Jon R. Fetterolf

Partner

Jon R. Fetterolf litigates tough cases, defending clients in criminal matters and fighting for their best interests in complex commercial litigation and investigations.

As a certified agent with the Major League Baseball Players Association, Jon also maintains a thriving sports law practice, representing athletes and sports agencies in contract negotiations, salary arbitrations, and litigation.

Jon represents companies and individuals under criminal investigation for antitrust violations, bribery, money laundering, and a variety of other types of financial fraud, including tax, securities, accounting, and government contract fraud.

He conducts corporate internal investigations relating to possible violations of the Foreign Corrupt Practices Act (FCPA) and the Office of Foreign Assets Control (OFAC), including representing a Fortune 100 company in a resolution with the DOJ and the SEC relating to alleged FCPA violations. Jon also counsels companies on anticorruption issues, including assisting in acquisition due diligence, vetting third-parties, in addition to assisting them in developing corporate compliance plans to address FCPA and OFAC risk. He also regularly speaks on panels relating to anticorruption issues.

Jon also represents companies and individuals in a variety of civil enforcement proceedings and internal investigations, including investigations conducted by the SEC, various congressional committees, and other federal and state regulators, with a particular emphasis on antitrust, financial, and accounting fraud violations.

In his civil practice, Jon focuses on complex commercial matters, with a particular emphasis on antitrust litigation. He has represented corporations and individuals in multidistrict litigation, class action proceedings, and other complex litigation matters in numerous state and federal courts, as well as in international and domestic arbitration proceedings. Jon has significant experience in representing athletes and other public figures in a variety of litigation matters, including numerous matters that garnered significant media attention. He also represents a number of athletes, including baseball, basketball, football and tennis players in arbitration matters stemming from the governing bodies of their respective sports.

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Practice focus

- White Collar Defense
- Sports
- ZS Sports - Athlete Representation
- Antitrust
- Congressional investigations
- Foreign Corrupt Practices Act (FCPA)
- Investigations
- Securities and Commodities Litigation

Education

- University of Michigan Law School, J.D., *cum laude*, 1999
    - Order of the Coif
- Haverford College, B.A., 1993

As an MLB-certified agent, Jon represents players and coaches in contract negotiations, salary arbitrations, and free agency, as well as negotiates numerous endorsement and marketing contracts on their behalf. Some of his clients have included 2020 NL Cy Young Award winner Trevor Bauer, two major league players recognized among the 10 smartest athletes in professional sports by *Sports Illustrated*, and one current MLB manager.

Jon has represented players appearing before congressional committees; represented players under investigation by Major League Baseball; advised numerous players and their families regarding their selection in the MLB first year player draft, including a number of high-round selections; and advised amateur athletes and their families on NCAA eligibility issues. Jon also represents sports agencies, agents, and former players in a variety of litigation matters, including salary arbitration proceedings, fee disputes and civil litigation.

Jon regularly speaks on panels relating to baseball salary arbitration, as well as other issues regarding major league baseball. He has regularly served as a judge and panelist at the Tulane Law School National Baseball Arbitration Competition, and he has been a speaker at sports law events organized by Harvard Law School, Georgetown University Law Center, Northwestern Law School, Fordham Law School, the Penn State Dickinson School of Law, and the University of Maryland Robert H. Smith School of Business. He also spoke as a panelist before the Knight Commission on Intercollegiate Athletics.

Prior to joining Zuckerman Spaeder, Jon was a partner at Williams & Connolly LLP in Washington, DC.

