Investigations, Government Enforcement and White Collar Criminal Defense Practice

Quinn Emanuel's investigations, government enforcement, and white collar criminal defense practice is widely considered a global powerhouse. Leading publications repeatedly have recognized our practice as a market leader: *Law360* named it a "White Collar Practice Group of the Year" in 2024, making this the fifth time it has been honored with this award; *Global Investigation Review* named it "Most Impressive Practice of the Year" in its inaugural rankings; *The American Lawyer* and *Legal Week* named it "Transatlantic Investigation Team of the Year"; and *Chambers USA*, *Chambers UK, Chambers Europe, The National Law Journal, The International Who's Who of Business Lawyers*, *Legal 500*, *The Expert's Guide to the World's Leading Lawyers*, *Best Lawyers*, and others routinely identify our group among the elite white collar practices in the world.

We focus on getting the best resolutions as quickly as possible. The mere filing of a criminal charge can ruin a client's reputation and trigger catastrophic financial losses. While Quinn Emanuel regularly represents clients in high-profile matters covered in front-page news, we often achieve our best results quietly, outside the public glare, by persuading government lawyers to refrain from filing charges in the first place. Sometimes that happens because an internal investigation provided the basis for a negotiated resolution or because we presented an early vigorous defense that scared the government off. And, of course, when an indictment is inevitable or already has been returned, we bring to bear the trial chops that only the world's leading disputes firm has.

Our experience in corporate investigations, government enforcement and white collar defense is wide-ranging and diverse. We have conducted sensitive internal investigations at the direction of corporate general counsel, board of directors, audit committees, special committees, and nearly every other corporate stakeholder. We have represented corporations and individuals in congressional investigations, regulatory investigations, administrative proceedings, grand jury investigations, at trial, and on appeal. We have conducted internal investigations regarding, and defended clients against, allegations of healthcare, securities, and government contract fraud; domestic and foreign corruption (including the Foreign Corrupt Practices Act or FCPA); money laundering; sanctions evasion; economic espionage and trade secrets theft, tax evasion; asset forfeiture; criminal environmental violations; the Anti-Kickback Statute and False Claims Act; and cartel, bid-rigging, market allocation, and other antitrust violations. We have litigated against virtually every U.S. enforcement agency and Attorneys General and District Attorneys in numerous states. There is virtually no white collar or business crime matter that our partners have not faced.

We have an international practice with partners located in 34 global offices, and have represented clients and conducted investigations in the United States, Latin America, Asia, Australia, Europe, Africa, and the Middle East. Much of our work has been done on behalf of foreign companies and individuals whose activities have drawn the attention of U.S. regulators and prosecutors. Our global resources, combined with our unique cross-border experience, allow us seamlessly to navigate related criminal investigations in multiple jurisdictions.

SELECTED PUBLIC REPRESENTATIONS

BRIBERY AND CORRUPTION

- *Charlie Kim*. We represented Charlie Kim, co-CEO of Next Jump, in a high-profile federal bribery and conspiracy prosecution brought by the Department of Justice and the U.S. Attorney's Office for the District of Columbia. The government alleged that our client and his co-defendant had induced a four-star Navy Admiral and former Vice Chief of Naval Operations to award a Navy contract to their tech company in exchange for an offer of post-retirement employment — a charge that potentially carryied a serious custodial sentence. After a mistrial in the first trial, we secured a unanimous not guilty verdict on all counts in the retrial, vindicating our client after nearly two years of litigation. The defence turned on our clients' state of mind, demonstrating that he had acted in good faith reliance on the Admiral's own ethics assurances and never believed there to be any quid pro quo. The win followed critical pre-trial victories, including severance from the Admiral's trial (in which the Admiral was subsequently convicted on all counts and sentenced to six years' imprisonment).

- *Eric Adams.* We represented the mayor of New York City, Eric Adams, who was indicted on bribery and campaign finance charges. Within days of the indictment, we filed multiple motions to dismiss various counts of the indictment based on several theories of legal infirmity, including the DOJ's failure sufficiently to allege that Mr. Adams agreed to accept benefits in exchange for performing an official act. The court later dismissed the indictment with prejudice.

- *FIFA-Related Matters:*

    - We represented FIFA and CONMEBOL in what the *New York Times* described as "one of the most complicated international white collar cases in recent memory," specifically, the global criminal investigations involving allegations that international media companies bribed FIFA officials to obtain sponsorship and broadcasting contracts. Through our advocacy, we persuaded U.S. prosecutors to identify FIFA and CONMEBOL as victims, which enabled them to receive restitution payments award from the defendants convicted at trial as well as those who pled guilty prior to trial.

