

Rising Star: Crowell & Moring's David (Dj) Wolff

By Sarah Martinson

Law360 (July 31, 2020, 3:12 PM EDT) -- David (Dj) Wolff of Crowell & Moring LLP has successfully advised clients on complying with sanctions and secured vital exemptions from sanctions requirements when necessary, earning him a spot among the international trade lawyers under age 40 honored as Law360 Rising Stars.

HIS BIGGEST CASE SO FAR:

Starting in late 2017, Wolff assisted the Eugene Bell Foundation, a U.S. nonprofit that offers medical aid to North Korea, with securing an exemption from the United Nations Security Council's sanctions on trade with the Asian country.

While not all trade with North Korea was off-limits, there were numerous restrictions on medical equipment that the nonprofit needed for its tuberculosis treatment program in the country, Wolff said.

At that point, there wasn't a humanitarian exemption process in place, so Wolff worked with the U.N. and other government agencies to create one and won the nonprofit its first exemption to the sanctions in late 2018.

Since then, the nonprofit has secured three more sanctions exemptions to continue treating patients in North Korea, Wolff said.

"It was the biggest case ... because it involved the creation of a new system and then ultimately the securing of global authorization, the net result of which was hundreds, if not thousands of people, that they can treat and save on an annual basis in North Korea," he said.

HIS PROUDEST MOMENT:

A majority of Wolff's work involves ensuring that his clients are in



David (Dj) Wolff
Crowell & Moring

Age: 35
 Home base: Washington, D.C.,
 and London
 Position: Partner
 Law school: Stanford Law School
 First job after law
 school: Associate at Crowell &
 Moring

compliance with sanctions regulations. When it comes to this compliance work, a victory means protecting his clients from prosecution or enforcement actions, Wolff said.

But representing the Eugene Bell Foundation was different for Wolff in that the win contributed to saving people's lives by giving them access to treatment they would otherwise not have.

"People's lives were saved on the back end, which is a materially different sort of win than any of the day-to-day corporate work," Wolff said.

WHY HE'S AN INTERNATIONAL TRADE ATTORNEY:

For Wolff, being an international trade attorney, and in particular an attorney focused on sanctions, marks a sweet spot between his interests in the law and politics. Wolff said that if he had to do policy work alone, he would be frustrated by the lack of clarity — something that is not lacking when practicing the law.

International trade intersects with politics because when foreign policy shifts, trade regulations will change in the form of expanding or contracting sanctions, Wolff explained.

"I graduated law school and sat there and looked and said, 'How can I exercise the part of my brain that was really fascinated by this political policy world, but that was also fascinated by an international focus while being a U.S.-accredited lawyer?'" Wolff said. "The answer was international trade, and more specifically for me in economic sanctions, where effectively what we are doing is applying foreign policy that is changing on a day-to-day basis, and we are applying it to the private sector helping the rest of the global economy effectively respond to changes in U.S. policy as implemented through sanctions."

ANOTHER NOTABLE CASE:

Wolff helped a European shipping company dodge sanctions after it learned through media reports that a vessel it owned was being used to trade with Iran in violation of their charter agreement. The company immediately faced the threat of being investigated by the U.S. Treasury Department's Office of Foreign Assets Control for being affiliated with Iran trading, Wolff said.

To avoid sanctions, Wolff advised his client to report the problem to OFAC rather than having the agency discover the activity on its own. Because the business activity was reported by the media, they believed the agency was bound to find out about it, Wolff said.

"The advantage of doing that is you control the narrative," Wolff said, noting that in addition to avoiding sanctions, the shipper ensured the vessel borrower was instead punished with sanctions.

WHAT'S IN STORE FOR INTERNATIONAL TRADE:

Since the days of former President Bill Clinton's administration, the federal government has continued to expand its use of economic tools such as sanctions to implement foreign policy, and that isn't going to change, Wolff said.

As countries get comfortable standing up to the U.S., they are going to use these same tools in retaliation, which will make it difficult for companies to operate globally, according to the attorney.

If countries' trade policies conflict in such a way that companies have to choose whether to operate in one country or the other, businesses are going to have to make incredibly hard choices, Wolff said.

"No one wants to invade a country anymore," Wolff said. "If you can't use military corrosion, what else do you have? You have economic corrosion."

— *As told to Sarah Martinson*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2020 Rising Stars winners after reviewing more than 1,300 submissions. Attorneys had to be under 40 as of April 30, 2020, to be eligible for this year's award. This interview has been edited and condensed.