

David B. Leland

Skadden

Partner, Washington, D.C.

Government Enforcement and White Collar Crime



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Education

J.D., George Washington University Law School, 2000 (High Honors; Editor-in-Chief, *The George Washington Law Review*; Order of the Coif; Anne Wells Branscomb Award)

M.B.A., Finance, Johns Hopkins University, 2007

B.A., Political Science and Economics, University of New Hampshire, 1992

Bar Admissions

District of Columbia
Virginia

David Leland represents corporations, officers, directors, and employees in connection with criminal, civil, regulatory and congressional proceedings. His practice focuses on white-collar criminal defense, cross-border government enforcement actions and related complex civil litigation at all stages, from the inception of an investigation through trial.

Mr. Leland has defended corporations and individuals in the United States and abroad against allegations of U.S. Foreign Corrupt Practices Act (FCPA) violations, unlawful antitrust practices and market manipulation, health care fraud, False Claims Act violations, tax evasion, mail and wire fraud, false statements, bank fraud, securities fraud and economic sanctions violations. He has extensive experience conducting internal investigations on behalf of global corporations, boards of directors and audit committees. As a former senior congressional aide, Mr. Leland also advises clients on congressional investigations and legislative matters.

Mr. Leland has devoted a growing portion of his practice to conducting internal investigations and representing companies in connection with cross-border competition and criminal antitrust matters. He has represented institutions in DOJ Antitrust Division, CFTC, inspector general (OIG) and state attorneys general investigations relating to bid rigging, collusion and market manipulation. Mr. Leland also has served as international coordinating counsel for investigations conducted by foreign competition commissions, antitrust enforcement agencies and various related governmental authorities, including in Australia (ACCC and ASIC), Brazil (CADE), Hong Kong (HKMA), Japan (JFSA), Korea (KFTC), Mexico (COFECE), South Africa (SARB and SACC) and Switzerland (ComCo), as well as the European Commission.

Some of his representations have included:

- serving as trial counsel in the successful defense of a prominent motorsports attorney acquitted of conspiracy and tax evasion charges in *United States v. Helio Castroneves et al.*;
- representing a major financial institution in parallel investigations by the DOJ, CFTC, OCC, Federal Reserve, SEC, U.K. Financial Conduct Authority and more than 10 other foreign authorities alleging price-fixing and other anti-competitive practices in foreign exchange (FX) trading;
- representing a financial institution in a CFTC investigation relating to potential collusion, manipulation and/or group boycotts concerning interest-rate swaps;
- conducting an internal investigation for a pharmaceutical company relating to potential bid rigging in connection with government sales in Latin America;
- counseling an international humanitarian organization in an OIG investigation relating to collusion among vendors supplying humanitarian goods in war-torn areas;
- representing a senior executive of a major oilfield services corporation in an FCPA and sanctioned-countries investigation conducted by the DOJ, SEC, OFAC and the Commerce Department's Bureau of Industry and Security;
- representing a German manufacturer in a DOJ and SEC investigation into FCPA violations and improper payments made in connection with the U.N. Oil-for-Food Program;

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- counseling a global foreign corporation on anti-bribery, anti-corruption and general compliance matters while under a DPA and monitorship for FCPA violations;
- conducting an internal investigation into improper sales and inventory practices for a computer company's Asian subsidiary;
- representing a major medical device company in a civil and criminal investigation involving allegations of off-label promotion;
- representing hospital employees in a U.S. Attorney Office investigation and subsequent trial relating to alleged Medicare fraud;
- representing health care management corporations, medical device companies and government contractors accused of violating the False Claims Act;
- representing a medical device company in a congressional investigation relating to repatriation of foreign earnings and related tax issues;
- representing a major company involved in congressional investigations into the Deepwater Horizon/BP oil spill;
- conducting an internal investigation into whistleblower complaints concerning a defense contractor's joint venture in the Middle East;
- counseling an individual and his business in connection with potentially injurious news articles about alleged business connections with a presidential candidate;
- representing the board of directors of a FTSE 100 company in connection with a Southern District of New York investigation of the online gaming industry;
- defending "Big Four" accounting firms in fraud and auditor malpractice suits; and
- representing insurance companies in criminal investigations and class action litigation in the aftermath of Hurricane Katrina.

Prior to joining Skadden, Mr. Leland served as a congressional staff member for nearly eight years. Between 1992 and 1996, he served on the legislative staff of U.S. Rep. William F. Clinger, Jr., chairman of the House Government Reform and Oversight Committee. From 1996 until 1999, Mr. Leland worked for U.S. Rep. Charles F. Bass, serving as policy and staff director and the congressman's top advisor in Washington, managing a staff of legislative, communications and administrative employees. Aside from his managerial duties, he oversaw all legislative and policy initiatives; drafted legislation, speeches and floor statements; devised and implemented legislative, political and press strategies; and served as media spokesman for Rep. Bass.

Government Service

Law Clerk, Hon. Morton I. Greenberg, U.S. Court of Appeals for the Third Circuit (2001-02)

Law Clerk, Hon. Thomas Penfield Jackson, U.S. District Court for the District of Columbia (2000-01)

Policy and Staff Director/
Legislative Director, U.S. Rep. Charles F. Bass (1996-99)

Legislative Director/Legislative Assistant/Legislative Correspondent, U.S. Rep. William F. Clinger, Jr. (1992-96)

Publications

"Anonymous Online Speech: Considerations for Victims and Speakers," *Skadden, Arps, Slate, Meagher & Flom LLP*, June 18, 2019

"Preparing for Democratic Oversight Investigations," *Skadden's 2019 Insights*, January 17, 2019

"Cross-Border Investigations Update – January 2019," *Skadden, Arps, Slate, Meagher & Flom LLP*, January 2019

"Cross-Border Investigations Update – August 2018," *Skadden, Arps, Slate, Meagher & Flom LLP*, August 2018