

Recap: “BCLBE Leadership Lunch Talk: The Tech Counsel”

By Carlota Sáenz, LL.M. Candidate 2018 | November 7, 2017

On November 6, 2017, the Berkeley Center for Law, Business and the Economy ([BCLBE](#)) hosted a conversation with attorney Dana Wagner from [Square](#).

Square is a financial services, merchant services aggregator and mobile payment company. Wagner has worked with Square as the leader of their legal, regulatory, government relations, compliance, and security operations department for more than five years and shepherded the startup through the [IPO](#) process last year. Wagner was their first lawyer. He helped shape Square into a global public technology company and built one of the very best legal and regulatory teams in the industry. Before joining Square, Wagner led [Google](#)'s antitrust and competition practice. At the beginning of his career, Wagner also served as an Assistant U.S. Attorney in the U.S. Attorney's Office in the Northern District of California and as a trial attorney in the antitrust division in the U.S. Department of Justice.

Wagner pursued his undergraduate studies at U.C. Berkeley and received his J.D. from Yale Law School. Contrary to most law students, Wagner did not think of going to law school to save the world or do public service. However, after spending his first summer with the government and his second summer in a law firm, Wagner realized that he enjoyed working for the public sector.

While Wagner was working on cartel criminal cases in the U.S. Attorney's Office, Google reached out to him to create their antitrust division. Wagner had not practiced in such an area for years by then, but managed to quickly acquire the qualifications needed by doing the job itself and by building a team that was able to face antitrust issues that came in every product launch, in the IP strategy and in every partnership.

After four years at Google, Square reached out via e-mail to Wagner to have a conversation when the company was in a very early stage. A combination of elements led Wagner to accept this new challenge: a very good leadership and business model, the fact that he felt that he was not doing legal work at Google anymore, and his thought that you have to run a startup at least once in your life,

At Square, Wagner built his own team from scratch. He looked for lawyers who wanted to do something that would challenge themselves and learn. According to Wagner, another important quality for young lawyers is an ability to take good risks, because there is a lot of risk aversion in the legal world. He wrapped up by stating that risk aversion is something that should be avoided by employees of technology companies.