



Jonathan W. Haray

Partner

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Jonathan Haray is a litigation and compliance partner in DLA Piper's Washington, DC office. He represents corporations and individuals in government investigations, securities and regulatory enforcement matters, and white-collar litigation. He is an experienced courtroom lawyer who has tried more than three dozen jury trials. In 2020, Jon was recognized by the *National Law Journal* as a Criminal Law Trailblazer.

Before joining the firm, Jon served as an Assistant Chief Litigation Counsel for the US Securities and Exchange Commission (SEC), where he handled complex securities enforcement matters, including cases involving Foreign Corrupt Practices Act (FCPA) and securities fraud violations.

Jon previously served as Deputy Chief of the Fraud and Public Corruption Section at the United States Attorney's Office in Washington, DC, where he supervised more than 20 senior prosecutors and oversaw white collar investigations and litigation.

During more than a decade as an Assistant US Attorney, Jon prosecuted cases involving FCPA violations, False Claims Act violations, healthcare fraud, corporate and insurance fraud, money laundering and Bank Secrecy Act violations. He also prosecuted public corruption cases and led the successful prosecution of the first sitting DC Council member ever to be charged with felony corruption offenses, resulting in what the Washington Post described as "the most severe criminal sanction ever given a local elected official in the District." Jon earlier served as an Assistant US Attorney in the Superior Court and Appellate Divisions of the US Attorney's Office, where he first-chaired five homicide trials, resulting in murder convictions for seven defendants, and argued six cases before the DC Court of Appeals.

- Litigation, Arbitration and Investigations
- Corporate and Securities Litigation
- White Collar and Corporate Crime
- Cross-Border Litigation
- Investigations
- Global Governance and Compliance

- Life Sciences
- Energy and Natural Resources
- Financial Services
- Technology
- Government Contracting
- Healthcare

Recent representations include:

- Obtained a favorable SEC settlement on behalf of a leading telecommunications company following an investigation into alleged FCPA violations in Latin America

- Represented a Fortune Global 500 public company in a DOJ FCPA investigation involving multiple jurisdictions, obtaining a complete declination from prosecution
- Conducted an internal investigation for a public US information technology company into alleged FCPA violations in Mexico and Latin America
- Defended a major defense contractor in parallel civil and criminal investigations involving alleged violations of the False Claims Act
- First-chaired a trial before the World Bank Sanctions Board on behalf of a European information technology company challenging charges of collusion and obstruction
- Represented several senior executives in connection with DOJ and SEC investigations into alleged accounting fraud and channel stuffing
- Conducted an investigation into alleged spoofing on behalf of a derivatives trading firm and negotiated a favorable settlement with a national derivatives exchange
- Represented an international bank in connection with a sanctions-related joint investigation by OFAC, DOJ and the District Attorney of New York
- Defended a public US technology company in connection with an SEC investigation concerning internal controls over financial reporting
- Represented a public US information technology company in connection with parallel DOJ and SEC investigations into alleged FCPA violations in India
- Represented a senior executive of a national broker-dealer concerning AML compliance issues in connection with an SEC investigation
- Represented a large international trader of crude oil futures in connection with an investigation into possible market manipulation
- Defended a senior foreign exchange ("FX") trader at a major bank in connection with a multi-nation criminal investigation into alleged manipulation of FX rates

CREDENTIALS

Admissions

- District of Columbia
- New York

Prior Experience

Earlier in his career, Jon served as a Judge Advocate with the United States Navy, Judge Advocate General's Corps in Washington, DC, and was a litigation associate with a law firm in Connecticut.

Recognitions

- *Chambers USA*
2021 - Band 5, District of Columbia Litigation: White-Collar Crime & Government Investigations
- *The Legal 500 United States*
2015 - Recommended, White-Collar Criminal Defense
- In 2020, the National Law Journal named Jon a Criminal Law Trailblazer
- In 2017, Jon received a Burton Award for Distinguished Legal Writing
- In 2016, Global Investigations Review listed Jon as a "standout lawyer" of the District of Columbia FCPA Bar
- During his tenure as a federal prosecutor, Jon received numerous awards for his work, including:
 - A US Department of Justice Assistant Attorney General's Award
 - The US Attorney's Award for Exceptional Performance
 - Six Department of Justice Special Achievement Awards for Superior Performance

- Commendations from several law enforcement agencies, including the FBI, IRS-Criminal Investigation, and the Inspectors General for the Department of Justice and the US Postal Service

Education

- J.D., Syracuse University College of Law
cum laude
- B.A., State University of New York

Teaching & Professional Activities

Jon is an Adjunct Law Professor in trial practice at the George Washington University Law School.

He served as the President of the Assistant United States Attorney Association of the District of Columbia from 2019 to 2021, and currently is a board member of the Association. He is also a Barrister of the Edward Bennet Williams Inn of Court.

Jon also serves on the Board of Directors of the Washington Lawyers' Committee for Civil Rights and Urban Affairs.

