

Resume of Irvin B. Nathan

June, 2015

Irv.Nathan@aporter.com

202-942-6267

EMPLOYMENT

Senior Counsel, Arnold & Porter, Washington, D.C. (January, 2015- present)

Attorney General for the District of Columbia (January, 2011-December, 2014) (Served as the chief legal officer of the nation's capital, managing a staff of 700 people, including 350 lawyers. Supervised all civil litigation and appeals on behalf of the city; responsible for criminal prosecutions of juveniles and adult misdemeanants; issued formal legal opinions and provided advice to Mayor, Cabinet and Council on wide variety of legal issues; supervised contract, tax and real estate issues; supervised social service unit that enforced support payments from non-custodial parents to custodial parents; supervised general counsel of each of the Mayor's agencies, including departments of police, fire, public works and education.)

General Counsel, U.S. House of Representatives, (November, 2007-December, 2010) (Appointed by the Speaker of the House and responsible for providing legal advice to leadership of the House, its members and staff and handling litigation where the official interests of the House or its members or officers were implicated, including U.S. House of Representatives v. Miers, (558 F. Supp. 2d 53, D.D.C. 2008) where the Court issued a landmark ruling that senior White House officials are not immune from House subpoenas)

Senior Partner, Arnold & Porter, Washington, D.C. (1994-2007) (Chair, White Collar Defense Department) (handled wide variety of complex criminal and civil litigation, including defense of CFO of World.Com in one of the largest financial scandals in the nation's history; defense of a Clinton Cabinet officer in a preliminary investigation that aborted an independent counsel investigation; defense of a former Secretary of the Navy; representation of a U.S. Senator and his top staff in a Senate investigation; representation of Fortune 500 companies and their executives in grand jury proceedings, and representation of defrauded companies, including CBS Radio, Inc..) (In this period handled arbitrations for a world-wide accounting firm and served as a party-arbitrator for an international sports apparel company.)

Principal Associate Deputy Attorney General, U.S. Department of Justice (1993-1994) (served as top aide to Deputy Attorney General Philip B. Heymann, who supervised all 94 U.S. Attorneys, Director of the FBI, the Director of the Drug Enforcement Administration, and the Director of the Bureau of Prisons. Handled a variety of policy issues, including federal criminal legislation, international criminal assistance treaties, and relations with the defense bar.)

Litigation Partner, Arnold & Porter, Washington, D.C. (1981-1993) (handled wide variety of complex civil, criminal and administrative litigation and congressional representations, including civil RICO, securities, antitrust, and consumer protection matters. Successfully defended national law firm partner in multi-month criminal trial in federal court; represented City of New York in

civil RICO suit against tax defrauders; and served as special minority counsel to U.S. Senate Intelligence Committee in investigation of CIA Director.)

Deputy Assistant Attorney General for Enforcement, Criminal Division, U.S. Department of Justice. (1979-1981) (Supervised organized crime and racketeering strike forces across the country; supervised the narcotics and dangerous drug section and the appellate section, dealing with all federal appeals from convictions; supervised all of the ABSCAM prosecutions, which resulted in convictions of a U.S. Senator, six members of Congress and numerous local officials; and testified before Congress on an array of policy issues affecting the enforcement of the federal criminal law.)

Partner, Arnold & Porter, Washington, D.C. (1976-1979) (General Civil Litigation) (Handled a wide variety of federal and state civil litigations, including defense of securities and antitrust class actions; accounting malpractice cases; defamation suits; insider trading suits; breach of contract litigation; and defense of a family farm in a federal litigation against a major trade association.)

Associate, Arnold & Porter, Washington, D.C. (1968-1975) (wide variety of litigation, including antitrust defense, securities fraud defense, defense of agricultural importers before federal administrative agencies, intellectual property matters for computer manufacturers, general tort and contract matters, and defense of Commissioner of Baseball in federal litigation brought by major league team owner, Charles Finley v. Bowie Kuhn.)

Law Clerk to Judge Simon E. Sobeloff, United States Court of Appeals for the Fourth Circuit, (1967-1968)

BAR ACTIVITIES

Vice Chairman (2007-2008). D.C. Board of Professional Responsibility (member appointed by D.C. Court of Appeals, 2004-2008) (wrote published opinions on attorney discipline cases appealed from Hearing Examiners; heard oral arguments on appeals, and for two years presided over such oral arguments when Chairman was unavailable). (Opinions I authored are available upon request.)

Hearing Examiner, D.C. Board of Professional Responsibility (2001-2004) (presided over hearings and prepared findings of facts and conclusions of law in issuing recommendations that were appealable to the Board);

Chairman, Ethics Committee of the D.C. Bar (1999-2001) (Wrote published legal opinions interpreting D.C. Rules of Professional Conduct in response to inquiries from the Bar)

Fellow American College of Trial Lawyers (1997-present)

Member, American Law Institute (1994-present)

Member, American Bar Foundation (1995-present)

Member, D.C. Bar Committee on Civility in Litigation (1993-1996)
Chairman, Nominating Committee, D.C. Bar, 1990

Chairman, Ad Hoc ABA Committee on Independent Counsel Statute, (1985-1987)

Chairman, Committee on White Collar Crime, Criminal Justice Section, American Bar Association, (1982-1984)

EDUCATION

Columbia Law School, (1964-1967)
J.D., *magna cum laude*
Board of Editors, Columbia Law Review
Jerome Michael Trial Advocacy Award
Harlan Fiske Stone Scholar, (1966, 1967)

Johns Hopkins University, (1960-1964)
B.A. *Phi Beta Kappa*.

