

SECRET WEAPON

He grew up in Europe, excelled at Elon and Duke Law, and turned heads as a young corporate lawyer. David Fuhr '00 is custom-built for his next act: federal prosecutor.

David Fuhr's first glimpse of the American legal system came through the lens of a camera in a Los Angeles courtroom. It was 1995 and Fuhr—like the rest of the United States—was riveted by the O.J. Simpson trial.

Fuhr had only been in the country a few months; he'd grown up in Germany but was spending a year living with family friends in California to attend an American high school. He knew nothing about Simpson but was fascinated by the concept of a trial by jury and the fact that a well-crafted defense could acquit someone who appeared so clearly guilty.

"It's an art," says Fuhr almost 20 years later, sitting just a few blocks from his employer, the U.S. Department of Justice in Washington, D.C.

As a trial attorney in the DOJ's criminal division, a position he assumed in March, the 2000 Elon graduate doesn't quite make headlines like Marcia Clark and the late Johnnie Cochran did in 1995. But his area of expertise—prosecuting companies and individuals for bribing foreign officials under the Foreign Corrupt Practices Act, or FCPA for short—is no less important.

"Engaging in corruption overseas often translates to a business advantage in the United States," says Catherine Fisk, one of Fuhr's law school mentors. "We all have an interest in capitalism being played by the rules."

After working for several years on the defense's side of the FCPA, Fuhr's job is now to apply this important safeguard of the world's economic health on behalf of the United States.

TAKING THE FIRST STEPS

Fuhr admits he didn't follow a straight line to a career in such a specialized area of law, but it's clear some seeds were sown just before

Thanksgiving 1998. Fuhr, a first-year Elon student, approached his history professor, David Crowe, and offered to help with the scholar's work-in-progress: a book about Oskar Schindler.

"My first response was 'no,'" Crowe recalls thinking. But something about Fuhr's eagerness gave him pause. After the long weekend, he reconsidered and asked Fuhr to search for articles in the German press about Schindler while he was home for the winter break.

Fuhr returned to Elon in January bearing several articles, and Crowe began involving his enthusiastic student further in the Schindler project. The following summer, the two traveled to Germany, staying with Fuhr's family near Frankfurt. During the visit, they twice interviewed Holocaust survivor Mietek Pemper. As an inmate at Plaszow concentration camp, Pemper served as a stenographer for notorious Nazi Commandant Amon Goeth—the character Ralph Fiennes portrayed in the film "Schindler's List." Pemper rarely gave interviews but spent hours speaking with Crowe and Fuhr.

"He was solid as a rock through it all," says Crowe, remembering occasions when Fuhr would assist him late into the night, then drive hours to get both of them home, only to return early the next day. "That showed me the depth of his strengths and qualities."

The Schindler research didn't directly address legal topics, Fuhr says, but he often thought about the relationships among law, justice and morality when considering how the Nazis fundamentally restructured German laws to legitimize their actions. After graduating from Elon in 2000 with degrees in international studies and political science, he planned to attend Duke University School of Law but deferred for a year to accept a research assistantship at the Center for Strategic and International Studies, a prestigious D.C. think tank. Though his work focused on international security policy and post-conflict reconstruction, Fuhr says he was most

drawn to the intricate legal maneuvering the processes entailed. He saw the writing on the wall—and it kept pointing him to law school.

HONING THE RIGHT SKILLS

Fisk, one of Fuhr's first professors at Duke, remembers she and nearly everyone else at the school were instantly impressed with the first-year law student.

"He was cosmopolitan in a way students really can only be if they've lived abroad, a quality that made him interesting to his classmates without being intimidating," says Fisk, now the Chancellor's Professor of Law at the University of California, Irvine. "He has lots of natural advantages and does the most with what he has. He's curious about the law, and though he didn't have an exact vision for his future, he was determined to find an interesting path."

Fuhr's first steps down that path were through the doors of Debevoise & Plimpton LLP, a top New York law firm. On Fuhr's second day in the office, the firm gave a not-so-subtle suggestion about the direction it had in mind for its new associate, sending him to Germany to assist with an investigation of a company suspected of FCPA violations. On the project, he crossed paths with Sean Hecker, a partner who would become one of his closest colleagues and good friends.

"He's tireless, ridiculously smart and has judgment well beyond his years," Hecker says. They partnered on several other cases, traveling the world to Greece, Dubai, China, Brazil and all over Europe. Despite Fuhr's relative youth in the firm, Hecker says, his ability to move seamlessly across cultures, understand international business procedures and navigate government structures made him one of the firm's top FCPA attorneys.

Looking back, Fuhr credits his work with Crowe as helping prepare him for his legal career.

"Reviewing documents, interviewing witnesses and synthesizing information to form an argument and to find the truth and establish an accurate record—history and law are obviously different disciplines, but the



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techniques are the same," Fuhr says. "At Elon, I learned by doing."

ANSWERING A CALL TO SERVICE

Yet Fuhr felt he could be *doing* more. In March, he left Debevoise to join the DOJ. Such a move is a time-honored tradition among elite lawyers, Fisk says. Though lawyers moving from private practice into government service sacrifice some zeroes on payday, the intangible benefits they gain, such as real practice experience, are immeasurable.

For Fuhr, the move satisfied both personal and career interests. It kept him closer to his home in Washington, where he lives with wife Tafadzwa Pasipanodya and their infant son, Thulani Karl. Moreover, the position also fulfilled his desire for greater professional autonomy and public service.

"In the law firm, I was often one of several attorneys working on a particular aspect of a large case. Now, I can investigate and shape the direction of a number of cases day in and

day out. It's more interesting for me. It's more meaningful," Fuhr says. "When you represent the United States, you have a particular responsibility to do what's right."

Fuhr knows well that systemic corruption can steepen a slippery slope toward human rights violations, especially in developing countries governed by autocratic regimes. Bribe payments can increase the risk that individuals, in particular the poor and powerless, will be deprived of fundamental rights. For example, an improperly granted operations permit may lead to an environmental disaster that destroys the livelihood of a community. Fuhr has witnessed such violations in his career, including during travels to Sierra Leone, where he interned with a war crimes tribunal. Those experiences, coupled with Fuhr's research about corruption's influence on human rights, formed the basis for a talk he gave at the 2012 Conference on International Law at Elon University School of Law and a forthcoming article in the *Elon Law Review*.

That a call to serve may have motivated Fuhr to become a federal prosecutor doesn't

surprise Crowe, who grew close with Fuhr's family during his travels to Germany. He describes the family as having a deep social consciousness; Fuhr's father and late mother were Protestant ministers, and his siblings work in public and government service.

"In the back of his mind, I think, he always saw law as a vehicle for doing good," says Crowe, whose nomination helped earn Fuhr the 2013 Distinguished Alumnus in Social Sciences Award from Elon College, the College of Arts and Sciences. "I'm not surprised by his achievements at all, because he's a very special person."

Hecker couldn't agree more. That's why he has no qualms about the fact he'll soon be seeing Fuhr across the courtroom aisle, a friendly adversary at the government attorneys' table. "He's someone I'd like to see as a prosecutor. He'll execute judgment in the cases he brings. He'll be fair," Hecker says. "David's the kind of lawyer who reflects well the entity he's representing. When he's representing the United States, he'll be outstanding." ■