



## Kristen C. Kuan

Senior Associate

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### *Related Services*

Litigation ■ Commercial ■ Financial Services Litigation ■ White Collar, Government & Internal Investigations ■ Contingent Risk Insurance

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Kristen Kuan is a senior associate in Alston & Bird's New York office and a member of the Litigation & Trial Practice Group.

Kristen focuses her practice on complex commercial litigation with a specialty in cross-border disputes. She has experience in a variety of complex commercial matters, including litigation involving breach of contract, fraud, employment restrictive covenants, securities law, and structured finance actions in state and federal courts. Kristen utilizes her vast litigation experience in a wide array of industries in order to assist insurance clients seeking to underwrite contingent risk insurance. She has also had significant experience representing individuals and corporations in various government investigations brought by the DOJ, HUD OIG, CFPB, and FDA. Kristen maintains an active pro bono practice, representing clients in domestic violence, child custody, immigration, and habeas corpus disputes.

Kristen earned her J.D. from George Washington University, where she was an associate member of *The George Washington International Law Review* and a writing fellow for the Legal Research and Writing Program. During law school, she was a summer honors law intern in the Enforcement Division of the Securities and Exchange Commission. She earned her B.A. in public policy and East Asian studies, graduating magna cum laude from Vanderbilt University.

Kristen has been recognized as a "New York Rising Star" in Business Litigation by *Super Lawyers* from 2020-2023.

### *Representative Experience*

- Counsel to insurance companies assisting with the underwriting of contingent/litigation risk products.
- Counsel to an individual in a breach of contract dispute with an artificial intelligence technology company.
- Counsel to a New York hotel group in an action to foreclose a \$68 million mortgage and a related action involving a partnership dispute.
- Advisor to a health insurance company in an Article 78 proceeding in New York State Supreme Court.
- Counseled to a life settlements company in a case involving claims for breach of contract and fraud with a variety of cross-border issues.
- Represented a population health services company in a breach of contract dispute and obtained a favorable multi-million-dollar settlement.
- Defended a private, global consulting firm against claims of "raiding" and conspiracy to "lift out" a practice group and various claims of breaches of and interference with an array of restrictive covenants. The case was favorably settled just before jury selection.

- Represented clients in the residential mortgage industry in investigations brought by the DOJ, HUD OIG, and CFPB.
- Counseled a mortgage servicing company in responding to a federal examination by the CFPB.
- Counseled clients on compliance with state and federal laws affecting lending and servicing activities, including revising corporate policies and procedures and developing training materials for employees.
- Counsel for individuals and corporations in numerous investigations conducted by the DOJ and U.S. Attorneys' Offices involving allegations related to bribery, wire fraud, false statements, and tax evasion.
- Counseled companies on FCPA due diligence, including revising corporate policies and procedures and developing anticorruption training for employees.
- Counsel to a pharmaceutical company in a criminal investigation involving potential violations of the Federal Food, Drug, and Cosmetic Act. After an investigation that lasted more than a year, the DOJ and FDA declined to pursue any charges against the company.

## ***Publications & Presentations***

### ***Publications***

- "Contingent Risk Insurance: What Is It and Just How 'Risky' Is It?" *Insurance Journal*, May 16, 2022.
- "Using the FCPA Pilot Program's Remediation Requirements to Build a Best-in-Class Compliance Program," *The FCPA Report*, May 18, 2016.

### ***Professional & Community Engagement***

- Asian American Bar Association of New York
- New York state courts
- Superior Court of the District of Columbia
- Southern District of New York
- Eastern District of New York
- U.S. Court of Appeals for the Second Circuit

### ***Education***

- The George Washington University (J.D., 2015)
- Vanderbilt University (B.A., 2010)

### ***Admitted to Practice***

- New York
- District of Columbia