

## Ex-HUD GC On 'Running To The Fight' With New DC Boutique

By Rachel Rippetoe

*Law360 (August 1, 2025, 4:27 PM EDT)* -- When Benjamin Klubes accepted his role as the top legal chief for the U.S. Department of Housing and Urban Development in 2022, he wasn't expecting to leave just three years later.

"I was planning to continue to serve if there was an administration that wanted me to serve and that I wanted to serve, but that didn't happen in the election," he told Law360 Pulse.

Leaving the government in January, Klubes chose not to return to a bigger law firm. He's spent the bulk of his career as managing and co-managing partner at the 150-lawyer litigation firm Buckley LLP, and before that as a partner at Skadden Arps Slate Meagher & Flom LLP, where he helped found the fair lending practice.

Having grown weary of the BigLaw model, especially in the wake of government pressures, Klubes initially joined Jacobson Lawyers Group PLLC, a boutique launched in February by Daniel Jacobson, the former general counsel of the U.S. Office of Management and Budget. But this week, he announced the launch of his own D.C.-based practice, Klubes Law Group, where, in addition to his work in white collar, financial services and congressional investigations, he can represent clients targeted by the Trump administration.

"There's a need for lawyers to be running to the fight, not running away from it, and boutique law firms are by far the preferable way of doing it and the way that serves clients the best," he said.

Law360 Pulse caught up with Klubes to talk more about why the boutique model was so attractive and what he hopes to accomplish with the new firm. This interview has been edited for length and clarity.

### Why open your own firm after leaving the government?

One of the attractions of it for me was the freedom to represent who I want at the rates I want to charge, which is a luxury, frankly, that folks at BigLaw firms don't have now. That has been a change in the past few years, and it's one of the things that caused me not to go back to BigLaw, which, historically, was the traditional path for folks who were in BigLaw and then went to serve in government. When they come back out, it's pretty typical to return to the same place or a similar one. But I think we're in a significantly different environment now. I talked to a number of large firms, and I had some opportunities there, but I also had time to reflect on what I really wanted to do. And in terms of the Trump administration's attacks on law firms and the rule of law generally, I wanted to be free to represent people and entities that I



Benjamin Klubes

thought were being unfairly and illegally targeted. Much of what I'm intending to do is an extension of my historic white collar, financial services and congressional investigations practices. But it's layered over by the aggressive use of government enforcement tools to advance the Trump administration's agenda. I think that lawyers have a real obligation not to shy away from controversial cases, particularly when some of the actions are so outrageous and illegal. The executive orders that came down against the BigLaw firms is an obvious case in point.

For that reason, and frankly, for some cost reasons, BigLaw was not the best place to be for me right now. Economic pressures on BigLaw have gotten materially greater. And that drives a lot of the reluctance to take on risky or unpopular cases. There's also a seemingly never-ending rat race to increase rates in order to compensate partners and to keep and attract top talent at BigLaw. It's a cycle that takes focus away from clients' interests. I talked to folks about forming a boutique, and I got a lot of encouragement, both in terms of the freedom to do the kind of cases I wanted to do and being able to offer clients the highest-quality legal representation at rates that were much lower than BigLaw rates.

**I know you initially worked with Daniel Jacobson when you left the government in January. Do you feel like some of these other lawyers coming out of the government paved the way for you?**

When I saw what Dan was doing, I reached out to him. Having managed a medium-sized law firm, I offered my two cents' worth of advice. We talked for a while, and he invited me to join as an of counsel. I viewed it as a good place to have as a base as I figured out long term what I wanted to do. He's got a really exciting and growing practice, so working with him was a nice bridge.

Dan was a general counsel at OMB. I'm sure he had offers at a number of DC firms, and he just decided that he wanted to do his own thing. I think you're seeing that from government lawyers. You're also seeing people who are at BigLaw leave. Abbe Lowell left Winston & Strawn LLP. Litigation folks broke off from Paul Weiss Rifkind Wharton & Garrison LLP in the aftermath of its settlement with the Trump administration. And so you're seeing a trend of both not going back to and leaving BigLaw. And I think you're going to continue to see more folks leave BigLaw as well.

