



David J. Ribner

Counsel

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David J. Ribner's practice focuses on counseling U.S. and non-U.S. clients on international trade and investment regulatory matters, including trade and anticorruption compliance. His clients span a variety of industries, with a focus on companies operating in the technology and energy sectors.

David has extensive experience securing national security clearance by the Committee on Foreign Investment in the United States (CFIUS), having served as CFIUS counsel in transactions with investors spanning the globe and myriad industries.

David also counsels clients on compliance with U.S. economic sanctions, export controls, customs laws, and antiboycott regulations, as well as the Foreign Corrupt Practices Act (FCPA), and advises on the development and implementation of related corporate compliance programs. When potential violations of such laws arise, he conducts internal investigations and assists with responding to subpoenas and other information requests from the Department of Justice, the Securities and Exchange Commission, the Commerce Department's Office of Export Enforcement, the Treasury Department's Office of Foreign Assets Control, and the Nuclear Regulatory Commission.

David has been recommended as a leading lawyer for International Trade by *The Legal 500 US* and recognized as an "Up & Coming" CFIUS expert by *Chambers USA*. He has also been named to the Washington, DC Rising Stars list by *Super Lawyers*. David frequently speaks and publishes on topics related to international trade.

Admissions

Bar Admissions

District of Columbia
New York

Education

Georgetown University, J.D.
King's College London, University of London M.A.
Columbia University, B.A.

Experience

Representative CFIUS Experience

- IBM in connection with multiple transactions, including the sale of its x86 server business to Lenovo, the sale of its global semiconductor manufacturing business to GLOBALFOUNDRIES, and the sale of select IBM software products to HCL Technologies
- Mitsui & Co. in connection with its acquisition of Spaceflight, Inc., a space launch rideshare company, and its investment in Airspan Networks Inc., a communications equipment company
- A European multinational company in connection with CFIUS matters involving multiple acquisitions of US physical and logical access control and security equipment businesses
- DigitalGlobe, Inc. in its acquisition by Macdonald, Dettweiler and Associates Ltd.
- OMERS Infrastructure, the infrastructure investment manager of the Ontario Municipal Employees Retirement System, in the US\$800 million sale of portfolio company Airports Worldwide to Vinci Airports, a subsidiary of Vinci Group
- Mentor Graphics Corporation in its US\$4.5 billion acquisition by Siemens Industry, Inc., a leader in global technology, focusing on the areas of electrification, automation, and digitalization
- Analogix Semiconductor in its acquisition by Beijing Shanghai Capital Management Co, Ltd.
- A buyer consortium led by Yunfeng Capital, TF Capital and Tony (Bizuo) Liu, in a going private transaction involving Cellular Biomedicine Group, Inc. (Nasdaq: CBMG).

Representative Economic Sanctions & Export Control Experience

- Conducted internal investigations relating to potential violations of economic sanction laws, antiboycott laws and, the Export Administration Regulations (EAR)
- Represented U.S. and non-U.S. companies in enforcement matters arising from potential violations of economic sanctions, export control, and customs laws, including assisting clients in responding to subpoenas and other information requests from the Department of Justice, the SEC, the Commerce Department's Office of Export Enforcement, the State Department, and OFAC, and in settling pending enforcement matters before such agencies
- Conducted assessments and audits of economic sanctions and export control compliance programs in a variety of industries
- Advised on the development and implementation of corporate compliance programs in the areas of export controls, economic sanctions, customs, and the antiboycott laws
- Represented US and non-US companies in obtaining a range of authorizations, licenses and advisory opinions under the EAR, the ITAR, as well as the economic sanctions regulations governing trade with Cuba, Iran, Iraq, Sudan, and Syria
- Advised on the consequences of changes in economic sanctions laws, including Russia/Ukraine, Iran and Cuba sanctions programs

Representative FCPA Experience

- In response to FCPA inquiries from the U.S. government, conducted an investigation for a leading tech company of the company's operations in numerous countries across Asia, Africa, and South America

- Represented former corporate executive of Brazilian company in connection with DOJ investigation into FCPA violations regarding alleged bribes to state-owned enterprise
- Represented former corporate executives of Brazilian company in connection with DOJ investigation regarding alleged payments to political officials