    - We also represented Julius Baer in connection with parallel investigations by the DOJ and Swiss authorities involving allegations that FIFA officials and sports media and marketing officials engaged in money laundering, racketeering, and wire fraud in connection with awards of global and regional soccer tournament media and marketing rights.

- *Brazilian "Lava Jato" Corruption Matters*. We represented numerous clients in connection with the landmark investigations into corruption in the Brazilian economy known as *Operação Lava Jato*. These include, among others:

    - *Trafigura.* We represented Trafigura, one of the world's leading commodity traders, in connection with an investigation by Brazilian authorities into allegations that certain Trafigura executives were involved in bribes to Petrobras officials. The investigation ran in parallel to a DOJ investigation into some of the same conduct. We led a years-long investigation into the alleged conduct and negotiations with Brazilian regulators to reach a favorable settlement agreement that permitted use of an offset provision in a related DOJ plea agreement and avoided prospect of long-term litigation against multiple regulators.

- *JBS, J&F, Batista Representation.* We were lead counsel to the largest meat producer in the world, JBS S.A., its controlling shareholder J&F Investimentos S.A., and J&F's individual owners, Joesley and Wesley Batista in connection with a historic bribery settlement. Prior to the companies' engagement of Quinn Emanuel, Brazilian prosecutors, acting unilaterally, imposed a fine of more than BRL 10.3 billion (approximately USD 3.2 billion), the largest corporate fine for corrupt activity in history. We led the efforts on behalf of the companies and the individuals to secure a resolution in the United States with the Department of Justice and the SEC, who ultimately settled with our clients for a small fraction of what Brazilian prosecutors demanded and obtained.

- Odebrecht Global Resolution. We represented Odebrecht S.A. in connection with civil and criminal investigations flowing from the Lava Jato scandal, the largest corruption scandal in the history of Latin America and what the DOJ has described as "the largest-ever global foreign bribery resolution." We helped secure a global resolution of Odebrecht's criminal liability in the United States, Brazil, and Switzerland that allowed the company to continue operating despite allegations that constituted an existential threat.

- BTG Pactual. We represented a special committee formed by the Boards of Directors of Banco BTG Pactual S.A., the largest investment bank in Latin America, in an internal investigation regarding money laundering and bribery allegations against its former CEO André dos Santos Esteves. We found no basis to support the allegations against the Bank and its employees.

- *McDonnell Corruption Trial*. We represented former First Lady of Virginia Maureen McDonnell in connection with federal bribery and obstruction charges brought against her and her husband, former Governor of Virginia Bob McDonnell. Mrs. McDonnell was convicted of obstruction of justice and certain corruption charges after a six-week trial in 2014. After convincing the trial court to vacate the obstruction conviction because it was unsupported by the evidence, we pursued on appeal our arguments that the court incorrectly defined bribery and effectively directed the jury to convict. The U.S. Supreme Court agreed with our position and vacated all remaining convictions in a unanimous opinion that resoundingly rejected the government's and lower courts' conception of federal bribery laws.

- *College Admissions Investigation.* We obtained a complete trial acquittal—not guilty on all charges—on behalf of Jie "Jack" Zhao, the CEO of iTalk Global, who was accused of bribing Harvard University's fencing coach to recruit his two sons to Harvard's fencing team and assist in obtaining admission to Harvard. Following a three-week trial in federal court in Boston, a jury found Mr. Zhao not guilty of bribery, conspiracy, and honest-services wire fraud.

- *Sigelman FCPA Trial.* We convinced the Department of Justice to drop a high-profile FCPA prosecution mid-trial, resulting in the client receiving a sentence of probation and no jail time. In one of only a few FCPA cases ever to be tried, the government dropped five-and-a-half of six charges against Mr. Sigelman after an admission by the government's star witness that he made false statements to the jury on direct examination. The judge referred to the firm's cross examination of the government's star witness as "bloodletting." Mr. Sigelman had faced a possible sentence of 20 years in prison.

- *Vitol FCPA Trial.* We were trial counsel to Javier Aguilar, a former shareholder of global commodities giant Vitol Inc., in connection with allegations that he paid bribes in multiple countries in Latin America. Four separate components of the Justice Department prosecuted Mr. Aguilar in the only U.S. prosecution arising out of Vitol's $135 million settlement for paying bribes in Latin America.

