

Titan Of The Plaintiffs Bar: Boies Schiller's Sigrid McCawley

By **Hannah Albarazi**

Law360 (May 3, 2024, 3:12 PM EDT) -- Sigrid McCawley was barely back from parental leave with her fourth child in February 2015 when she flew to New York City to take on a case that would turn her life upside down, and change the world.

The Boies Schiller Flexner LLP attorney's new client was Virginia Giuffre, who just weeks before had gone public with claims that a millionaire asset manager named Jeffrey Epstein had sex trafficked her as a minor.

At the time, Epstein was a powerful figure in financial circles but not yet a household name, and Giuffre was being called a liar.

McCawley, who has now spent nearly a decade representing Giuffre, said her first meeting in New York with Giuffre "essentially turned my life upside down, to put it bluntly."

It was at that meeting that McCawley says she realized the severity of Giuffre's situation and that going public with claims against Epstein, his accomplice Ghislaine Maxwell and other powerful individuals placed Giuffre in the middle of a media storm.

"Almost overnight I went from being on maternity leave to working virtually 24/7 with Virginia," McCawley told Law360. "I spent a lot of time traveling, gathering evidence, talking to witnesses and trying to understand the sophisticated sex trafficking operation that Epstein and Maxwell had been running for almost 20 years."

In a few years, it would all unravel for Epstein. McCawley's representation of Giuffre would help uncover dark secrets that led to Epstein's arrest and detainment, during which he died by suicide. It also led to Maxwell's conviction and about \$365 million in damages paid out by JPMorgan and Deutsche Bank for allegedly ignoring Epstein's operations

David Boies, the firm's chairperson, who has worked closely with McCawley since she joined the firm in 2001 and is co-counsel with



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On the Jeffrey Epstein Case:
"We were not only going after [Ghislaine] Maxwell, but we were, through that, going after the entire Epstein machine."

McCawley in the firm's representation of Epstein's survivors, told Law360 that McCawley's dedicated community service, focused on protecting women and children, made her a perfect fit for Giuffre's case.

He said McCawley's empathy and ability to relate to people in crisis helps her clients navigate difficult litigation.

"I think that her genuine concern for them comes across and her total commitment to them comes across. And I think that gives them a sense of confidence and a willingness to open up and allow her to help them," Boies told Law360.

"And I think that having someone like Sigrid, who is both a very strong advocate, but also a very sensitive human being, enables them to stand up to the rigors of asserting themselves," Boies said.

At first, the cards appeared to be stacked against Giuffre, as the statute of limitations for bringing sex trafficking and related civil claims against Epstein, Maxwell and others had passed.

But everything changed when Maxwell publicly denounced Giuffre's allegations as "obvious lies."

"And that," McCawley told Law360, "was what gave us the hook to be able to sue Ghislaine Maxwell for defamation. It opened a window for us to be able to really come after the perpetrators and try to prove that this sex trafficking operation existed."

"We were not only going after Maxwell, but we were, through that, going after the entire Epstein machine," McCawley said.

Maxwell settled Giuffre's defamation case in May 2016, just ahead of trial. But the discovery and depositions in that case have slowly been made public and continue to reveal the extent and breadth of Epstein's trafficking operation.

Soon, the #MeToo movement ignited and bombshell investigations emerged, including one by The Miami Herald featuring dozens of Epstein survivors. The investigations revealed a fuller story behind a sweetheart deal cut years before by Epstein's powerhouse legal team, including Harvard Law School professor emeritus Alan Dershowitz, that resulted in Epstein's non-prosecution agreement brokered by then-South Florida U.S. Attorney Alexander Acosta.

By this time, Giuffre had publicly accused other powerful men of sexually abusing her as a minor while she was under Epstein's control, including Prince Andrew, French modeling scout Jean-Luc Brunel and Dershowitz.

Prince Andrew ultimately settled Giuffre's defamation suit after publicly denying he had been with her, Brunel died by suicide in a French jail while awaiting trial for the rape of minors, and Giuffre has since entered into a confidential agreement with Dershowitz and recanted her claims against him, saying she was young, in a traumatic situation and may have misidentified Dershowitz.

Dershowitz, who vehemently denies Giuffre's allegations, told Law360 he's known McCawley for years and that over a decade ago — before McCawley's client accused him of sexual abuse — he and McCawley worked together on a case in the Southern District of Florida and recalled having a "cordial relationship" with her at that time.

