

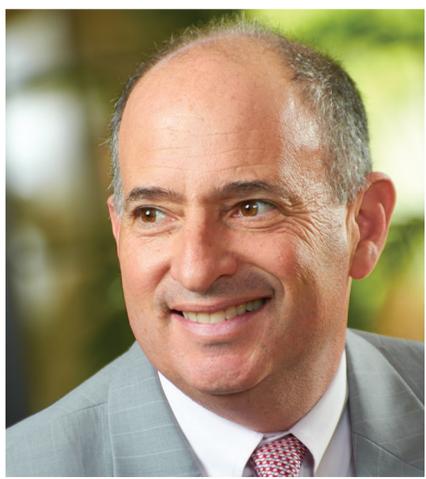
# Lee Stein

## ATTORNEY

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### Education

Arizona State University, J.D.  
Sandra Day O'Connor College of Law

- Magna Cum Laude
- Order of the Coif
- John Armstrong Award for the outstanding graduate
- 1988 Editor-in-Chief, Arizona State Law Journal

University of Arizona  
B.A., Political Science, 1983

### Community Involvement

- Board of Directors of the Arizona Justice Project, Vice President
- Board of Directors of the Arizona Center for Law in the Public Interest, Board Member and Past President
- Water Quality Assurance Revolving Fund, Advisory Board (former)
- Anti-Defamation League, Arizona Region, Board Member (former)

### Professional Bio

Lee Stein, a former Assistant U.S. Attorney and Special Assistant Attorney General in the Arizona Attorney General's Office, has nearly 25 years of experience representing clients in white collar prosecutions and government investigations. He also was a partner at Perkins Coie, LLP, where he co-chaired the firm's national Investigations and White Collar Defense practice group.

Lee is an accomplished trial lawyer who represents Fortune 500 companies and individuals in sensitive internal investigations and criminal prosecutions in both federal and state courts. Lee has seen nearly every imaginable white collar issue, including SEC investigations, environmental and wildlife prosecutions, fraud cases and public corruption matters.

An area of emphasis for Lee over the last 5 years has been advising clients on compliance with the Foreign Corrupt Practices Act. He has handled FCPA investigations all over the world and has resolved those matters when necessary with the Department of Justice and the Securities and Exchange Commission.

Lee regularly represents students accused of misconduct by their college or university. He has resolved many such matters and has successfully litigated cases before University Hearing Boards. Lee is well versed in Title IX and the constitutional rights of students involved in the disciplinary process.

Lee is a frequent speaker on white collar issues. He has trained corporate investigators on conducting internal investigations, appeared on panels on the FCPA and other white collar issues, and spoken to in-house counsel on ethical issues in internal investigations. He has also taught classes at the University of Arizona and Arizona State University law schools on corporate criminal issues and the lawyering process.

Lee graduated magna cum laude from the Sandra Day O'Connor College of Law at Arizona State University, where he was elected to the Order of the Coif and served as Editor-in-Chief of the Law Review. Following his law school graduation, Lee served as a law clerk to Arizona Supreme Court Justice James Moeller

## Related Employment

- Perkins Coie, LLP, Partner and Co-Chair of the Firm-wide Investigations and White Collar Defense practice group (2005-2013)
- Fennemore Craig, P.C., Director (2000 – 2005)
- Arizona Attorney General's Office, Special Assistant Attorney General and Chief Counsel, Civil Rights and Public Advocacy Division (1999 – 2000)
- Assistant United States Attorney, District of Arizona (1995 – 1998)
- Brown & Bain, P.A., Associate (1989 – 1995)
- Arizona State University College of Law, Adjunct Professor, "Lawyering Process," (Fall 1995 and Spring 2001)
- University of Arizona College of Law, Adjunct Professor, "Corporate Criminal Investigations," (Spring 2005)
- Law Clerk, Hon. James Moeller, Arizona Supreme Court (1988 – 1989)

## Professional Recognition

- Listed in The Best Lawyers in America, Criminal Defense
- Listed in Chambers USA, "America's Leading Litigation Lawyers"
- Listed in Southwest Super Lawyers
- AVVO Rating 10.0 (superb)
- Peer Review Rated AV in Martindale-Hubbell

## Professional Leadership

- ABA Criminal Justice Section, White Collar Crime Committee, Co-Chair – Southwest Region, Co-Chair FCPA Subcommittee
- Office of Senator John McCain's Federal Judiciary Evaluation Committee, Member
- Arizona Superior Court Felony Defense Review Committee, Member
- Lawyer Representative to the Ninth Circuit Judicial Conference, 2004 – 2007
- Attorney General's Capital Case Commission (former)
- Arizona Attorneys for Criminal Justice, Member
- National Association of Criminal Defense Lawyers, Member
- Wong Sun Society of San Francisco, Member