INSIGHTS

Publications

SEC's "shadow trading" theory defeats motion to dismiss insider trading complaint

1 February 2022

A significant expansion of the potential scope of insider trading enforcement under federal securities laws.

Third Circuit deepens circuit split on government's ability to dismiss qui tam complaints over relator's objection

11 November 2021

When is the government entitled to dismiss a relator's complaint over the relator's objection? The split among the circuits deepens.

Corruption Perceptions Index 2020 – an Americas perspective

11 February 2021

The Americas maintained its average score of 43 for the fifth consecutive year. As one of the regions most affected by COVID-19, the Americas have faced many challenges to address and overcome the effects of the ongoing pandemic.

DOJ updates guidance on evaluation of corporate compliance programs: three takeaways

4 June 2020

Three key takeaways to keep in mind when updating compliance policies for 2020.

Expert Q&A on insider trading law after *United States v. Blaszczak*

27 May 2020

Jonathan Haray participated in a Q&A in the April/May issue of *Practical Law*.

DOJ dismisses last of the drug trafficking charges against FedEx: two key takeaways

5 JUL 2016

A sudden about-face from the DOJ.

Supreme Court unanimously overturns public corruption conviction of former Virginia governor: routine political courtesies such as setting up meetings or hosting events, standing alone, do not constitute “official acts” for the purposes of the bribery statute

29 JUN 2016

In a highly anticipated decision, SCOTUS narrowed the definition of “official acts,” making it substantially more difficult for DOJ to prosecute bribery and other public corruption.

Universal Health Services: contractors take note – Supreme Court approves implied certification theory of False Claims Act liability

22 JUN 2016

The Court’s recognition of “implied certification” theory resolves a circuit split in favor of a more expansive view of the Act.

District court says appointment of SEC administrative law judge was likely unconstitutional

9 JUN 2015

This ruling is the first time a court has held that an SEC ALJ’s appointment likely violated the Appointments Clause

- “‘Spoofing’ Prosecutions: The DOJ’s Approach,” *New York Law Journal*, 2 April 2021
- Co-author, “With Friends Like These: The Insider Trading Risk Presented By Family Members, Friends and Contractors,” *Securities Regulation Daily*, 16 July 2019
- Co-author, “Gov’t Contractors, Be Prepared For FCA Parallel Proceedings,” *Law360*, 24 Apr 2019
- Co-author, “White Collar Crime Report,” *Bloomberg Law*, 31 Mar 2017
- Co-author, “Defending Against Insider Trading Claims” *Practical Law*, February/March 2016
- DOJ seeks to revamp and re-energize its prosecution of individuals: key takeaways, 10 Sep 2015
- SDNY enjoins SEC from pursuing administrative hearing on constitutional grounds: setback for enforcement strategy, 14 Aug 2015
- Appeals court clarifies attorney-client, work product privileges in internal investigation context: 3 takeaways, 14 Aug 2015
- District court says appointment of SEC administrative law judge was likely unconstitutional, 9 Jun 2015
- Supreme Court: Wartime Suspension of Limitations Act does not apply to civil claims; ruling may also mean more criminal prosecutions, 28 May 2015

- Higher FCPA risks for mergers and acquisitions? Opinion Release 14-02 and your growing business – three steps, 20 Nov 2014

Events

Previous

DLA Piper White Collar Series: Take 5

14 January 2021 | 1:00 - 2:00 ET
Webinar

DLA Piper White Collar Series: Take 5

4 June 2020 | 1:00 - 2:00 ET
Webinar

- *Conducting Parallel Criminal and Civil False Claims Act Investigations*, Moderator, Federal Bar Association Qui Tam Conference, 28 Feb 2019
- *Using Experts in Qui Tam Cases*, Panelist, Federal Bar Association Qui Tam Conference, 27 Feb 2018
- *Ethical Issues in Large Corporate Investigations*, Panelist, Association of Corporate Counsel, New Jersey, 16 Sept 2016
- *Government Negotiations*, Panelist, Foreign Corruption 2016 - 9th Annual Chicago White Collar Crime and Corporate Governance Seminar, 13 Apr 2016
- *Trends in Financial Crimes and High Tech Fraud*, Panel Moderator, American Bar Association, Tort Trial & Insurance Practice Section, 6 Nov 2015

NEWS

MEDIA MENTIONS

- Featured in "Expert in QA on Insider Trading Law After *United States V. Blaszczak*," *Practical Law*, May 2020
- Featured in "The lawyers behind the latest FCPA-related cases," *Global Investigations Review*, August 21, 2019
- Featured in "Expert Q&A on the Amendments to the SEC's Rules of Practice for Administrative Proceedings," *Practical Law Litigation*, November 28, 2016
- Listed as a "standout lawyer" of the District of Columbia FCPA Bar, *Global Investigations Review*, August 16, 2016
- Quoted in, "Practical Implications of the Yates Memo," *Compliance Week Magazine*, July 2016
- Quoted in, "SEC proposes new rules to 'modernize' controversial in-house courts," *Global Investigations Review*, September 28, 2015