

# Robert N. Driscoll



## member

**washington, dc / boston**

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## Legal Secretary

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## education

Georgetown University Law Center (J.D., *cum laude*)

Georgetown University McDonough School of Business (, *magna cum laude*)

## admissions

District of Columbia

Massachusetts

U.S. Supreme Court

U.S. Court of Appeals for the District of Columbia

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Tenth Circuit

Various U.S. District Courts

## honors

- *Chambers USA*, District of Columbia Litigation: White-Collar Crime & Government Investigations 2023
- *Martindale-Hubbell AV*® Preeminent™ Peer Review Rated Lawyer

## affiliations

### Professional

- Federalist Society

**I help people in very high-profile, high-pressure cases where they're often facing the most serious situations of their lives. In these circumstances, we're not fighting about money — we're fighting about a person's liberty. I get called upon to handle these matters because of the depth of my experience and my abilities as a strategist. Clients say that I think and maneuver steps ahead, I'm a strong advocate, and I'm smart and detail-oriented. Because I've served as the lead litigator in many important and complex disputes, I never panic; I always stay calm amidst the storm.**

Robert "Bob" N. Driscoll counsels corporations, financial institutions, governmental entities, and individuals in judicial proceedings, government and internal investigations, and criminal and civil cases. A former Deputy Assistant Attorney General and Chief of Staff of the Civil Rights Division of the U.S. Department of Justice (DOJ), Bob brings to his practice his substantial governmental and legal experience to advise clients in matters investigated by legislative branch bodies or committees of the U.S. Senate and House of Representatives, as well as executive branch agencies.

Bob advocates for government entities, individuals, and private institutions in civil rights-related litigation and investigations and represents jurisdictions, senior elected officials, and

- Columbus School of Law, Catholic University of America (Part-Time Faculty, Federal Courts)

educational institutions targeted by the DOJ. Previously, he was counsel of record and wrote amicus briefs in four civil rights-related matters before the U.S. Supreme Court. Bob also assists corporations, boards of directors, and general committees in answering allegations of wrongdoing raised by whistleblowers or minority shareholders. Bob advises corporate witnesses before relevant bodies, and assists with, and negotiates, subpoenas and other congressional requests for information. Additionally, he conducts internal investigations on behalf of publicly traded and privately held companies and enjoys the mystery-solving aspects of these processes.

Representing individuals involved in prominent investigations, Bob is a seasoned and skilled advocate accustomed to handling matters in the public eye. (Former high profile clients include White House Chief of Staff, Deputy Secretary and General Counsel of Cabinet Agencies, White House Director of Personnel Security, U.S. Special Envoy, U.S. Ambassador, and witnesses in the 2016 election investigation by the Department of Justice Special Counsel and the House and Senate Intelligence Committees, among others.) He has personally testified before House and Senate Committees, which enhances his ability to help his clients prepare for their own testimonies and investigations. Bob places a high premium on putting his clients at ease and guiding them through media-coverage barrages.

Because he has worked on such a broad variety of cases, he's particularly adept at handling novel issues and isn't intimidated by entering uncharted territory. In these matters, he draws on his experience in and knowledge of constitutional law and civil rights, determines how a particular case falls into the constitutional structure, and creates a sound and often creative legal strategy. Bob's understanding of the workings of Washington, DC, and his extensive contacts roster mean he's often able to get a quick, direct answer from the right person in the right governmental position, saving his clients a great deal of time and money.

With his prominent practice and familiarity with the workings of the national media, Bob is a regular guest on numerous

news programs on Fox News and MSNBC, has appeared on CNN, PBS, OAN, and NPR, and has been quoted in The New York Times, The Washington Post, and The Los Angeles Times.

### Representative Experience

**Government and Internal Investigations.** Bob conducts internal investigations for publicly traded and privately held companies and assists corporations as well as Boards of Directors and general committees with answering allegations of wrongdoing alleged by whistleblowers or minority shareholders. He also assists with, and negotiates, subpoenas and other congressional requests for information, and represents corporate witnesses before relevant bodies.

**Indirect Auto Lending/Fair Lending.** Bob has represented auto lenders and subprime lenders in all aspects of governmental agency investigations before the DOJ, CFPB, and DHS, from initial stages of investigations to negotiation and settlement.

**Representation of Individuals in High-Profile Matters.** In addition to his representation of companies in governmental investigations, Bob has represented individuals in several high-profile investigations, including witnesses in the 2016 election investigation by the Special Counsel and the House and Senate Intelligence Committees. He has handled matters related to charges of corruption, leaking confidential information, and fraud, including civil suits and class action matters.

**Non-Public Individual Representation.** Bob's experience extends to the representation of government officials and employees in criminal investigations of the DOJ, the SEC, and various Inspectors General of cabinet agencies.

**Civil Rights-Related Case Experience.** Bob has also represented government entities, individuals, and private institutions in civil-rights related litigation and investigations. He has represented jurisdictions, senior elected officials, and educational institutions targeted by the DOJ.

**Congressional Investigations.** Bob has represented corporate clients and individual witnesses in congressional investigations before numerous high-profile Congressional committees. He has also personally testified before House and Senate Committees, experience that helps his clients know how to prepare and what to expect.