## Selected Speaking Events

- April 2015, Arizona Ethics and Compliance Council, Foreign Corrupt Practices Act Working Group
- February 2014, State Bar of Arizona, White Collar Crime Update
- October 2013, State Bar of Arizona, The Arizona Justice Project – Volunteer Lawyers on The Long, Hard Road to Justice
- March 2013, ABA White Collar Crime National Institute, Las Vegas, NV, Panel on Environmental Enforcement
- July 2012, AGA Legal Forum / Washington DC, Environmental Crimes
- February 2011, TRACE Anti-bribery Specialist Accreditation, Anti-Corruption Risk for Private Equity Firms Dealing with Sovereign Wealth Funds
- October 2010, The Third Annual National Institute on the Foreign Corrupt Practices Act, American Bar Association / Washington, D.C., Conducting Effective Due Diligence
- August 2010, The Seminar Group / Vashon Island, Washington, Environmental Crimes and Penalties: The First 30 Days
- August 2010, American Bar Association Annual Meeting / San Francisco, CA, The Shift in Focus on Individuals in FCPA Prosecutions
- December 2008, Practising Law Institute Live Webcast, FCPA Compliance in High Risk Jurisdictions

- July 2008, Practising Law Institute Live Webcast, Global Perspectives on FCPA: Asia
- June 2008, Association of Corporate Counsel, An Introduction to the U.S. Foreign Corrupt Practices Act
- May 2008, Practising Law Institute Live Webcast, Global Perspectives on FCPA: South America
- October 2007, State Bar of Arizona / Phoenix, AZ, Current State and Federal Enforcement Initiatives and Priorities
- September 2007, Strafford Legal CLE / Phoenix, AZ, Foreign Corrupt Practices Act: Staying Out of the Government's Crosshairs
- May 2003, Arizona State Board of Accountancy Annual Convention / Phoenix, AZ, A Defense Attorney's Perspective on Corporate Accounting Fraud
- January 1999, Maricopa County Bar Association / Phoenix, AZ, Grand Jury Investigations of Corporations

## Selected Publications

- Fall 2014, ABA White Collar Crime Committee Newsletter "The Importance of Protecting the Privilege in Internal Investigations" (co-author)
- November 2012, Law360 "New FCPA Guidance: Important, But No Sea-Change" (co-author)
- March 2010, National Law Journal, "Culture of Cooperation, Weighing Benefits and Risks" (co-author)
- October 2010, "Consider the Source: How Weak Whistleblower Protection Outside the United States Threatens to Reduce the Impact of the Dodd-Frank Reward Among Foreign Nationals" The Third Annual National Institute on the Foreign Corrupt Practices Act program book (co-author)
- October 2010 "Can Dodd-Frank Deliver on Its Whistleblower Protection Promise?" Directorship Magazine (co-author)
- July 2009, White Collar Crime Report. "The Disappearing White Collar Criminal Trial: Defendants Increasingly Choose Consequences of Plea Bargains Rather Than Risk Taking Cases Before Juries" (co-author)
- May 2008, Jurist Legal News & Research "Arizona school vouchers ruling casts doubt on future success of programs" (co-author)
- Winter 2008 American Bar Association's Criminal Justice Section News, "Maintaining Credibility in FCPA Investigations" (co-author)
- February 2001 Arizona Attorney "Carrots, Sticks and Criminal Penalties: Arizona Incentives for Corporate Compliance Planning" (co-author)

## Fraud and Public Corruption

- Representation of the former U.S. Attorney for the District of Arizona in the Congressional probe of "Operation Fast and Furious"
- Representation of the owner of a chain of car washes in connection with allegations of a scheme to avoid immigration laws
- Representation of a Colonel in the U.S. Army accused of conflicts of interest and false statements
- Representation of an attorney involving allegations of directing client proceeds to his own benefit
- Representation of a Washington D.C. and Arizona lobbying firm in a grand jury investigation involving allegations of public corruption connected to the Jack Abramoff scandal
- Representation of an Arizona State Legislator and former Tempe City Councilman in connection with a 3-year undercover bribery investigation by the FBI
- Representation of the sitting state Speaker of the House in an investigation alleging misuse of public position and public corruption in connection with the adoption and implementation of the state alternative fuel statute
- Representation of the former President of a publicly traded company into allegations of securities fraud, tax fraud and kickbacks
- Representation of a high-ranking officer in a public corporation into claims of embezzlement and tax fraud
- Representation of a college district in a massive probe into enrollment fraud and misuse of public funds
- Representation of a private on-line university in a consumer fraud investigation by a state attorney general's office
- Representation of an Elections Director in a vote-tampering investigation
- Representation of the chief complaining witness in a federal public corruption prosecution of a sitting Congressman

