

Dwight P. Bostwick

Partner and Firm Chair

Dwight P. Bostwick has been recognized by *The Best Lawyers in America* for his success in complex commercial litigation and white collar defense. He provides sound judgment and effective advocacy in high-stakes disputes.

Dwight also serves as Chair of Zuckerman Spaeder's Executive Committee and Partnership Board. He is a founding member of the firm's Diversity, Equity, and Inclusion (DEI) Committee.

In the civil arena, Dwight has successfully represented both plaintiffs and defendants in complex litigation involving claims for fraud, breach of contract, securities violations, and antitrust conspiracies.

In white collar crime matters, Dwight has successfully defended a range of clients in investigations and cases brought by the U.S. Department of Justice (DOJ), the Securities & Exchange Commission (SEC), the Federal Trade Commission (FTC) and other agencies. He has significant experience defending investigations involving banking, health care, and accounting fraud, as well as allegations of insider trading, foreign corrupt practices, and securities fraud.

Dwight has represented a wide variety of clients from the U.S., Europe, and South America, including executives, government officials, state and national associations, professional services firms, nonprofits, labor unions, and corporations in the technology, health care, financial and commercial industries.

Early in his career, Dwight served in the DOJ, first in the Criminal Division's Fraud Section and later in the Deputy Attorney General's Office. While at DOJ, Dwight was one of three prosecutors selected to lead the original Whitewater grand jury investigation prior to the appointment of independent counsel.

Government service

- Deputy Special Counsel for Financial Institution Fraud
 - Deputy Attorney General's Office
 - U.S. Department of Justice
- Trial Attorney



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Practice focus

- Antitrust
- Business Litigation
- White Collar Defense
- Investigations
- Foreign Corrupt Practices Act (FCPA)
- Procurement fraud
- Securities and Commodities Litigation
- Pro Bono

Education

- Georgetown University Law Center, J.D., 1988
- Stanford University, B.A., 1983



ZUCKERMAN
SPAEDER

- Fraud Section, Criminal Division
- U.S. Department of Justice

Recognitions

- The Best Lawyers in America, Commercial Litigation; Criminal Defense: White-Collar
- Super Lawyers (Washington, DC)
- Legal 500

Bar admissions

- District of Columbia
- Michigan (inactive)
- Pennsylvania (inactive)

Court admissions

- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Eastern District of Michigan
- D.C. Superior Court
- D.C. Court of Appeals

Clerkships

- Hon. Manuel L. Real, U.S. District Court, Central District of California

Representative matters

- Represents a French company and CEO in a civil dispute and parallel DOJ investigation involving alleged false representations in the context of the sale of a company and various government certifications
- A month before a six-week jury trial was scheduled to begin, secured a voluntary dismissal of all charges in a federal indictment alleging an illegal kickback scheme



against our client, the former founder and Chief Executive Officer of one of the nation's largest spine and pain management practices.

- Represented a foreign national and various corporate entities in the United States and abroad in the FIFA investigation. The clients were targeted by DOJ in an investigation involving bribery and money laundering in international soccer.
- Represented a law firm identified as a target of a grand jury investigation. Counseling role included coordination of joint defense efforts with attorneys for individual partners and firm clients. DOJ ultimately dropped the matter.
- Represented the former Chief Accounting Officer of a multibillion-dollar real estate investment trust in parallel civil and criminal proceedings. The client has been targeted by DOJ and the SEC in an investigation of accounting and securities fraud.
- Represented a foreign national targeted in an insider trading investigation conducted by the SEC and DOJ.
- Represented a foreign national in an antitrust investigation conducted by the DOJ.
- Represented former professional football players in the high-profile concussion related lawsuit against the National Football League (NFL). Our firm, along with a limited number of parties, filed an appeal calling the 2015 settlement “unfair, unreasonable and inadequate” for its disparate treatment of former NFL players who were diagnosed with CTE before the settlement and those who will be diagnosed after the settlement.
- Represented two clients in a Foreign Corrupt Practices Act investigation conducted by the Fraud Section of the DOJ and the SEC arising out of the Petrobras or “Lava Jato” scandal in Brazil.
- Represented an international pharmaceutical company headquartered in Paris in a multimillion-dollar lawsuit against Abbott Laboratories alleging antitrust violations in restraint of trade in the billion-dollar-a-year heart medication market.
- Represented a national accounting firm and numerous partners in a grand jury investigation relating to alleged accounting improprieties. The client, a target of the federal criminal investigation, was not indicted and entered an agreement with the government disposing of



the matter.

- Represented a national association, a state association, individual psychologists, and mental health patients in a test case asserting breach of contract and fraud claims against Blue Cross and CareFirst in connection with the marketing and implementation of a managed care plan. The clients entered a favorable settlement prior to trial.
- Represented a telecommunication entrepreneur and his company in a suit for recovery of a multimillion-dollar investment made to an Israeli company in an internet technology platform based on claims of fraud and breach of contract. The client entered a favorable settlement on the eve of trial.
- Represented an international pharmaceutical company in multimillion-dollar litigation alleging breach of contract, breach of the covenant of good faith and fair dealing, and misuse of trade secrets. The client entered into a favorable settlement following mediation and prior to trial.
- Represented a top official of the U.S. Department of the Interior in civil and criminal contempt proceedings. The client successfully avoided civil and criminal contempt findings.
- Represented the executive board of one of the nation's largest labor unions in a series of emergency trusteeships, union hearings, hearings in federal district court, and hearings before the U.S. Court of Appeals for the Seventh Circuit to help rid the labor union of organized crime influence and financial misconduct. Additionally, he was selected by the union and approved by the DOJ to serve as the financial compliance officer for the union's national elections in 2001, 2006, and 2011.
- Represented a target in a USAID investigation of alleged misuse of federal proceeds by the CFO of a non-governmental organization. The government ultimately declined the matter.
- Represented a federal contractor in Virginia and two senior executives in an investigation into billing fraud. The client avoided indictment.
- Represented two former attorneys in their efforts to testify to antitrust violations they observed while working for the tobacco industry. Both clients were granted immunity from all 50 states before testifying in a number of tobacco-related cases. One client was on the stand testifying when the tobacco companies agreed to the



historic \$206 billion settlement with the State Attorneys General.

- Represented a subject in the Abramoff grand jury investigation. The client was granted immunity.
- Represented a subject in the Sandy Berger grand jury investigation. The client ultimately received a non-prosecution letter.

