Other major cases under the firm's belt include that of Francine Katz, a former executive who sued Anheuser Busch claiming the company discriminated against her based on her sex. Dowd Bennett represented Anheuser Busch, which prevailed. The firm also represented Barbara Burton Morriss, who sued Wells Fargo alleging the bank breached its duty by failing to disclose financial transactions in two family trusts that lost millions of dollars. A jury sided with Morriss, awarding her \$77 million.

## A collegial atmosphere

Dowd and Bennett said they've created a collegial environment in which people can talk politics and disagree in a civil way.

"You can express your opinion without being rude or obnoxious. I think that's what we do here," Dowd said.

They are particular about who they bring on in order to maintain that atmosphere, creating a firm where lawyers tend to stay put. And they have attracted big names, including former Bryan Cave lawyers such as Danforth, who joined the firm in 2015.

Dowd and Danforth — whose resume also includes time as Missouri Attorney General — previously worked together, and both men served as special counsel to the Justice Department investigating the deaths of more than 80 people in 1993 following a law-enforcement raid and siege at the Branch Davidians compound in Waco, Texas.

"All of the partners and associates were delighted when Jack joined us," Dowd said. "I think Jack is probably one of the most respected political figures in the history of Missouri."

Reactions were positive as well when Nixon, who also served as Missouri's attorney general, joined the firm after completing his second term as governor in 2017.

## In the spotlight

Now the firm is operating on a national stage as media across the country report on Greitens, who before his indictment had been widely discussed as a presidential hopeful. Greitens is facing trial based on allegations that he took nude photos of his mistress without her consent.

Bennett said the firm became involved in the case because it previously represented Greitens in private business. The attorneys are pressing to bring the case to trial; although they sought an April date, the trial is set for May.

"We're hoping it will be dismissed before that. If not, we're ready to roll," Dowd said.

Bennett and Dowd expressed confidence in their case, and Dowd emphasized that Greitens will not step down as governor despite calls to do so from many voices in state politics.

"He's innocent of the charges. There's no reason for him to step down," Dowd said.

Some may be surprised by Dowd's defense of the Republican governor, but he points to the firm's policy of representing clients based on their case, not their politics. Both Dowd and Bennett are actively involved in the Greitens case, and Dowd himself has issued several recent statements on the governor's behalf.

"There are a number of issues I do disagree with him on, but that has nothing to do with how I represent him," Dowd said. "I represent him just as well as I possibly can regardless of what party or his political beliefs are. We

don't look at that too much. If somebody needs our help and we think they're right, we will help them and give it everything we've got. And he is right."

Wolff said from what he's observed, Dowd Bennett is "going all out for Gov. Greitens."

"There are probably some in the firm that like him and some that don't like him. It doesn't matter if you like him or not. If he's your client, you do what you can for your client," Wolff said.

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