- Representation of a County Manager in a prosecution involving allegations of misappropriation of public funds
- Representation of a Washington D.C. lobbyist into allegations that he used public money to further the political interests of a public official
- Defended a large travel consolidator against allegations of money laundering, racketeering and human smuggling
- Representation of a principal of an internet gambling web site in connection with federal gambling probes

### **Foreign Corrupt Practices Act (FCPA)**

- Served as legal counsel to FCPA Corporate Monitor of a multinational corporation in connection with deferred prosecution agreements with the DOJ and SEC. Monitor's mandate was to review and independently verify the suitability of the company's compliance program, recommend best practices for an anti-corruption program, ensure accurate accounting of books and records, and verify existence of sufficient internal controls to adequately support compliance efforts
- Representation of a public company in connection with an S.E.C. investigation into bribery allegations in Russia. The S.E.C. terminated the matter, taking no action against the company
- Representation of a number of multinational corporations in FCPA investigations in Asia, the Middle East, South America and Africa
- Preparation and execution of Voluntary Disclosures of suspected FCPA violations to the Department of Justice and the Securities and Exchange Commission
- Development of policies, procedures, training materials, handbooks and other materials to ensure compliance with the FCPA

### **Title IX**

- Representation of a student accused of sexual misconduct with another student who could not consent due to her intoxication. The matter was resolved by negotiation, with no finding of sexual misconduct.
- Representation of a student accused of engaging in sexual conduct with another student without her consent. The matter was tried before the University Hearing Board, which unanimously concluded that no misconduct had occurred.

### **Internal Investigations**

- Representation of a defense contractor in connection with allegations of export control violations
- Investigation into allegations of export violations involving the sale of prohibited technology to the Chinese military
- Investigation into allegations that an employee created falsified government documents and laboratory reports and disseminated them to the public
- Retained by a public company to investigate allegations that a newly acquired subsidiary intentionally failed to disclose significant regulatory problems during the due diligence process
- Investigation of a publicly traded corporation into allegations of bid-rigging and other anti-competitive conduct
- Representation of employees of the Fiesta Bowl in connection with multiple investigations of illegal campaign contributions by the Bowl, through its employees
- Represented a Major League baseball player implicated in the Mitchell steroid investigation

### **Health Care Fraud**

- Representation of a physician accused of illegally selling scheduled drugs and defrauding AHCCCS by billing for services not rendered
- On behalf of a hospital group, defended successfully a qui tam claim of broad allegations of fraud; conducted an internal investigation of upcoding at a hospital facility; and pursued a claim as the victim in a kickback scheme
- Represented a hospital system in a parallel criminal/False Claims Act investigation involving Stark issues arising out of its relationship with a world class practice group
- Conducted an internal investigation of a physician practice group after the in-house counsel raised allegations of anti-kickback violations

- Conducted an investigation on behalf of a children's dental clinic that was subject to a Corporate Integrity Agreement into allegations of physical abuse of patients by a dentist. The HHS-OIG ultimately took no action against the clinic
- Representation of a physician into allegations of prescription of opioids for no legitimate medical purpose. The matter was resolved with an agreement that the physician enter into a deferred prosecution agreement and his DEA license was returned over a period of years
- Represented a medical device representative in a False Claims Act investigation
- Represented a doctor in an investigation of Stark violations involving medical implants
- Internal investigation for a hospital involving inappropriate behavior by a doctor leading to peer review and loss of privileges; testified at the peer review hearing
- Defended the head of nursing in a death investigation at a nursing home
- Represented a dental clinic against allegations of billing fraud and performance of unnecessary procedures
- Conducted an internal investigation at a hospital involving allegations of sexual harassment and other inappropriate behavior by a mid-level manager

## **Environmental and Natural Resources**

- Representation of a nonprofit organization in connection with allegations of criminal violations of the Marine Mammal Protection Act
- Representation of a transmex facility accused of failing to properly manage hazardous waste, and of failing to perform necessary testing on its product before offering it for sale
- Representation of the key witness in a criminal investigation by the Department of Justice Environmental Crimes Section into allegations that the employee's former employer knowingly disposed of hazardous waste at a facility not authorized to accept it
- As an Assistant U.S. Attorney, prosecuted many cases alleging violations of the Lacey Act, the Migratory Bird Act, RCRA, CERCLA and other environmental and natural resources statutes

## **Pro Bono**

- Represented William Macumber in his Petition for Post-Conviction Relief. He was released from custody after serving over 37 years for a double murder he did not commit.
- Represented a "Lost Boy of Sudan" in connection with an arrest by the Phoenix Police and a civil case brought against the Police. Case settled with a substantial payment made to the client.
- Represented a sitting Phoenix City Councilman in connection with allegations of disturbing the peace and an unlawful arrest. Case resolved with no action taken against the councilman.