

Challenges Ahead for Chief Counsel in Christie's High-Profile New Term

By David Gialanella

Christopher Porrino, the new chief counsel to Gov. Chris Christie, is a rare breed in the administration, having never worked for Christie as a prosecutor.

"I don't have this 15-year relationship that many of the former federal prosecutors have had with him," Porrino says. But "what I did have is experience opposite a number of those prosecutors when they were working for the governor."

Porrino is a veteran litigator with nearly 20 years of private practice under his belt. And his defense experience may come in handy, as Christie begins what could very likely be a tumultuous second term.

Porrino takes his place just as a scandal unfolds over the complicity of Christie's administration in ordering unannounced George Washington Bridge lane closures last September that created traffic jams, allegedly to cause angst for Fort Lee's mayor for failing to endorse Christie for reelection.

Christie fired his deputy chief of staff, Bridget Anne Kelly, and denied knowledge of the stunt. David Wildstein, a Christie appointee to the Port Authority also involved in the action, resigned last month and is under investigation by state

lawmakers. And on Thursday, U.S. Attorney Paul Fishman announced the initiation of his own probe.

Porrino walks into a years-long judge shortage thanks to an impasse between Christie and top Democratic lawmakers.

As of Wednesday, there were 58 Superior Court vacancies statewide, according to judiciary statistics. That includes 21 in Essex County, six in Union and five each in Bergen, Camden and Middlesex.

There are long-running Supreme Court vacancies, too. Christie's two most recent nominations, Board of Public Utilities President Robert Hanna and Monmouth County Superior Court Judge David Bauman, never received a hearing and are set to expire Jan. 14.

Porrino is also joining the administration just as Christie appears poised for a potential presidential bid.

"The possibility of a run is out there," Porrino acknowledges. "To the extent he's not here in the state, there'll be a lot to do."

He says he doesn't know whether he'll be traveling with the governor on campaign trips.

The national attention Christie garners has kept a spotlight on the administration, which has practical effects, Porrino says, such as a significant increase in the number of

open public records requests.

No matter the issues that crop up, Porrino anticipates having to give sound legal advice without much time for deliberation, he says.

One recent example was the death last June of U.S. Sen. Frank Lautenberg.

Within days, Christie had to decide how to fill the seat and whether to hold a special election decisions that required legal counsel and interpretation of dusty old statutes, as did the expedited legal challenges that followed, Porrino says.

The governor's chief counsel role has been held by many of New Jersey's most notable public officials, including Supreme Court Chief Justice Stuart Rabner and former Attorney General Jeffrey Chiesa who ended up being Christie's pick to fill in for Lautenberg, until the October special election.

Porrino, the outgoing director of the attorney general's Division of Law, replaces Charles McKenna, whom Christie picked for CEO of the School Development Authority. Also switching roles is chief of staff Kevin O'Dowd. He will replace acting Attorney General John Hoffman, who has been put up for a Superior Court judgeship.

Chiesa, a Christie confidant since their days together in private practice, knew of Porrino by reputation through

his white-collar defense, though they wouldn't meet until later.

Porrino began his legal career in 1993 in the litigation department of Greenbaum, Rowe, Smith, Ravin, Davis & Himmel in Woodbridge, where, aside from white-collar defense, he handled commercial litigation, professional liability defense, antitrust, and insurance, bank and securities fraud. He made partner eight years later.

At Greenbaum, he worked alongside prominent defense lawyer Michael Himmel. They, along with Robert Kipnees, garnered national attention in 1997 by obtaining a not-guilty verdict in a price-fixing case against Appleton Papers Inc. of Wisconsin and CEO Jerry Wallace, despite a four-year Justice Department investigation.

Porrino came along in 2004 when Roseland's Lowenstein Sandler lured away Himmel to head its expanding white-collar criminal practice. More high-profile cases came: he and Himmel represented Monmouth County real estate developer Solomon Dwek, who in 2009 pleaded guilty to masterminding a \$50 million bank fraud scheme.

With time, Porrino did an increasing amount of civil work, through which he was able to generate more business, and ultimately became co-head of the litigation department.

Porrino, as a Himmel disciple, "had a blessed existence at Lowenstein" and declined several opportunities to join the U.S. Attorney's Office, he says.

It was in private practice that Porrino, as opposing counsel, became familiar with many of Christie's

colleagues in the U.S. Attorney's Office particularly Marc Ferzan, now executive director of the newly created Governor's Office of Recovery and Rebuilding, and Robert Kirsch, now a Union County Superior Court judge.

When Chiesa was Christie's chief counsel, Kirsch introduced him to Porrino who at the time thought he might one day be recruiting Chiesa to Lowenstein, not the other way around. But it was Chiesa who offered a job to Porrino, who took the Division of Law director post in February 2012, not long after Chiesa became attorney general.

"I really felt like this was my shot," Porrino says. "The only thing in the con column...is money. [But] it isn't just about the money these are life experiences that can't be replicated."

As Division of Law director, Porrino called on his broad practice experience and litigation-management chops. "We talk about client service all the time," Porrino says. "Just because the clients can't fire you doesn't mean we're not going to promote great client service."

In fiscal year 2012, litigation by the division recovered a record \$29.9 million for toxic-site cleanups.

Another record was broken under Porrino's watch last month, though not a positive one from the division's perspective: The family of a severely beaten and disabled child won a \$166 million jury verdict in a civil suit against the Division of Youth and Family Services, which had allowed the boy to stay with his abusive father.

Porrino got to know Christie by working directly on some of the governor's special projects, such as

protecting New Jersey's shoreline after Hurricane Sandy, Porrino says.

That included participating as amicus in *Karan v. Harvey Cedars*, a case Porrino argued successfully before the Supreme Court.

In July, the court said that eminent domain compensation to beachfront homeowners for dune-blocked views must account for the protective value the dunes add to the properties.

The chief counsel job offer, like Chiesa's before, came as a surprise, Porrino says. He ultimately accepted, and the change was announced Dec. 19.

Porrino says he "was and still [is] politically unaffiliated" and "not very politically active," though he has made monetary contributions to candidates from both major parties.

According to online government databases, Porrino made four donations totaling \$1,900 to Democratic U.S. Sen. Robert Menendez from 2006 to 2011. And in 2004, he donated \$100 to the campaign of then-Education Commissioner Bret Schundler, who lost in the GOP gubernatorial primary to Douglas Forrester.

Porrino, 46, a Summit resident, graduated from Lehigh University in 1989 and Seton Hall University School of Law in 1992.

He says he hasn't given much thought to future jobs, but returning to private practice would be like "starting over." The "healthy" client base of days past will be gone, says Porrino. ■