Professional Activities

Publications

- “Tougher Stance on Chinese Investments Comes at a Cost,” *The Hill* (August 2018)

Speaker

- Presenter, “U.S.-China Venture Capital: Trends and Regulatory Challenges,” AmCham Shanghai (January 2020)
- Presenter, “CFIUS for Startups and Investors,” Silicon Catalyst Angels (December 2019)
- Panelist, “Everything Old is New Again: CFIUS and FIRRMA – How Will the Potential Changes Affect FDI in Your Company?” 97th Annual AAEI Conference and Expo (June 2018)

Client Alerts (Most Recent)

- “Biden Administration Recalibrates Executive Order Prohibiting Investments in Publicly Traded Securities of Certain Chinese Companies” (O’Melveny & Myers International Trade Alert, June 2021) (with Greta Lichtenbaum, John Dermody)
- “Biden Administration Issues New Targeted Economic Sanctions On Russia” (O’Melveny & Myers International Trade Alert, April 2021) (with Greta Lichtenbaum, John Dermody)
- “FCC Lists Certain Chinese Telecom Equipment as National Security Risk” (O’Melveny & Myers International Trade Alert, March 2021) (with Greta Lichtenbaum, John Dermody)
- “Commerce Department’s New Technology Supply Chain Rules Leave Many Unanswered Questions” (O’Melveny & Myers International Trade Alert, February 2021) (with Greta Lichtenbaum, Tod Cohen, John Dermody)
- “EU Commission Publishes Text of EU-China Comprehensive Agreement on Investment” (O’Melveny & Myers Antitrust & Competition Alert, January 2021) (with Ben Bradshaw, Riccardo Celli, Courtney Dyer, Andrew Frackman, Yoji Maeda, Philip Monaghan, Anna T. Pletcher, Katrina Robson, Ian Simmons, Michael Tubach, Christian Peeters, Courtney C. Byrd, Kieran Humphrey, Stephen McIntyre, Philippe Nogues, Charles Paillard, Scott Schaeffer, and Sergei Zaslavsky)
- “Unfinished Business and Potential New Directions: The Biden Administration Faces Many Decisions in Addressing Trump Administration Measures Targeting China and other National Security Threats” (O’Melveny & Myers International Trade Alert, January 2021) (with Greta Lichtenbaum, John Dermody, and Paras Shah)
- “China Issues Rules to Counteract ‘Unjustified’ Extra-territorial Application of Foreign Laws” (O’Melveny & Myers International Trade Alert, January 2021) (with Walker J. Wallace, Greta Lichtenbaum, Carl Erik Heiberg, and Qianru Hong)
- “Trump Administration Takes Further Actions Targeting China as Term Nears End” (O’Melveny & Myers International Trade Alert, December 2020) (with Greta Lichtenbaum, John Dermody, Mary Pat Dwyer, and Paras Shah)