- *Privinvest*. We represented Privinvest, one of the world's leading shipbuilding firms, and its CEO and majority shareholder, Iskandar Safa, in connection with criminal proceedings and investigations into contracts that Privinvest executed in Mozambique. DOJ indicted two Privinvest employees, alleging they were part of a scheme to make unlawful payments to Mozambican officials, and Credit Suisse bankers in connection with the contracts.

- *Miami Dolphins.* We represented Stephen Ross and the Miami Dolphins in connection with the NFL's investigation into allegations of tampering and tanking by former head coach Brian Flores. Among other things, Mr. Flores alleged that the Dolphins intentionally lost games during the 2019 season and that Mr. Ross offered payments of $100,000 as an incentive to lose games. The NFL's investigation concluded that each of these serious allegations was unfounded. We handled all aspects of Mr. Ross's and the Dolphins' defense in this investigation, and engaged extensively with the League and its investigators to minimize penalties to the Club.

FRAUD AND MONEY LAUNDERING

- *My Forex Funds.* We represented Murtuza Kazmi and Traders Global Group (d/b/a My Forex Funds) in a high-profile case in which the CFTC alleged fraud in connection with simulated forex trading. After persuading the Court to substantially pare down a draconian ex parte restraining order the CFTC procured at the outset of the case, we obtained case-terminating Rule 11 sanctions against the CFTC and a substantial attorneys' fee award after we brought to the Court's attention that the CFTC had misrepresented key facts to the Court.

- *TD Bank Spoofing Investigation*. We represent Jeyakumar Nadarajah, a Wall Street trader who was head of TD Bank's Treasuries trading desk, in a pending criminal case alleging that Mr. Nadarajah engaged in a scheme to manipulate the U.S. Treasuries market. Following our motion to dismiss certain counts of the indictment, the government voluntarily moved to dismiss those counts. The case is set for trial in 2026.

- *Boeing 737 Max*. We represent a number of current and former Boeing employees and executives in connection with the U.S. government's investigation of the Boeing 737 MAX aircraft – the model involved in the fatal accidents of Lion Air Flight 610 in October 2018 and Ethiopian Airlines Flight 302 in March 2019.

- *Platinum Partners*. We represented Mark Nordlicht, founder of the Platinum Partners hedge fund, in obtaining a new trial after his conviction on securities fraud charges.

- *Theranos*. We represented Dr. Adam Rosendorff, who served as the laboratory director of Theranos during the company's commercial launch. Dr. Rosendorff, who spent more than a week on the witness stand at the trial of Theranos founder Elizabeth Holmes, and was described by reporters as "one of the most important witnesses to testify," received no criminal sanction whatsoever.

- *FTX.* We represent the "new" FTX, which was established in bankruptcy proceedings in Delaware to assist in the recovery of assets for potential victims following revelations of the alleged multi-billion dollar frauds committed by its founder Sam Bankman-Fried and other insiders. We represent the new FTX in various litigations to recover assets and in a number of investigations by multiple government agencies relating to the underlying allegations of fraud. Our work has generated hundreds of millions of dollars in value to the FTX estate. FTX projects that the total value of property collected, converted to cash and available for distribution will be between $14.7 billion and $16.5 billion.

- *Agility.* We represented Agility, a Kuwaiti-based, multi-billion dollar logistics company, in civil False Claims Act litigation and a related criminal indictment alleging a $10 billion government contracting fraud. The matters were resolved favorably as part of a global settlement.

- *PrivatBank*. We represent Ukraine's largest and most systemically important commercial bank, Joint Stock Company Commercial Bank PrivatBank, in a number of proceedings against PrivatBank's former owners, who systematically looted the bank of hundreds of millions of dollars. In the United States, we filed a lawsuit in Delaware Chancery Court seeking $600 million in damages, which one observer, described as "probably the most detailed study of large-scale money laundering into the United States."

- *NXIVM.* We represent Clare Bronfman, a prominent supporter of the NXIVM self-improvement courses and daughter of former Seagram's Beverage Company owner Edgar Bronfman, Sr., in appealing the nearly seven-year prison sentence she received following her guilty plea to immigration fraud and identity theft offenses.

- *Swedbank*. We represent Swedbank in U.S. investigations relating to anti-money laundering, sanctions, and other controls issues that became a focus of regulators following the Panama Papers leak in April 2016 and, more recently, Swedish media reports highlighting connections between Swedbank and the Danske Bank money laundering and "Magnitsky Affair" scandals.

