



Nicholas Klein

Of Counsel

nicholas.klein@dlapiper.com

Washington, DC

T: +1 202 799 4129

F: +1 202 799 5129

Nicholas Klein has significant experience advising clients on international trade and national security matters, including national security reviews before the Committee on Foreign Investment in the United States (CFIUS), U.S. export controls, economic sanctions, and mitigation of foreign ownership, control or influence (FOCI) under industrial security regulations.

Nick has extensive experience representing clients with respect to complex national security and international trade aspects of mergers and acquisitions and other business transactions. He represents clients in the aerospace and defense, telecommunications, financial services, manufacturing, energy and technology sectors, among others.

Nick regularly counsels clients on complex compliance, licensing and enforcement matters related to the International Traffic in Arms Regulations (ITAR), Export Administration Regulations (EAR), the embargoes and sanctions programs administered by the Office of Foreign Assets Control (OFAC), federal firearms regulations, nuclear-related export controls, and anti-boycott regulations.

He represents corporations, boards of directors and individuals with internal investigations, voluntary disclosures and the resolution of administrative enforcement proceedings. He also assists companies with designing and implementing compliance programs and corporate policies regarding the international trade laws.

While in law school, Nick clerked at the Office of the United States Attorney and worked for Hon. Timothy M. Tymkovich and Hon. Neil M. Gorsuch, both of the U.S. Court of Appeals for the Tenth Circuit. Before attending law school, Nick was an officer and paratrooper in the United States Army, leading hundreds of counterterrorism and counterinsurgency combat operations in Iraq. He was a U.S. Army Ranger and an airborne jumpmaster.

Nick maintains an active pro bono practice advocating on behalf of military veterans.

EXPERIENCE

Representative CFIUS and trade matters include:*

- A. Schulman, Inc. with the CFIUS and international trade aspects of its \$2.25 billion acquisition by LyondellBasell Industries

RELATED SERVICES

- International Trade, Regulatory and Government Affairs
- International Trade

N.V.;

- Cardinal Health, Inc. with the international trade aspects of its \$6.1 billion acquisition of Medtronic plc's medical supplies businesses;
- Cavium, Inc. with the international trade aspects of its \$6 billion acquisition by Marvell Technology Group Ltd.;
- Dürr AG with the CFIUS and international trade aspects of its acquisition of the industrial environmental technology business of Babcock & Wilcox Enterprises, Inc.;
- Esterline Technologies Corp. with the national security and international trade aspects of its \$4 billion acquisition by TransDigm Group Inc.;
- Fortress Investment Group LLC with the CFIUS and international trade aspects of its \$3.3 billion acquisition by SoftBank;
- GM Cruise with the CFIUS and international trade aspects of its \$2.25 billion investment by SoftBank;
- Intel Corporation with the national security and international trade aspects of its sale of Wind River Systems, Inc. to TPG Capital;
- Peraton Corp., an affiliate of Veritas Capital, with the international trade aspects its \$690 million acquisition of the government IT services business of Harris Corporation;
- Rockwell Collins, Inc. with the CFIUS and international trade aspects of its \$30 billion acquisition by United Technologies Corp.;
- Sophos Ltd. with respect to export controls and sanctions compliance for a complex global distribution model;
- StandardAero, Inc., an aerospace MRO provider, with the national security and international trade aspects of numerous transactions; and
- A large non-US telecommunications provider with respect to export controls compliance matters;
- XL Group with the CFIUS and international trade aspects its \$15.3 billion acquisition by AXA SA.

*experience prior to joining DLA Piper

CREDENTIALS

Admissions

- Colorado
- District of Columbia

Education

- J.D., University of Denver
- B.A., James Madison University

Courts

- United States Court of Appeals for the Federal Circuit
- United States Court of International Trade

INSIGHTS

Publications

First emerging technologies identified and controlled for export in the EAR

26 June 2020

The designation also makes these a "critical technology," giving CFIUS jurisdiction over foreign investments in US businesses

that engage with these items.

COVID-19: National security risks lead to expanded global foreign direct investment reviews

11 May

Key developments in global FDI review regimes.

BIS announces three new rules that place significant restrictions on exports to China

7 May 2020

These rules will subject many products and technologies to new US export control licensing requirements.

CFIUS filing fees effective as of May 1, 2020: What you need to know

5 May 2020

The filing fees go into effect and must be paid for transactions filed on or after May 1, 2020.

Coronavirus: The Defense Production Act's authorities and limitations in the fight against COVID-19

6 April 2020

The DPA has significant implications for companies receiving a direct order from the President and for the subcontractors and suppliers behind them; meanwhile, recent legislation has created procurement opportunities under the DPA.

CFIUS's new role in real estate transactions

20 February 2020

An outline of CFIUS's new authority to review foreign investment in US real estate and its impact on real estate investors who have not previously dealt with CFIUS risk.

Long-awaited changes to export controls for firearms and ammunition have arrived

6 February 2020

This new regulatory scheme will create a transition burden on industry, but it will result in more flexible regulatory obligations overall.

- "Five best practices to navigate CFIUS under the new regulations," *Foreign Investment Watch*, May 28, 2020
- "US cracks down on investors with Russian, Chinese links," *Globes*, February 13, 2020

Events

[Previous](#)

US-Israel-China Relations: A complicated triangle

15 June 2020
Webinar