- “President Trump Issues Executive Order Prohibiting US Investments in Companies with Ties to the Chinese Military” (O’Melveny & Myers International Trade Alert, November 2020) (with Greta Lichtenbaum, Philip Monaghan, Walker J. Wallace, Theodore W. Kassinger, Mary Pat Dwyer, and Paras Shah)
- “Treasury Issues New Guidance on Risks of Ransomware Payments” (O’Melveny & Myers International Trade Alert, October 2020) (with Greta Lichtenbaum, Lisa Monaco, Laurel Loomis Rimon, Scott Pink, John Dermody, Braddock Stevenson, and Paras Shah)
- “Preliminary Injunctions Delay Implementation of Commerce Department Orders Targeting TikTok and WeChat” (O’Melveny & Myers International Trade Alert, October 2020) (with Greta Lichtenbaum, Theodore W. Kassinger, John Dermody, Mary Pat Dwyer, and Paras Shah)
- “China Publishes ‘Unreliable Entities’ Rules Targeting Foreign Enterprises” (O’Melveny & Myers International Trade Alert, September 2020) (with Ben Bradshaw, Riccardo Celli, Courtney Dyer, Andrew Frackman, Greta Lichtenbaum, Philip Monaghan, Anna T. Pletcher, Katrina Robson, Ian Simmons, Michael Tubach, Christian Peeters, Courtney C. Byrd, Kieran Humphrey, Stephen McIntyre, Philippe Nogues, Charles Paillard, Scott Schaeffer, and Sergei Zaslavsky)
- “Commerce Department Prohibits Transactions with TikTok and WeChat” (O’Melveny & Myers International Trade Alert, September 2020) (with Greta Lichtenbaum, Theodore W. Kassinger, John Dermody, and Paras Shah)
- “CFIUS Issues Final Rule Revising the Mandatory Declaration Requirement for Foreign Investments in U.S. Businesses Involved with Critical Technologies” (O’Melveny & Myers International Trade Alert, September 2020) (with Greta Lichtenbaum, Ted Kassinger, Mary Pat Dwyer, Paras Shah)
- “Trump Administration Continues to Target TikTok and Huawei” (O’Melveny & Myers International Trade Alert, August 2020) (with Greta Lichtenbaum, Ted Kassinger, Mary Pat Dwyer, Paras Shah)
- “Department of Justice Issues Rare FCPA Advisory Opinion” (O’Melveny & Myers Foreign Corrupt Practices Act Compliance Alert, August 2020) (with Greta Lichtenbaum, Damali Taylor, James Rothstein)
- “President Trump Issues Executive Orders Prohibiting Transactions with TikTok and WeChat” (O’Melveny & Myers International Trade Alert, August 2020) (with Greta Lichtenbaum, Ted Kassinger, Mary Pat Dwyer, Paras Shah)
- “U.S. Government Imposes National Security-Driven Procurement Restrictions on Federal Government Contractors that Will Impact Their Supply Chain” (O’Melveny & Myers Government Affairs Alert, July 2020) (with Greta Lichtenbaum, Lisa Monaco, John Dermody)
- “CFIUS Proposes Revision to Mandatory Declaration Requirement for Foreign Investments in US Businesses Involved with Critical Technologies” (O’Melveny & Myers International Trade Alert, May 2020) (with Ted Kassinger, Greta Lichtenbaum, Mary Pat Dwyer)
- “Keeping COVID-19 Charitable Giving Compliant: Taking Steps Now Can Avoid Legal Risk Later” (O’Melveny & Myers White Collar Alert, May 2020) (with Damali Taylor, Greta Lichtenbaum, James K. Rothstein)
- “United States Expands Export Controls Targeting Huawei’s Access to US Technology” (O’Melveny & Myers Government Affairs Alert, May 2020) (with Ted Kassinger, Greta Lichtenbaum, John Dermody, Mary Pat Dwyer)

- “President Trump Issues Executive Order on Securing the United States Bulk-Power System” (O’Melveny & Myers Government Affairs Alert, May 2020) (with Steve Bunnell, Greta Lichtenbaum, Lisa Monaco, Hugh Hilliard, John Dermody)
- “Treasury Issues Interim Rule for CFIUS Filing Fees” (O’Melveny & Myers International Trade Alert, April 2020) (with Ted Kassinger, Greta Lichtenbaum, Mary Pat Dwyer)
- “President Trump Issues Executive Order Creating Telecommunications Assessment Committee” (O’Melveny & Myers International Trade Alert, April 2020) (with Steve Bunnell, Greta Lichtenbaum, Lisa Monaco, John Dermody)
- “President Trump Orders Chinese Company to Divest Acquisition of US Hotel Software Company” (O’Melveny & Myers International Trade Alert, March 2020) (with Ted Kassinger, Greta Lichtenbaum, Mary Pat Dwyer)
- “Treasury Issues Proposed Rule for CFIUS Filing Fees” (O’Melveny & Myers International Trade Alert, March 2020) (with Ted Kassinger, Greta Lichtenbaum, Mary Pat Dwyer)
- “Treasury Finalizes New CFIUS Regulations” (O’Melveny & Myers International Trade Alert, January 2020) (with Ted Kassinger, Greta Lichtenbaum, Mary Pat Dwyer)

Honors & Awards

- Named "Up & Coming" by *Chambers USA* for International Trade: CFIUS Experts (2021)
- Recommended by *The Legal 500 US* for International Trade (2020-2021)
- Named to the Washington, DC Rising Stars list by *Super Lawyers* (2016-2019)