- *"Meme" Stock Investigation.* We represent Citadel LLC and certain of its subsidiaries in connection with investigations and litigation arising from the trading restrictions imposed on Gamestop and other "meme" stocks by various broker-dealers in late January 2021.

- *FBME Preliminary Injunction*. We obtained an unprecedented preliminary injunction that prevented the U.S. Treasury Department and its Financial Crimes Enforcement Network, or "FinCEN," bureau from enforcing a rule targeting our client, FBME Bank, to cut it off from U.S. dollars (and thus from the global financial system). This is the only successful stand a bank has made against FinCEN's implementation of this sanction, which FinCEN may impose following a determination that a foreign bank is an institution of "primary money laundering concern" and should be cut off from the U.S. financial system.

- *1MDB Matters.*

    - We represented BSI, a Switzerland-based, international private bank, in connection with the global criminal investigations involving 1MDB, Malaysia's sovereign wealth fund. Based on the internal investigations we conducted in the bank's Swiss, Luxembourg, and Singaporean operations, and the company's extensive cooperation with U.S. authorities, the U.S. Justice Department declined any prosecution at all of BSI or its employees. By contrast, other entities involved in the investigation reached a resolution with the DOJ requiring payment of more than $2.9 billion.

  - We also represented Mubadala Investment Company PJSC, the Abu Dhabi sovereign investor, in connection with asset forfeiture proceedings in U.S. courts relating to the government's efforts to forfeit assets involved in Mubadala's transactions 1MDB.

- *Eaze*. We were trial counsel to a key consultant to the cannabis delivery service Eaze in a bank fraud case arising out of the company's characterization of cannabis sales that were legal under state law.

- *Cantor Fitzgerald Trial.* We were trial counsel to David Demos, a former trader and managing director at Cantor Fitzgerald & Co., who was indicted on five counts of securities fraud. Mr. Demos was acquitted of all charges.

- *AIG False Claims Act Matters*. We obtained a complete dismissal, with prejudice, of a major False Claims Act case against AIG that alleged AIG defrauded the Federal Reserve Bank of New York of hundreds of millions of dollars during the financial crisis. The case, brought by a former AIG human resources executive-turned-whistleblower, alleged that two insurance subsidiaries that AIG sold to the Federal Reserve in exchange for $25 billion in debt reduction had, for decades, engaged in unlicensed insurance business in New York. The plaintiff alleged that AIG was complicit in the illegal insurance activity, concealed it from regulators, and deliberately misled the Fed during the negotiations in order to consummate the transaction. This case posed a potential $2.5 billion liability for AIG under the False Claims Act's treble damages provision.

- *Oceanografia*. We represented Martin Diaz-Alvarez, one of Mexico's most prominent bankers, who was accused of a $500 million fraud involving the collapse of Oceanografia S.A. de C.V., Mexico's largest oil services company. This is the largest financial fraud case in the history of Latin America. We successfully extricated Mr. Diaz from parallel DOJ and SEC investigations.

- *Bittrex.* We represented Bittrex in connection with an investigation and litigation by the SEC's Division of Enforcement into allegations that Bittrex operates as an unregistered securities exchange in violation of federal securities law. The SEC filed an action against Bittrex, Inc. seeking $1.3 billion in potential damages. After we appeared and began to litigate the case, the SEC agreed to settle it for less than 2% of what it sought in its complaint.

ECONOMIC ESPIONAGE AND TRADE SECRETS

- *Pangang.* Quinn Emanuel represented Pangang Group, a PRC state-owned company, in one of the most consequential Economic Espionage Act prosecutions in U.S. history. The government alleged that Pangang, at the direction of the Chinese government, conspired to steal DuPont's closely guarded chloride route process for manufacturing titanium dioxide, a trade secret DuPont had protected since the 1940s. After fifteen years of litigation that included multiple interlocutory appeals to the Ninth Circuit and a landmark challenge to amended federal service rules, Quinn Emanuel secured the dismissal of all charges against Pangang after just three days of trial.

- *Chen Espionage Investigation*. We represented Dr. Qun Chen, a senior executive of Shanghai United Imaging Healthcare Co. Ltd., a leading Chinese medical imaging company, in a criminal economic espionage investigation by the U.S. Attorney's Office for the Southern District of New York that resulted in the indictment of three NYU scientists. We successfully extricated Dr. Chen from the Southern District's investigation.