There's lots of folks who say "Boy, I'd love to be able to do that," and there are fewer who actually step out and do it. As you see people like the Paul Weiss lawyers, people like Abbe actually leaving a big firm or coming out of government and not going to BigLaw, it encourages other folks. It's much easier to join a place that's up and running. And I know this from my own career. When I left Skadden with a group, we very much contemplated, "Should we open our own firm?" I was a big advocate for not doing that, rather for joining what was then Buckley Kolar, because it was an established firm. The logistics, the administration, all of that's incredibly valuable and makes a huge difference in the ease with which someone can leave a big law firm. And so the pioneers of this movement right now, and I put myself in that category, are paving the way and making it a little easier for folks who are interested in doing it to actually make the move.

**Are you hoping those folks will gravitate toward your firm? What's your vision for growth?**

The economics of the BigLaw firms highly discourage partners leaving in the middle of the year, so you're likely to see further departures at the beginning of next year. I'm certainly actively working to have folks join me. I'm not interested in building a giant law firm, or even one that is anywhere near the size of Buckley, but I like practicing with other lawyers, both partners and more junior lawyers. There's a little bit of a chicken-and-egg problem. You don't want to go out and hire 10 folks and then not have any work for them. At the same time, when the work comes, you want to have the people who are capable of doing it.

But we are in a unique environment. There's always folks who are leaving BigLaw firms at the four-, five-year associate level. That's been a source of lawyers for smaller firms for several decades. What you have on top of it now is the exodus, voluntarily or involuntarily, from government agencies, particularly the Department of Justice and the [Consumer Financial Protection Bureau], which are obviously two of the agencies that I was adverse to frequently. That provides another great pool of talented lawyers. And so I'm envisioning probably starting with folks on a part-time basis. If there's sufficient work to justify hiring people full-time, I'll do that. And I certainly am looking to bring on a partner or more who are contemporaries of mine. That's a better way to practice law, rather than in a solo practice.

### **What kind of work are you hoping to take on?**

The practice I historically had in consumer financial services, representing banks, financial services companies, dealing with CFPB, bank regulators and state attorneys general, is a little different than it was in the sense that the federal enforcement activity is greatly reduced by virtue of the current administration's approach. But the state attorneys general are picking up a lot of the slack, and they're picking up some of the people who are leaving the CFPB and other agencies. So you're going to have very open and aggressive state attorneys general dealing with financial services companies. And I'm the same lawyer at Klubes Law Group than I am at a big law firm, but at 60% of the cost, so I do think there's an opening for that sort of traditional business model, as well as the white collar and the congressional investigation work that I've done for years.

### **When you joined Buckley, you weren't ready to start your own firm. Why is now a better time to do that?**

Technology, the ability to have an office at your home, just the user-friendliness of the billing, the legal research, the AI help with mundane tasks, all of that makes having a small firm much easier than in 2009, when we were making decisions about going to Buckley or starting our own shop. I left Skadden briefly in 1995 for 2½ years and had a little boutique firm in D.C. with two other partners. And that was kind of a bold step then. And it's light-years away to do that in 2025, as opposed to 1995. Now, I can do three court hearings in a day from California to Chicago to New York, sitting in my home office. Ten years ago, that would have required at least three partners to handle those separately, travel, all that kind of stuff. That's made it significantly easier.

### **What are you bringing from your experience as a legal chief at HUD to this new venture?**

One of the things that I had responsibility for at HUD was congressional oversight. And we had a Republican Congress for much of the time I was there, so I gained a lot of experience in understanding how Congress worked, and how the executive agencies deal with Congress. So my congressional investigation hearing experience was enhanced, and so was my managerial experience, working with 400+plus lawyers.

HUD has a concurrent authority with the Justice Department under the Fair Housing Act to enforce equal treatment laws with respect to lending and homeownership. So I saw that side of the enforcement mechanism, which is always good when you're on the defense side, to understand how the government enforcement lawyers think about and approach matters. And the final thing was I got an enhanced understanding of government contracting, grants and the administrative law process. All of it gives me a better understanding in terms of advising clients on what the government intends to do and how it does it.