**Supreme Court.** Bob has been counsel of record and written amicus briefs in four civil rights related matters before the U.S. Supreme Court.

## presentations

"This Is the End. Unless It's Just the Beginning. How To Prepare For a Potentially Re-Energized CFPB and What Has It Been Up To In the Meantime," 2023 Consumer Finance Legal Conference, October 11, 2023

"Deep Dive into DeFi: Q&A," McGlinchey Webinar, November 30, 2022

"Fair Lending. Fair Servicing. Fair Access to Credit." 2022 Consumer Finance Legal Conference, October 21, 2022

"Where Does it End?—The Disturbing Wave of Radical CFPB / State Regulator Enforcement Initiatives," 2022 Consumer Finance Legal Conference, October 19, 2022

"Nuts and Bolts: Discovery," Intermediate Legal Strategy Forum, July 13, 2022

"Update on Federal and State Fair Lending / Equal Access Considerations," 2021 Virtual Consumer Finance Legal Conference, October 15, 2021

"What's Going on at the CFPB and Further State Mini-CFPB Initiatives and Updates," 2021 Virtual Consumer Finance Legal Conference, October 13, 2021

"How Washington Really Works: Learning How the Sausage Gets Made from a Former Chef," 2021 Virtual Consumer Finance Legal Conference, October 13, 2021

"Investigations of the Executive Branch—How and When Outside Counsel Becomes Involved in the Investigation and the Response," DRI 2021 Business Litigation Virtual Super Conference, May 14, 2021

"CFPB and Mini-CFPB Developments," 2020 Virtual Consumer Finance Legal Conference, October 8, 2020

"Qui Tam Issues Regarding PPP/COVID," 2020 Virtual Consumer Finance Legal Conference, October 8, 2020

"One-on-One with Mick Mulvaney, Former Acting Director of the CFPB," 2020 Virtual Consumer Finance Legal Conference, October 7, 2020

"Government Investigations – An Inside the Beltway Perspective," 2019 Consumer Finance Legal Conference, New Orleans, LA, October 16, 2019

"Fallout from the College Admissions Scandal," McGlinchey Webinar, June 3, 2019

"Lawyers in the Crosshairs – The State of Play in Anti-Money Laundering and Terrorist Finance Initiatives," Association of Professional Responsibility Lawyers, Washington, DC, November 9, 2018

"Are Rights a Reality? Evaluating Federal Civil Rights Enforcement," U.S. Commission on Civil Rights Briefing, November 2, 2018

"What's Left of Fair Lending in the Auto Space?" 2018 Consumer Finance Legal Conference, October 18, 2018

"Life Under Mulvaney: Current Focus and Future Priorities, Update on Orders and Examination Trends, Rulemaking and RFI Status, Empowerment of State Regulators, and Congressional Efforts to Reform," 2018 Consumer Finance Legal Conference, New Orleans, LA, October 17, 2018

"Race and Disability in Policing and Criminal Justice Reform," Criminal Law Practitioner Symposium, American University Washington College of Law, Washington, DC, November 2, 2017

"Finding Solutions: Exploring the Necessary and the Possible Reforms," ACS National Event: Symposium on Policing in a New Political Era, Washington, DC, March 9, 2017

"The Virtues of Principled Resistance to DOJ Investigations: Why Fighting Back Preserves Both Local Sovereignty and Fiscal Sanity," 2017 NSA Winter Conference, Washington, DC, February 5, 2017

"Police Shootings and Civil Rights: A Conservative Talks About 'Black Lives Matter'" Black Leadership Advisory Council (B.L.A.C.), Newton, MA, December 13, 2016

"Criminality in Lending, Claims Against Lawyers, Ethics and Professionalism," Payday Loan Bar Association Annual Conference, Santa Barbara, CA, November 10, 2016

"CFPB Panel," CCIA Delta 2016, Atlanta, GA, October 5, 2016

"Managing a CFPB/DOJ Investigation: View from the Trenches," 15th Annual Consumer Finance Legal Conference, New Orleans, LA, September 30, 2016

"Fair Lending, Disparate Impact, and Indirect Finance after Inclusive Communities," 15th Annual Consumer Finance Legal Conference, New Orleans, LA, September 29, 2016

"Recent Trends in CFPB Enforcement," 15th Annual Consumer Finance Legal Conference, New Orleans, LA, September 28, 2016

"Terrorism vs. Violent Extremism vs. Hate Crimes: Why the Different Labels Matter," National Security Conference, Cambridge, MA, September 28, 2016

"Legal Roundtable: What's to Come?" Consumer Credit Industry Association 65th Annual Meeting, Key West, FL, April 27, 2016

"Fair Lending: The Latest Concerns by Enforcers and Regulators including CFPB; Novel Discriminatory, Predatory and Abusive Lending Claims; New Disparate Impact Litigation Nuances, and Beyond," ACI 25th National Conference on Consumer Finance Class Actions and Litigation, Los Angeles, CA, April 8, 2016

"Fair Lending: Managing and Defending Against Claims of Discriminatory, Predatory, and Abusive Lending and the Consequence of the Supreme Court's Decision Affirming the Use of the 'Disparate Impact' Theory in Fair Lending" ACI 24th National Conference on Consumer Finance Class Actions and Litigation, Miami, FL, January 26, 2016