CIVIC ACTIVITIES

President, Council for Court Excellence (2015-present); Member, Board of Directors (2009-present)

President, Frederick B. Abramson Foundation, (2004-2006); Board of Directors (2001-2006); 2015-present)

UDC Law School Foundation Board, (2008-2010)
Member, Board of Anti-Defamation League of D.C., (2009-2010)

Past Chair, Board of Trustees, National Capital Region, American Jewish Congress

HONORS

Woodrow Wilson Award for Distinguished Government Service, Johns Hopkins University Alumni Association, 2013
Visionaries in the Law Award, National Law Journal, 2009
Best Lawyers in America (1989-2009) (each year)

TEACHING EXPERIENCE

Visiting Professor, Hebrew University, Jerusalem, Israel (Spring Semester, 2015)

Adjunct Professor, Georgetown University Law Center, (1995, 1996, 2009, 2010, 2014)

Adjunct Professor, University of San Diego Law School, (1990-1991)
Lecturer, Washington College of Law, American University Summer Institute on Law and Government (June 2010)

SELECTED PUBLICATIONS

ABSCAM: A Fair and Effective Method for Fighting Public Corruption, Chapter, *ABSCAM Ethics*, edited by Gerald M. Caplan, (May 1983);

Prosecuting a Civil Rico Case, Chapter, *RICO: Civil and Criminal, Law and Strategy*, edited by Judge Jed Rakoff and Howard Goldstein, Law Journal Press (1989);

Law Enforcement Against International Terrorists: Use of the RICO Statute, (with Kenneth I. Juster), 60 U. Colo. L. Rev. 553 (1989);

Corruption Trials: The Pitfalls, *The National Law Journal*, 4/13/81;

Confronting the Evidence of Corruption, *The National Law Journal*, 4/20/81;

Proposed Amendments for RICO: Making a Criminal Law More Civil, *The National Law Journal*, 8/31/81;

Civil RICO: A Primer on the Emerging Use and Abuse of an Elastic Treble Damage Remedy, *The Practical Lawyer*, Fall 1983;

Doubling the Treble Damage Remedy, 52 *Antitrust Law Journal* 327 (1983);

Vigilant Precautions Needed After Bank Secrecy Crackdown, *American Banker*, 4/26/85;

Civil RICO, (Part I), *The Practical Lawyer*, 12/1/83;

Civil RICO (Part II), *The Practical Lawyer*, 11/15/84;

RICO and the Search for Triple Damages, *International Financial Law*, July, 1985;

The Bank Secrecy Act, *Review of Financial Services Regulation*, 4/9/86;

Practical Considerations Concerning Internal Corporate Investigations, *Georgetown University Law Center Federal Enforcement*, 1987;

Strengthening the Independent Counsel Law Requires Judicial Review of the Attorney General's Decision (with David P. Gersch), 25 Am. Crim. L. Rev. 199 (Fall 1987);

Antitrust Precedents May Prove Useful in Many Civil RICO Cases, *The Legal Times*, 9/21/87;

A Call for Congressional Action to Reform RICO, *Civil RICO Report*, 2/9/88; Minimizing Liability for Bank Secrecy Act Reporting Violations, *Bank Administration Institute*, December 1988;

Restraint Urged in Government Response to Inflated GSE Bids, *American Banker*, 10/31/91;

Holmes Court Advantage to Defendant, But Final Call for Congress, *RICO Law Reporter*, 4/92;

Fixing the Rule on Contacts with Represented Parties, *Legal Times*, 3/14/94;

Trial by Ambush, *The New York Times*, Op-Ed, 2/6/95;

Coordinated Criminal Investigations Between the United States and Foreign Governments and Their Implications for American Constitutional Rights (with Christopher D. Man), 42 Va. J. Int'l L. 821 (Spring 2002);

Department of Justice's Ethical Words Are Not Yet Marked By Deed, *Business Crimes Bulletin*, February 1995;

Search and Seizure of Law Offices: DOJ Guidelines Make It Easier, *Business Crimes Bulletin*, January 1996;

Civil Remedies May Be Needed to Curb Prosecutorial Abuses, *Business Crimes Bulletin*, February 1997;

Tough EEA Enforcement Reveals Need for Strict Compliance (with Nancy Perkins), *Business Crimes Bulletin: Compliance and Litigation*, January 1998;

Shekels & Hyde: Little Money, Many Lessons from Hyde (with John Massaro), *Business Crimes Bulletin*, 1999;

Congressional Reforms Needed for Improved Exercise of Prosecutorial Discretion, *Business Crimes Bulletin*, 2000;

Preventing Disclosure of Grand Jury Materials to Foreign Governments Pursuant to MLATs, *Business Crimes Bulletin*, June 2001;

The USA Patriot Act of 2001 Poses a New Threat to Grand Jury Secrecy, *Business Crimes Bulletin*, February 2002;

FCPA Ruling Raises Serious Issues for Prosecutors, Counsel, *Business Crimes Bulletin*, June 2002;

White-Collar Sentencing: A Loss of All Proportion, *Business Crimes Bulletin*, February 2003;
Is Bribing Foreign Tax Collectors a Federal Crime? *Business Crimes Bulletin*, June 2004;

Supreme Court Gives the Defense a Boost in Plea Bargaining, *Business Crimes Bulletin*, March 2005;

Multiple Jeopardy: Concurrent State and Federal Prosecutions for the Same White-Collar Offense, *Business Crimes Bulletin*, December 2005;

The Thompson Memo Ruling: Recent Decision May Have Little Effect on Other Cases, (with Michael S. Lewis), *Business Crimes Bulletin*, October 2006;

Taking the Fifth in Congress, *Business Crimes Bulletin*, October 2010