



Jeff Tsai

Partner

CO-CHAIR, STATE AG GROUP

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Jeff Tsai represents companies in complex civil and criminal enforcement matters brought by state and federal regulators. As co-chair of DLA Piper's State Attorneys General practice, he helps lead the firm's efforts nationally in representing companies subject to investigative scrutiny by individual and multistate attorneys general.

Jeff's state attorneys general practice focuses on investigations and enforcement actions on issues that range from consumer protection (unfair/deceptive trade practices) to antitrust to healthcare. His representations include companies in many of the industries that have been the subject of recent state attorney general enforcement, including e-commerce, fintech, daily fantasy sports, travel/hospitality and online higher education. He has been nationally recognized as a leading state attorneys general practitioner by Chambers and Partners.

Jeff also actively defends white-collar matters in investigations and trials, including representations involving trade secret theft and economic espionage, complex frauds, and public corruption. He has tried more than 20 federal trials, including the prosecution of former US Senator John Edwards for violations of federal campaign finance laws in connection with his 2008 primary campaign for president and another prosecution that became the subject of a non-fiction book and television documentary program. Jeff recently served as first-chair counsel in one of the few federal criminal trade secret prosecutions to proceed to trial in the United States.

Jeff brings to the table years of experience in federal and state government. His most recent service was as special assistant attorney general of California, in which he was the principal advisor to former Attorney General Kamala D. Harris on policy issues related to criminal justice, corporate accountability and intellectual property enforcement and supervised high-profile enforcement actions involving California's False Claims Act, Unfair Competition Law, environmental regulations and campaign finance laws.

In the federal government, Jeff served as an assistant US attorney and deputy chief at the US Attorney's Office in Miami and senior counsel to a former Assistant US Attorney General for the Justice Department's Criminal Division. He was also a corruption trial prosecutor in the Justice Department's specialized Public Integrity Section.

Jeff is frequently called upon for legal commentary and analysis, and he has been interviewed on programs such as CNN's *Cuomo Prime Time* and *MSNBC Live with Katy Tur*.

RELATED SERVICES

- Litigation, Arbitration and Investigations
- Data Protection, Privacy and Security
- State Attorneys General
- White Collar and Corporate Crime

He started his career as a judicial law clerk for US District Judge Vanessa D. Gilmore in Houston. Jeff received a law degree from Georgetown University and earned an undergraduate degree from the University of Texas at Austin, where he was elected student body president.

EXPERIENCE

- Served as first-chair trial counsel for a renewable energy company prosecuted for criminal economic espionage and conspiracy by the US Attorney's Office and Main Justice
- Represent multiple technology companies across various sectors – among them retail, mobile payments, travel/hospitality, online higher education, and entertainment – in consumer protection investigations and prosecutions by state attorneys general and the Federal Trade Commission
- Lead outside counsel on ethics and compliance issues for the organizing committee for the 2028 Olympic Games in Los Angeles.
- As a federal prosecutor, tried a former US senator and presidential candidate on charges of federal campaign finance violations in the Middle District of North Carolina
- As a federal prosecutor, obtained a trial conviction for a quadruple-homicide and hijacking conspiracy in international water. The case became the subject of the book *Murder on the High Seas: The True Story of the Joe Cool's Tragic Final Voyage*
- As special assistant attorney general, negotiated California's US\$210 million settlement of its False Claims Act and Unfair Competition Law litigation against a leading investment rating agency in a global resolution totaling more than US\$1 billion
- As a special assistant attorney general, negotiated a landmark agreement in Mexico City between five US state attorneys general and Mexico's federal government on anti-money laundering enforcement and intelligence sharing

GOVERNMENT SERVICE

- Special Assistant Attorney General, Executive Office of California Attorney General Kamala D. Harris
- Assistant US Attorney, Southern District of Florida
- Trial Attorney, Public Integrity Section – Criminal Division, US Justice Department
- Senior Counsel to the Assistant US Attorney General for the Criminal Division, US Justice Department

CREDENTIALS

Admissions

- California
- District of Columbia

Clerk Experience

- Judge Vanessa D. Gilmore, United States District Court for the Southern District of Texas

Recognitions

- Ranked Band 2 by Chambers and Partners in *Chambers USA* in the Nationwide State Attorneys General category (2021)
- University of Texas at Austin Alumni Association - Outstanding Young Texas Ex Award (2014)
- US Department of Justice - Special Achievement Award (2010)
- FBI Director's Recognition Award (2007, 2009)
- Recognized by *The Legal 500 United States* (2019)

Education

- J.D., Georgetown University
- B.A., University of Texas at Austin

Memberships

- Robert S. Strauss Center for International Security and Law, University of Texas at Austin, Senior Fellow (Former)
- California State Bar, Judicial Nominees Evaluation Commission
- American Bar Foundation, Fellow
- American Bar Association, *Criminal Justice* magazine, Editorial Board

Civic and charitable

- Planning Commission, Tiburon, California
- Marin County Healthcare District, Citizens Bond Oversight Committee
- Chinese Historical Society of America, Board of Directors
- University of Texas at Austin, Development Board

INSIGHTS

Publications

Coronavirus: State Attorneys General and the New COVID-19 Stimulus

30 March 2020

With the president's signature on March 27, 2020, the government passed into law the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the largest economic stimulus package in American history. Passed in response to the coronavirus disease 2019 (COVID-19) pandemic, the CARES Act will have an enduring impact on the country for years to come, particularly so for the industries and businesses eligible for stimulus relief funds. The massive scale of the CARES Act immediately calls to mind questions about how the government will respond in its attempt to prevent fraud, waste, and abuse in carrying out the stimulus.