Professional leadership

- Edward Bennett Williams Inn of Court, 2018-present
- Member, National Association of Criminal Defense Lawyers (NACDL)
- Member, Criminal Justice and Antitrust Sections, American Bar Association
- Member, Sports Lawyers Association (SLA)

Community involvement

- Board of Directors, Strive

Recognitions

- The Best Lawyers in America, Criminal Defense: White-Collar
  - Haverford College Baseball (1989-1993): Captain, Team MVP, All Region
  - Haverford College Basketball (1989-1991, 1992-1993)
  - Alumni Varsity Club Award (1993)

Languages

Bar admissions

- District of Columbia
- New York

Court admissions

- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, Central District of Illinois
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York

Clerkships

- Hon. Pamela A. Rymer, U.S. Court of Appeals, Ninth Circuit
- Hon. Edmund V. Ludwig, U.S. District Court, Eastern District of Pennsylvania

Representative matters

- Represented a Fortune 50 company in a five-year internal investigation relating to possible violations of the FCPA. He oversaw a worldwide investigation and risk assessment, and ultimately negotiated a public resolution with the DOJ and SEC.
- Represented a public company identified by the DOJ as a target of an investigation related to allegations of price fixing in the polyester staple fiber industry. After a three-year investigation, the DOJ declined to prosecute.
- Represented a multinational investment bank in investigations by the DOJ and SEC related to a variety of antitrust violations and fraud.
- Represented an accounting firm and its partners in an enforcement proceeding relating to violations of the SEC's auditor independence rule. After receiving a Wells submission, the SEC declined to prosecute.
- Represented an accounting firm and its partners in a variety of SEC and DOJ proceedings relating to investigations of its clients for accounting, tax, and other types of fraud, as well as investigations relating to adherence to various SEC rules and regulations.

- Represented a multinational investment bank in a DOJ political corruption investigation.
- Represented a senior executive of a public company in a DOJ political corruption investigation.
- Represented a senior executive targeted in a DOJ price-fixing investigation. The DOJ declined to prosecute this individual after a multiple year investigation.
- Represented the CEO of an oil and gas company targeted in DOJ and IRS tax-fraud investigations. After a seven-year investigation involving multiple guilty pleas, both the DOJ and IRS ended their investigations without prosecuting.
- Represented a telecommunications executive in a DOJ fraud investigation.
- Represented a financial services executive in a DOJ fraud investigation.
- Represented a senior executive of a public company in SEC insider-trading investigations.
- Represented several executives in an SEC insider-trading investigation.
- Represented the senior executive of a public company before U.S. Senate and House committees in hearings related to a political leak.
- Represented a political consultant who was indicted for campaign finance violations.
- Represented a principal of a private equity firm in an internal accounting fraud investigation.
- Represented a hedge fund in an SEC investigation related to the purchase and sale of certain securities.
- Represented an accounting firm in response to an investigation conducted by the Public Company Accounting Oversight Board.
- Represented a public company in numerous federal and state class and non-class proceedings relating to alleged price fixing in polyester staple fiber.
- Represented a Fortune 100 company in an international arbitration relating to the termination of a foreign joint venture.
- Obtained dismissal on summary judgment of damages of

$400 million over allegations against a Fortune 500 client of theft of trade secrets $400 million.

- Represented a public data aggregation company in various class actions related to data privacy issues.

- Represented a multinational investment bank in federal and state class action proceedings related to bid rigging in municipal derivatives.

- Represented a player in a salary arbitration hearing against the Pittsburgh Pirates, for whom he was then a starting pitcher. Despite a 1-11 record in his most recent season, a three-judge arbitration panel awarded the player his requested salary. This salary arbitration hearing was one of only three cases to go to a hearing during the 2011 salary arbitration season.

- Represented a former All-Star MLB pitcher, who was one of the six players to appear and testify at the 2005 Committee on Government Reform congressional hearings on performance-enhancing drugs in baseball.

- Represented a MLB player in a federal civil lawsuit related to allegations of sexual assault.

- Represented a MLB player in a federal civil lawsuit related to allegations of intentionally transmitting a sexually transmitted disease.

- Obtained dismissal on summary judgment of a federal civil lawsuit against a MLB player related to claims of assault, battery and civil conspiracy stemming from an altercation at a club.

- Represented a tennis player against claims that he violated the Tennis Anti-Corruption Rules. All claims were dismissed.