

THE WALL STREET JOURNAL

OCTOBER 6, 2006

© 2006 Dow Jones & Company, Inc. All Rights Reserved.

Former H-P, Apple GCs Turn to a Berkeley Lawyer

By NATHAN KOPPEL

CRISTINA ARGUEDAS says she loathes the spotlight. If so, she has chosen the wrong line of work.

In recent weeks, the Berkeley, Calif. criminal-defense lawyer has landed in the middle of two tempests, as the go-to lawyer for lawyers. Ann Baskins, Hewlett-Packard Co.'s former general counsel, hired Ms. Arguedas to defend her in a criminal probe into H-P's leak investigation. Ms. Arguedas is also representing Nancy Heinen, the former general counsel of Apple Computer Inc., who left the company not long before it announced "irregularities" in options grants from 1997 to 2001.

Last week, she appeared with Ms. Baskins before a congressional committee looking into H-P's investigation of board leaks. Ms. Baskins, who resigned from H-P the day before her appearance, refused to testify to the committee, citing her constitutional right against self incrimination. California Attorney General Bill Lockyer filed criminal charges Wednesday against former H-P Chairman Patricia Dunn and others allegedly involved in the matter, but Ms. Baskins wasn't charged.

"There is no basis to charge her," Ms. Arguedas said in an interview Thursday. "There is no evidence to suggest she committed a crime. This was not me as a mad genius. There is no evidence for which you could reasonably make accusations."

Representing corporate counsel may seem like a strange assignment for Ms. Arguedas. While building a reputation as one of the top criminal defense attorneys in the country, she has maintained the liberal leanings that drove her law career from the start, right down to her small firm's Berkeley address, outside the Northern California power centers of San Francisco and Palo Alto.

"I'm your basic liberal Democrat. I'm usually on the side of people who write regulations," Ms. Arguedas says. But, she says, "There is now an over-criminalization of regulated businesses." Despite her experience with white-collar defense, Ms. Arguedas stresses that she represents only business people, not corporations. "I don't want to represent corporations—the attorney-client relationship is too diffused." In the H-P and Apple matters, she says, "My job is to protect Ann Baskins and Nancy Heinen. It is a one-on-one personal relationship."

Ms. Arguedas is one of several lawyers who have been tapped in the last several weeks to represent people involved in the H-P matter, in which improper means were used to obtain board members' phone records. Other attorneys include Viet Dinh, a Georgetown University law professor who is representing former board member Tom Perkins; James Brosnahan of Morrison & Foerster LLP, counsel to chairman Patricia Dunn; and Reginald Brown of Washington firm Wilmer Cutler Pickering Hale and Dorr LLP, who is advising board member George Keyworth.

The 52-year-old head of Arguedas, Cassman & Headley LLP, a seven-lawyer criminal-defense firm, belongs to an elite strata of seemingly ubiquitous lawyers. She represented Timothy Belden, the former head of Enron Corp.'s energy trading desk in Portland, Ore., who cooperated with the government in its prosecution of Jeffrey Skilling and Kenneth Lay. Mr.

Belden pled guilty to one count of fraud, but hasn't yet been sentenced. She is one of the lawyers defending David Bershad, who was indicted in May on fraud charges along with his law firm Milberg, Weiss, Bershad & Schulman LLP. And she is one of the counsels to Greg Ritchie, a former KPMG LLP partner charged with having allegedly assisted in marketing fraudulent tax shelters.

Her practice hasn't always been so corporate in nature. While still in law school at Rutgers University, Ms. Arguedas volunteered to work on cases for battered women charged

with crimes against their attackers. After graduating, the New Jersey native joined the San Francisco Federal Public Defender's Office, which has trained some of the area's top defense lawyers, such as John Kecker, former counsel to Frank Quattrone when the then-investment banker was charged with criminal obstruction. (The government conditionally dropped all charges against Mr. Quattrone.) Traditionally, the public-

defender's office has been "a breeding ground for left-oriented lawyers," says Nanci Clarence, who worked as a public defender with Ms. Arguedas. "Cris is very progressive."

Ms. Arguedas continues to represent indigent clients on a pro bono basis. The attorney has a yoga center at her house and takes yearly retreats to the Tassajara Zen Mountain Center in San Francisco.

As her career has taken off, Ms. Arguedas has increasingly focused



Arguedas, Cassman & Headley, LLP

Cristina Arguedas

her energies on a well-heeled clientele. In 1989, in her first white-collar case, she helped defend W. Franklyn Chinn against charges he received illegal bribes as a board member of Wedtech Corp., a defunct defense contractor. Ms. Arguedas counts the case as one of the low points in her career. "We won on half the counts [at trial] but lost on half the counts," she says. On appeal, though, she says, she scored a full victory for Mr. Chinn. "Like any defense lawyer, I've had plenty of losses," she says.

The attorney has developed a thriving subspecialty in the sports arena. In 1995, Johnnie Cochran and Barry Sheck, counsel to football star O.J. Simpson, asked Ms. Arguedas to join the Simpson defense team to prepare the accused murderer for what he might expect on cross examination at trial. Mr. Simpson didn't take the stand in his defense. Ms. Arguedas is known as an expert cross-examiner, who listens intently and can quickly pick up stray details that might impeach a witness's credibility.

Later, Ms. Arguedas was hired to conduct a mock cross-examination of Kobe Bryant, the basketball player accused in 2003 of rape. The case against Mr. Bryant was later dismissed.

Ms. Arguedas has successfully defended former Oakland Raiders coach John Gruden on drunken-driven charges, and she helped sprinter Tim Montgomery avoid criminal charges for his alleged use of steroids.

The ironic thing "is that it is hard to go through life knowing as little about sports as Cris does," says Los Angeles attorney Steven Madison, head of the white-collar practice at Quinn Emanuel Urquhart Oliver & Hedges LLP. "Cris is also one of the truly outstanding white-collar lawyers in the United States."

It's an arena that remains largely male. Ms. Arguedas describes a Los Angeles court hearing she attended last month on behalf of Mr. Bershak in the Milberg Weiss case. The prosecutors and the other defense lawyers were all men, as was the judge, who addressed the attorneys, collectively, as "gentlemen," says Ms. Arguedas. She stood up to gently prod the judge away from the word, she says, when he noticed his error and corrected himself. (Two calls to the judge's chambers weren't returned.)

"I felt like I had gone back in time 20 years," she says. "It's still largely male-only in elite white-collar cases."