- "Coronavirus Stimulus Fraud May Be A Target For State AGs," *Law360.com*, April 9, 2020
- Co-author, "State AGs seek to fill CFPB vacuum," *Daily Journal*, May 4, 2018
- "The Yates Memo: What Companies Need to Know," *Law.com*, September 24, 2015

Events

- "Impeachment – Now What?," American Constitution Society – Bay Area, November 25, 2019
- "California Privacy Law 2019: The Regulator Perspective," Practising Law Institute, September 26, 2019
- "The GDPR, the California Consumer Privacy Act and a Possible Federal Privacy Act," Federal Bar Association, April 25, 2019
- "The Presidency, the Special Counsel, and the Rule of Law," American Constitution Society – Bay Area, March 20, 2019
- "State AG Enforcement Trends," 32nd Annual National Institute on White-Collar Crime, American Bar Association, February 28

– March 2, 2018

- "Navigating the State AG Waters," 31st Annual Corporate Counsel Conference, National Bar Association, February 15 – 17, 2018
- "By Tweet or by Law: Predicting the Government's Enforcement Priorities in the Age of Trump," National Asian Pacific American Bar Association Annual Convention, November 2 – 4, 2017
- "The Golden Rule: The California Experiment and the Role of State AGs in Fostering American Innovation," Conference of Western Attorneys General Annual Meeting, July 31 – August 2, 2017
- "The Mexico Security Challenge and Its Impact on the United States," Robert S. Strauss Center for International Security and Law, The University of Texas at Austin, October 20, 2016
- "Corruption's New Arena: International Sports in a Post-FIFA World," American Bar Association Annual Meeting, August 4 – 7, 2016
- "State AG Enforcement: What Your Company Needs to Know," 2016 Legal & Regulatory Conference, Personal Care Products Panel, May 4, 2016
- "Understanding the Yates Memo: The Justice Department's Renewed Focus on Individuals in Combatting Corporate Crime," Continuing Legal Education Panel, Bar Association of San Francisco, January 14, 2016
- "The 'Gumbo' of Civil Fraud Enforcement: The False Claims Act, FIRREA, and a New Era in Federal and State Governments' Enforcement Against Fraud," National Asian Pacific American Bar Association Annual Convention, November 4-8, 2015
- "Brand Protection in the Internet Age: Combatting Cybersecurity Threats to IP," International AntiCounterfeiting Coalition Fall Conference, October 21 – 23, 2015
- "Keynote Address, 'The State of Human Trafficking in California and Los Angeles,'" 2015 Global Human Trafficking Conference, Slavery No More, February 2015
- "Corporate Social Responsibility: Why 'Doing the Right Thing' is Now a Legal Imperative," Conference on Supply Chain Integrity and Corporate Social Responsibility, University of Chicago Law School Corporate Lab, September 2014
- "New Priorities for State and Local Law Enforcement," Conference on Shifting Law Enforcement Goals to Reduce Mass Incarceration, Brennan Center for Justice (New York University School of Law), September 2014
- "Preventing and Addressing Trafficking in Persons in Global Supply Chains," United Nations Forum on Business and Human Rights (Geneva, Switzerland), December 2013

NEWS

DLA Piper announces launch of State Attorneys General practice

11 May 2021

DLA Piper announced today the formal launch of its State Attorneys General practice, a practice that successfully represents and advises companies facing state-level enforcement.

MEDIA MENTIONS

- Interview, "Calls For Hate Crime Charges After Atlanta Area Spa Shootings," *CNN*, March 20, 2021
- "Jeff Bezos Accuses National Enquirer of 'Extortion and Blackmail,'" *The New York Times*, February 7, 2019
- Interview, "Cuomo Prime Time," *CNN*, December 17, 2018
- Interview, "Smerconish," *CNN*, December 15, 2018
- Interview, "MSNBC Live with Katy Tur," *MSNBC*, December 14, 2018
- "Tabloid Publisher's Deal in Hush-Money Inquiry Adds to Trump's Danger," *The New York Times*, December 12, 2018
- "National Enquirer Had Decades of Trump Dirt. He Wanted to Buy It All.," *The New York Times*, August 30, 2018
- "DLA Piper Hires White Collar Partner From Alston & Bird," *Law360*, March 27, 2018

- "Antitrust Enforcement by State AGs Continues to Evolve," *Law360*, March 14, 2018
- "Lenders Wary of State Actions," *Asset-Backed Alert*, March 16, 2018
- "Federal, State Officials Face Sharp Curves in Regulating Driverless Cars," *Legaltech News*, May 1, 2017
- "Lateral Report: The Few, the Proud, the March Movers," *The AmLaw Litigation Daily*, April 3, 2017
- "The Red and the Blue: From Climate to Health Care, State AGs Are Drawing Legal Battle Lines," *Law.com*, October 18, 2016
- "More Federal Agencies Enforcing Privacy Regulations, Creating a Crowded Field," *Daily Journal*, March 21, 2017
- "Companies Walk Fine Line with Noncompete Pacts," *The Wall Street Journal*, March 7, 2016