



Written by [R. Cort Kirkwood](#) on February 8, 2019

Fairfax Hires Kavanaugh Attorneys as Story Follows Same Arc

The [sex-assault accusation](#) against Virginia Lieutenant Governor Justin Fairfax continues down the same path as similar accusations against U.S. Supreme Court Justice Brett Kavanaugh. 

Just as Christine Blasey Ford leveled her ultimately refuted claim against Kavanaugh as he was about to reach the pinnacle of his legal career, so Vanessa Tyson lodged her claim just as Fairfax was poised to become governor, given the [possible resignation of Ralph Northam](#).

Just as Ford sought counsel from the law firm Katz, Marshall & Banks to help press the claims against Kavanaugh, so [Tyson hired](#) Katz, Marshall & Banks to handle her case.

And now, just as Kavanaugh hired Wilkinson Walsh Eskovitz, another big D.C. firm, to help him fight the charges not only [ultimately unproven](#) but also [proven flatly ridiculous](#), [Fairfax hired](#) Wilkinson Walsh for his defense.

Question is, can Fairfax show, as Kavanaugh did, that his accuser is a memory-challenged, forgetful fabricator who can't keep her story straight?

Law Firm

[Wilkinson Walsh Eskovitz](#) is more than a law firm for famous men facing #MeToo accusations. It's a Washington, D.C. powerhouse whose lawyers win major trials.

[According to](#) its website, the law firm "won the first two federal bellwether trials in New Orleans in a multi-district litigation involving the blood thinner Xarelto. Plaintiffs claimed that our client, Bayer Healthcare Pharmaceuticals, had failed to provide adequate warnings to doctors about risks associated with Xarelto. In both cases, the jury returned unanimous defense verdicts within two hours after closing arguments."

Even more impressively, the firm successfully defended Altria Group, whose Philip Morris subsidiary manufactures Marlboro Light cigarettes, from claims that the company "had deceived smokers with the marketing" of the smokes. "The jury," the website notes, "issued a complete defense verdict after deliberating for less than an hour." The plaintiffs sought \$1.5 billion.

Beyond that, the firm's founder, [Beth Wilkinson, was the lead prosecutor](#) in the Oklahoma City bombing trial.

Believe Women

But the accusation against Fairfax is substantially different in more ways than one.

As politics goes, Democrats who savaged Kavanaugh and averred that we all must "believe women" when they make such charges haven't, as [Politico reported](#), been as vociferous in backing the accuser in this case:

Unlike in Kavanaugh's case — when Democrats insisted female accusers be believed — Democrats' responses to the accusations against the Democratic lieutenant governor have been more muted. And while Tyson and Fairfax are both Democrats, Christine Blasey Ford and Kavanaugh were from



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different parties.

Presidential candidate Kamala Harris, who did her best to torpedo Kavanaugh, isn't so anxious to sink Fairfax, the [webzine noted](#): "I think there should be an investigation to determine what happened," she told reporters. "Certainly her letter reads — it's quite detailed — and suggests that there's credibility there. But there needs to be an investigation to determine what exactly happened."

And here we thought everyone must "believe women."

Tyson's Memory

Yet the hypocrisy of the "believe women" Democrats isn't the only difference. Another is one Fairfax had better worry about.

As [The New American observed](#) on Tuesday, Kavanaugh, while admitting he might have met Ford in his youth, vigorously denied even being at the party where she claimed he attacked her. And the sex-crimes expert prosecutor who questioned Ford for the Senate Judiciary Committee [wrote that](#) Ford's own witnesses "refuted" and "failed to corroborate" her fanciful tale.

[Tyson's memory](#) is crystal clear. And importantly, Fairfax not only admits knowing Tyson but also to a sexual assignation. Difference is, she says he forced her to perform oral sex. He says the encounter was consensual.

Unlike Kavanaugh, *Politico* noted, who hired his attorneys after Ford's accusations surfaced, Fairfax hired the firm last year after the *Washington Post* contacted him about Tyson's accusations. [The Post spiked](#) the story because it could not corroborate Tyson's claims.

The Post poses another problem for Fairfax's credibility. After [Big League Politics broke](#) the story, Fairfax claimed the Post spiked it because it found "red flags" in Tyson's claims, meaning they weren't credible. That was not true.

Then again, the accusations the women lodged have more than one thing in common: zero corroborating evidence, no way to prove or falsify the allegations, and no evidence that either of the accused men have ever committed such a crime. The *Post*, for instance, "found no similar complaints of sexual misconduct against [Fairfax]."

The question, of course, is whether Tyson, questioned by an experienced sex-crimes prosecutor, would unspool a story with provable falsehoods [similar to Ford's](#) that would undermine her credibility as a witness.

Photo of Justin Fairfax: [virginia.gov](#)



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