CONSTITUTIONAL AND CIVIL RIGHTS

- *Robert Kraft*. We represented Robert Kraft, the owner of the New England Patriots, in connection with solicitation of prostitution charges brought against him by the State of Florida. We persuaded the court in Florida to suppress video evidence of Mr. Kraft's alleged crime by showing that local law enforcement violated Mr. Kraft's and others' Fourth Amendment rights. The suppression of this evidence resulted in dismissal of charges against Mr. Kraft and helped to ensure the videos never became public.

- *Alec Baldwin Rust Shooting*. We represented the renowned actor Alec Baldwin in connection with the highly publicized "Rust" on-set shooting case. Baldwin faced involuntary manslaughter charges carrying a potential 18-month prison sentence after a firearm he was holding during rehearsal discharged a live round, resulting in the death of cinematographer Halyna Hutchins. We first secured the critical pre-trial exclusion of evidence that would have held Baldwin criminally liable based on his role as a producer on the film, gutting a substantial portion of the government's case. Then, during trial, we elicited testimony revealing that law enforcement and the prosecution deliberately had withheld crucial evidence from the defense. The court dismissed the case with prejudice for this conduct, thereby vindicating Mr. Baldwin, who had maintained from the outset that he was not criminally liable for the tragic accident.

TAX EVASION

- *Panama Papers.* We represented Johan von der Goltz, who was charged in the only U.S. prosecution arising out of the disclosure of information from Panamanian law firm Mossack Fonseca. Known as the "Panama Papers," the disclosures were dramatized in *The Laundromat*, starring Meryl Streep. Mr. von der Goltz was one of Mossack Fonseca's first clients.

- *Swiss Bank Program.*

    - We represented Bank Julius Baer & Co. Ltd. in connection with the DOJ's crackdown on the Swiss banking industry and alleged facilitation of tax evasion. We obtained a deferred prosecution agreement that involved a penalty that was approximately 85% below the bottom end of the recommended sentence range under the U.S. Sentencing Guidelines.

    - We represented BSI SA, one of the world's largest private banks, which was the first out of approximately 100 banks participating in the Swiss Bank Program to obtain a non-prosecution agreement.

    - We also represented EFG Bank, one of the largest banks in Switzerland, and obtained a non-prosecution agreement that included a penalty that was just 1.9% of the bank's peak U.S. assets under management, which is less than half the penalty that other banks in the Program have had to pay.

ECONOMIC SANCTIONS, EXPORT CONTROLS, AND FOREIGN AGENT REGISTRATION ACT (FARA)

- *South Sudan Coup Case*. We represented a high-profile financial executive and human rights supporter who provided $7 million to Peter Ajak, who used the funds to purchase anti-aircraft missiles and other weapons to foment a coup in South Sudan. The government ultimately declined to prosecute our client, and we obtained a court order prohibiting the parties from publicly naming our client in court filings.

- *Halkbank Case.* We represented Reza Zarrab, a Turkish gold trader charged in the Southern District of New York with engaging in hundreds of millions of dollars' worth of transactions that constituted money laundering, Iran Trade sanctions violations, and bank fraud.

- *Elliott Broidy*. We represented Elliott Broidy, a well-known Los Angeles-based businessman and former Finance Chairman of the Republican National Committee, in a federal criminal investigation of his failure to register as an alleged foreign agent of a Malaysian billionaire and the Chinese Government in violation of the Foreign Agent Registration Act (FARA). Mr. Broidy received a presidential pardon.

- *DigitalBridge*. We represented a special committee of the board of directors of DigitalBridge Group, Inc., in connection with allegations that Tom Barrack, who led DigitalBridge's predecessor company Colony Capital, violated FARA by acting as an agent of the United Arab Emirates without registering as a foreign agent. On behalf of the Special Committee, we conducted an investigation to assess whether the company itself is exposed to any criminal liability.

CAMPAIGN FINANCE

- *Bonner*. We represented Steve Bonner, the former CEO of Cancer Treatment Centers of America, in an internal investigation regarding campaign finance law violations that had occurred at the company over a decade. We secured a favorable conciliation agreement for our client with the Federal Election Commission, which declined a referral of the matter to the DOJ.

- *De Blasio Investigation.* We represented a two million-member national labor union and its largest local affiliate in state and federal bribery and campaign finance investigations regarding contributions to the Mayor of New York City and other New York Democrats. The investigations resulted in no charges against our clients or any of their executives.

"We use Quinn Emanuel for the highest stakes matters. They provide really good people."
Client Testimonials, *Chambers and Partners*