



Sharon M. Bunzel

Partner

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Sharon Bunzel focuses on the representation of corporate and individual targets, defendants, witnesses, and victims in criminal and regulatory investigations and prosecutions, as well as related civil actions. Sharon advises boards, audit committees, independent directors and executives in connection with complex and sensitive internal investigations, and designs and assists in implementation of compliance and remediation programs. Sharon has been named one of the Daily Journal's top women litigators in California and a "Client Service All-Star" by BTI.

Sharon served as an Assistant US Attorney in the Northern District of California, overseeing long-term, complex investigations, and prosecuting large criminal organizations. She conducted several trials and numerous oral arguments before the US District Court and the Ninth US Circuit Court of Appeals. Sharon worked closely with federal, state, and local law enforcement agencies, and served a detail as Special Counsel to the Director of the Federal Bureau of Investigation.

Admissions

Bar Admissions
California

Court Admissions
US Court of Appeals, Ninth Circuit
US District Court, Central, Eastern,
and Northern Districts of California

Education

Yale Law School, J.D., 1995: notes editor, *Yale Law Journal*; editor, *Yale Journal of Law and Feminism*
Yale College, B.A., English and Theater Studies, 1992: *magna cum laude*; Phi Beta Kappa; distinction in both majors

Experience

- **Internal Investigations:** Representations of corporations, special board committees and individuals in internal investigations of allegations of federal and state law violations. Develop recommendations for remedial actions and compliance programs. Recent representations include a multinational technology company responding to a web of inquiries from federal, state and local enforcement agencies, including the Department of Justice, multiple state Attorneys General, and District Attorneys, on issues including FCPA, wire and securities fraud, data privacy, consumer fraud and unfair business practices; the audit committee of one of the largest energy sector companies in the world in response to shareholder False Claims Act allegations; a multinational e-commerce corporation in an internal investigation involving anti-money laundering issues; and one of the largest health club companies in California in connection with an investigation in response to District Attorney claims of unfair business practices and false advertising.
- **FCPA and Export Control:** Representations of multi-national companies and US companies with international business transactions in responding to whistleblower allegations and government inquiries regarding potential anti-corruption and export control violations, including internal investigations, self-reporting to the Securities and Exchange Commission and the Department of Justice, and developing corporate compliance programs. Recent experience includes representation of audit committee of US semiconductor company with operations in China in whistleblower investigation involving allegations of FCPA and export control violations.
- **Trade Secrets and Computer Crimes:** Representations of corporate victims of trade secret misappropriation and computer fraud in pursuing civil and criminal remedies, and of corporate targets of FBI trade secret theft investigations and related internal investigations, criminal prosecutions, and civil litigation. Recent representations include major technology company in connection with DOJ investigation of trade secret theft by employee who allegedly brought information obtained during prior employment with competitor; implemented disciplinary and remedial measures, with no prosecution against company. Also recently represented victim companies in technology and executive search industries in obtaining restitution in criminal trade secret prosecutions against former employees, and victim companies in data breach matters.
- **Antitrust:** Individual and corporate representations of targets in DOJ Antitrust Division investigations of the freight forwarding, air cargo, LCD panel, and DRAM industries.
- **Securities Fraud:** Representations of high-level employees and executives in stock options backdating and securities fraud investigations, and related criminal, civil, and regulatory matters. Recent representations include a public company Controller in connection with insider trading claims brought by SEC; a Board member of a so-called "unicorn" company under investigation by the SEC for fraud; a for-profit education company executive in connection with an SEC probe related to disclosures of student placement information; and the head of the Mergers and Acquisitions Tax Department of a Big Four accounting firm in an SEC investigation, in which the SEC dismissed all charges after commencement of litigation.
- **Health Care Fraud:** Corporate and individual representations in criminal investigations and civil suits for off-label marketing of pharmaceuticals, False Claims Act violations, and health-care fraud. Recent experience includes high-level executive in criminal investigation related to off-label marketing, where prosecution was avoided.

- **Unfair Business Practices:** Corporate representations in connection with Attorney General and District Attorney allegations of California's Unfair Business Practices, false advertising, and weights and measurement laws. Recent experience includes representation of one of the largest health club companies in California in connection with investigation and statewide resolution of District Attorney claims of unfair business practices and false advertising, including oversight of restitution and remedial measures.
- **Grand Jury Investigations:** Representation of companies in connection with grand jury proceedings, including counseling with respect to witness and document subpoenas, testimony, and government interviews.

Professional Activities

Speaker

- "Foreign Corrupt Practices Act Trends and Enforcement," Securities Enforcement West 2018 (May 2018)
- "Turning the Tables on the Government: Fines, Forfeitures, Restitution," National Association of Criminal Defense Counsel's West Coast White Collar Crime Conference (2014)
- "Critical Risks Facing Technology Companies in 2013: Thoughts from Corporate Counsel & the SEC," Stanford Rock Center Panel (Feb. 2013)
- "Internal Investigations & Compliance Issues for Technology Companies," The Fourth National Institute on Internal Corporate Investigations and Forum for In-House Counsel (ABA, May 2012)

Publications

- "Obstruction of Justice Under Computer Associates: Legal, Tactical and Ethical Implications for Attorneys Conducting Internal Investigations," *Internal Investigations: Legal, Ethical & Strategic Issues* (PLI 2006)
- "When It Is Against the Law Not to Confess: Securities Law Requirements to Disclose Illegal Conduct," *1996 ABA White Collar Crime at F-1*
- "The Probation Officer and the Federal Sentencing Guidelines: Strange Philosophical Bedfellows," *104 Yale Law Journal* 933 (1995)
- "Sitting in Judgment: The Sentencing of White Collar Criminals," *Yale Survey of Current Legal Issues* 116 (Prototype Issue, June 1996)

Clerkships

- Honorable Fern M. Smith (N.D. Cal.)

Externships

- Honorable José A. Cabranes (D. Conn.)

Honors & Awards

- Recommended by *The Legal 500* for Corporate Investigations and White-Collar Criminal Defense (2018)
- *BTI* "Client Service All-Star" (2014)
- *Daily Journal* "Top Women Litigators" (2010, 2012)