Epstein's arrest in July 2019 — which came after New York prosecutors obtained the discovery materials from Giuffre's defamation case against Maxwell through a grand jury subpoena — "was a moment where I felt like I had done the right thing for the right people. And I felt success," McCawley said.

McCawley says it was during her time in law school, at University of Florida's Levin College of Law, that she began to comprehend "the power of the law and the fact that you could help people so tremendously with it."

She credits much of her success as a litigator to her clerkship with Senior U.S. District Judge Jose Gonzalez, whom she recalls as a wonderful judge and teacher who would sometimes pass her notes, calling her attention to examples of good or bad arguments made by attorneys that came before the court.

Judge Gonzalez told Law360 that "Sigrid was very bright and always very determined."

"I'm very happy for her success, but not at all surprised by it," Judge Gonzalez said in an emailed statement provided to Law360.

After the clerkship, McCawley worked briefly at Morgan Lewis & Bockius LLP's Washington, D.C., office before joining Boies Schiller's Florida office as an associate in 2001, where Boies said she quickly established a "terrific record of recovering money for people whose employers had taken advantage of them."

McCawley later proved to be instrumental in the firm's representation of shareholders suing Halliburton Co. for securities fraud and found themselves roadblocked by a Fifth Circuit decision, known as *Oscar Private Equity Invs. v. Allegiance Telecom Inc.*, that required securities fraud plaintiffs to prove they lost money to obtain class certification.

"But instead, we took it to the United States Supreme Court and got Oscar reversed. And Sigrid was a big part of that," Boies said.

In recent years, McCawley has also represented professional athletes, both ballet dancers and Olympic snowboarders, who came forward with sex abuse allegations against their instructors.

Following Epstein's 2019 arrest, Acosta, who by then was U.S. Secretary of Labor in the Trump administration, resigned amid public outcry in response to his handling of Epstein's initial criminal case.

While Epstein died by suicide a few weeks later in a Manhattan jail while awaiting trial, Maxwell did stand trial and in June 2022 a Manhattan federal judge sentenced her to 20 years in prison for partnering with Epstein in the sex trafficking of underage girls.

"This was a moment where this woman who had been so vicious to many of them, was being held accountable by our judicial system and it didn't matter that she was a British socialite. It didn't matter that she was friends with Prince Andrew. It didn't matter that she knew former presidents. She was being held accountable. And so I think that was just so validating and so significant to the survivors," McCawley said.

McCawley said during the course of the firm's investigation into Epstein's sex trafficking operation, it became clear "that Epstein didn't act alone."

"It required not only his masterful manipulation to run this operation for over 20 years, but it required a lot of participating actors," McCawley said. "And he also had to have access to a tremendous amount of cash and a financial institution that was willing to basically allow things to occur that would help him facilitate the trafficking."

For McCawley, "the icing on the cake" as counsel for Epstein's survivors, has been nabbing a significant victory in a first-of-its-kind Trafficking Victims Protection Act case against JPMorgan Chase & Co. and Deutsche Bank AG.

The survivors alleged that the financial institutions enabled Epstein by allowing him to withdraw large amounts of cash to pay women who either participated in or recruited others into his sex trafficking operation, by flouting anti-money laundering laws, and failing to conduct due diligence on Epstein and his operations.

The court allowed the plaintiffs to proceed with their allegations that the banks had obstructed enforcement of the Trafficking Victims Protection Act, negligently failed to exercise reasonable care to prevent physical harm, and negligently failed to exercise reasonable care as a banking institution providing nonroutine banking.

As for Deutsche Bank, which became Epstein's main banker in 2013 after JPMorgan dropped him as a client, the court also allowed the plaintiffs' claim that Deutsche Bank knowingly benefited from Epstein's operations.

In May 2023, Deutsche Bank agreed to pay \$75 million to Epstein's survivors to end their claims, and on June 12 — the same day the judge certified a class of Epstein's survivors suing JPMorgan Chase — the parties announced that JPMorgan Chase agreed to pay \$290 million to settle those claims.

The banks' combined \$365 million is more than twice the roughly \$150 million in restitution that Epstein's estate has paid out to more than 125 of his survivors.

"I think the really tremendous part about that litigation is it's the first time that a financial institution has been held responsible under the Trafficking Victims Protection Act in this way," McCawley told Law360.

"This is a really shining example of the way that financial institutions going forward will have to be very mindful of not turning a blind eye to trafficking and really being affirmative about trying to identify when that's going on within their banking institution," McCawley said.

--Editing by Kelly Duncan.