

Rising Star: Akin Gump's Raphael Prober

By Kelly Knaub



Law360, New York (May 02, 2014, 4:01 PM ET) -- Akin Gump Strauss Hauer & Feld LLP partner Raphael "Rafi" Prober's adept experience representing clients in high-profile congressional investigations, including a former American International Group Inc. CEO in one of the first hearings related to the 2008 financial crisis, has placed him among Law360's list of the five top young white collar attorneys.

The 36-year-old Rising Star — who has been at Akin Gump since 2008 and became a partner in January 2013 — represented former AIG CEO Martin Sullivan in connection with an investigation by the U.S. House Committee on Oversight and Government Reform, which culminated in a hearing in October 2008 and, in many respects, set the groundwork for the legal, regulatory and investigatory dialogue that would ensue.

"I have always been very interested in governmental investigations generally, but also in politics and policy — so my practice is a perfect meeting of the worlds," Prober told Law360.

The white collar expert also served as co-lead counsel in the firm's representation of Countrywide Financial Corp. in connection with a number of investigations concerning the bank's VIP Loan Unit and "Friends of Angelo" loans after the bank was accused of seeking to influence public officials through discounted loans or otherwise favorable loan terms.

Akin Gump's nearly four-year representation included investigations by the U.S. Department of Justice, the House Committee on Oversight and Government Reform, the Senate Select Committee on Ethics and the House Ethics Committee. Ultimately, the DOJ filed no charges in the matter and no violations of House or Senate rules were found.

Prober said it's important during investigations such as these to appreciate and consider the full landscape of the legal, regulatory, business and other risks that exist.

"The Countrywide investigation certainly presented layers of legal and political complexity, but it was as rewarding as it was challenging," he said.

Countrywide's former general counsel Sandy Samuels, now president and CEO of Bet Tzedek Legal

Services, told Law360 that it was an “absolute pleasure” working with the group Prober co-lead and praised the level of experience, expertise, knowledge and judgment the team exhibited.

“There wasn’t a question asked that we weren’t ready for,” Samuels said.

Samuels, who has worked with Prober on a number of different matters, also attested to his “tremendous passion,” which he said the white collar attorney knows how to direct in very constructive ways. He mentioned Prober’s pro bono work representing Holocaust survivors who were on the trains of a French railroad company that transported them to death camps during World War II and who are seeking reparations.

“He’s one of the best lawyers that I’ve ever had the pleasure to work with both from a personal and from a business standpoint,” Samuels said.

Steven R. Ross, who heads Akin Gump’s congressional investigations practice, told Law360 that he has worked with Prober on many, many investigations over the years. Ross said that Prober distinguishes himself by displaying incredible talent in three key areas.

“He possesses a gifted legal mind, and this acumen allows him to anticipate and resolve thorny legal issues on behalf of clients,” Ross said. He pointed next to Prober’s work ethic, which he said is unmatched. “His devotion to making sure that everything that should be done, is done and done well, allows us to provide the very best service to clients.”

Ross also spoke to Prober’s skill in connecting with people and developing relationships.

“His ability to connect and relate with people — be they clients, colleagues, people at other firms and with those in the government — is key to developing the kind of relationships that are conducive to the very best performance of legal services,” Ross said.

Prober said he’s been very fortunate to both work alongside more senior partners in some of these high-profile investigations and also to have served as lead counsel in a number of them.

“I’m always looking for the opportunity to learn,” he said. “I couldn’t have asked for better mentors along the way.”

As for his strategy in representing clients in investigations, Prober said it’s essential to have a deep appreciation of the entire playing field and understand that a congressional investigation is typically part of a larger legal landscape to consider. He said it’s imperative to consider not only how the investigation or hearing will go, but also what that could mean for his client for many years to come.

“More than anything, it’s necessary to expect and prepare for the unexpected and, to borrow the Boy Scout motto — which I feel I can do being an Eagle Scout myself — ‘to be prepared,’” Prober said.

More recently, the white collar pro served as co-lead counsel in Akin Gump’s representation of the New England Compounding Center in connection with investigations by the House Energy and Commerce Committee and the Senate Committee on Health, Education, Labor & Pension concerning the 2012 outbreak of fungal meningitis.

Prober said he enjoys the challenging, varied and timely nature of the work, noting that you often have

to become an expert in a particular area of the law and in a particular industry very quickly — sometimes in a matter of days.

In addition to his practice, Prober is an adjunct professor at Fordham Law School, where he teaches a course on congressional investigations, and serves as a guest lecturer on the same subject at the University of Pennsylvania Law School.

Prior to his role at Akin Gump, Prober was with Skadden Arps Slate Meagher & Flom LLP at the firm's New York and Washington, D.C., offices.

As for advice he would offer to other attorneys coming up through the ranks, Prober said it's important to find something within the law that you enjoy doing, to get as much experience as you can, to learn as much as possible from everyone around you and to pursue opportunities that may not necessarily be in your lane.

"My pro bono work has helped me grow as a lawyer and explore areas that I would not necessarily come across in my daily practice," Prober said.

--Editing by Emily Kokoll.