

Edward T. Kang

Partner

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Edward (Ted) Kang is co-leader of Alston & Bird's White Collar, Government & Internal Investigations Team and is head of the D.C. office's Litigation Group. His practice focuses on white collar defense and compliance with the Foreign Corrupt Practices Act, False Claims Act, and Office of Foreign Assets Control sanctions.

Ted represents companies and individuals under investigation by the Department of Justice (DOJ), Securities and Exchange Commission, and other federal and state enforcement agencies. He counsels and conducts internal investigations for clients in an array of industries. Ted has a robust complex commercial litigation practice, particularly in the health care industry. He is an accomplished courtroom lawyer and has tried a dozen cases to verdict and argued 13 cases before federal circuit courts.

Ted served for eight years as a federal prosecutor in the DOJ Criminal Division and at the U.S. Attorney's Office for the District of Connecticut, where he prosecuted some of the department's most high-profile fraud and public corruption cases. He is a recipient of the 2016 National Asian Pacific American Bar Association's (NAPABA) "Best Under 40 Award" as well as the 2012 Attorney General's Award for Distinguished Service.

Ted is frequently called upon to provide expert analysis on white collar matters, including for the *Washington Post* and *The Wall Street Journal* and as a television analyst for WUSA9-DC.

Representative Experience

- Representing numerous entities and individuals in connection with Special Counsel Robert Mueller's investigation into Russian interference with the 2016 presidential election.
- Counsel for a bipartisan coalition of 77 former state attorneys general as amici curiae in former Virginia Governor Robert McDonnell's successful petition to the U.S. Supreme Court in a landmark ruling limiting the scope of federal bribery laws. *McDonnell v. U.S.*, 136 S.Ct. 2355 (2016).
- Counsel for numerous companies in the residential mortgage industry in investigations conducted by the DOJ and CFPB, including complete dismissal of all charges alleging violations of the False Claims Act and the defense of a Korean precious metals refining company in a \$190 million fraud case.
- Conducted numerous internal investigations, including anticorruption and sanctions investigations, for Korean conglomerates.
- Defended an Australian power company, resulting in dismissal and avoidance of a default judgment that awarded relief equivalent to \$200 million.
- National counsel for a Fortune 50 global health insurance company in complex commercial litigation and arbitration matters.
- Counsel for individuals and corporations in numerous investigations conducted by the DOJ and U.S. Attorney's Offices involving allegations related to bribery, health care fraud, wire fraud, false statements, and tax evasion. No charges were brought against any of these individuals or entities.

- Counseled numerous companies on a variety of anticorruption issues, including FCPA acquisition due diligence, third-party due diligence, anticorruption training for employees, and revisions to corporate policies and procedures.
- Counsel for pharmaceutical companies in a state False Claims Act lawsuit filed by a state attorney general relating to alleged misrepresentations regarding FDA approvals.
- Conducted numerous internal investigations on matters related to the Foreign Corrupt Practices Act (FCPA), Federal Food, Drug, and Cosmetic Act, and antitrust for Fortune 500 companies across a wide range of industries, including aerospace and defense, health care, life sciences, financial services, automotive, information technology, and insurance.

Publications & Presentations

News Items

- Ted Kang Discusses Landmark Criminal Settlement with *The FCPA Report* | January 7, 2015
In the wake of Alstom S.A.'s record-setting \$772 million settlement with the Department of Justice to resolve charges relating to a widespread bribery scheme, Edward (Ted) Kang, partner in Alston & Bird's Government & Internal Investigations Group, noted that the settlement "further confirms that FCPA enforcement remains a high priority for the government, and companies should continually monitor their FCPA risks and routinely revisit their compliance programs to prevent and detect possible violations."

Publications

- "Avoiding CFPB's Strong Arm on Mortgage Servicing in 2016," *Mortgage Compliance Magazine*, March 2016.
- "Lessons Learned from the Goodyear FCPA Settlement," *Corporate Counsel*, April 22, 2015.
- "Minority Powerbrokers Q&A: Alston & Bird's Ted Kang," *Law360*, January 20, 2015.
- "FCPA and OFAC Compliance Essentials," *The FCPA Report*, Vol. 3, No. 20, October 8, 2014.
- "Internal Investigations: Managing the Process and Protecting the Privilege," *Wall Street Lawyer*, Vol. 18, No. 9, September 2014.
- "The FCPA and the Financial Industry: Understanding and Mitigating Risk," *Journal of Taxation and Regulation of Financial Institutions*, Vol. 27, No. 5, May/June 2014.
- "Pharmacy Compounding and the Potential Impact of CGMPs," *Drug Topics*, January 10, 2014.
- "The Next Hot Thing," *Pharmaceutical Processing*, October 28, 2013.
- "Agribusiness: The Next Frontier for the Foreign Corrupt Practices Act?" *Western Grower and Shipper*, July 2013.
- "In the Crosshairs: Federal FCPA Enforcement Lands on Wall Street's Doorstep," *Bloomberg BNA*, June 18, 2013.
- "FCPA Resources Guide Provides Little Comfort for the Health Care Industry," *FDLI Update Magazine*, May/June 2013.
- "How Hedge Funds and Private Equity Firms Can Manage Foreign Corrupt Practices Act Risks," *VCExperts*, April 23, 2013.

Professional & Community Engagement

- Edward Bennett Williams Inn of Court, Barrister

- National Asian Pacific American Bar Association, Government Enforcement and Compliance Committee, co-chair

Education

- Harvard University (J.D., 2001)
- Yale University (B.A., 1998)

Admitted to Practice

- District of Columbia
- New York

Related Services

White Collar, Government & Internal Investigations | Litigation | Foreign Corrupt Practices Act (FCPA) Violations | Government Ethics & Compliance | Health Care Litigation | Antitrust | Food, Drug & Device / FDA | Office of Foreign Assets Control (OFAC) Embargoes and Sanctions | State Attorneys General Practice Team | ERISA Litigation