



David Peet

Partner

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OVERVIEW

David Peet is a partner at the firm's Research Triangle Park and Washington, D.C. offices, where he is a member of the Investigations, Enforcement, and White Collar practice group. His practice focuses on government investigations, securities enforcement, internal investigations, and white-collar defense. In particular, he has extensive experience conducting cross-border investigations involving violations of various civil and criminal laws, including the Foreign Corrupt Practices Act (FCPA) and other anti-corruption laws.

David counsels corporations and individuals across a variety of industries in a wide range of matters, including investigations conducted by the US Department of Justice (DOJ), the Securities and Exchange Commission (SEC), the Commodity Futures Trading Commission (CFTC), as well as other federal and state criminal and civil regulatory authorities in the United States and abroad. He is also well-versed in the function and impact of post-settlement compliance obligations through his experience both in support of a government-appointed Independent Compliance Monitor following an FCPA settlement and in representing a multinational medical device company during the fulfillment of its monitorship obligations.

A Spanish and Portuguese speaker with broad experience living and working in Latin America, David regularly publishes and advises clients regarding enforcement trends in the region. Among his recent successes, David led an internal investigation into allegations of bribery and improper promotion in Brazil and secured an SEC declination on behalf of a multinational biopharmaceutical company following a nearly five-year government inquiry.

David's experience also extends to the representation and counseling of individuals and research institutions in connection with allegations of trade secret theft and the non-disclosure of foreign contacts. Using his extensive experience working in Asia and his knowledge of the evolving regulatory landscape, he publishes regularly on the issue and consults on both proactive institutional risk assessments as well as representations following government inquiries.

His past representations also include counseling Division I coaches, institutions, and commercial enterprises in connection with their obligations under the rules of the National Collegiate Athletic Association (NCAA).

Finally, David maintains an active pro bono practice, which includes assisting asylum seekers in immigration proceedings and representing survivors of domestic violence in their pursuit of civil protection orders.

PROFESSIONAL BACKGROUND

Prior to joining the firm, David served as an associate at an international law firm where he represented individuals, corporations, and institutional clients facing potential exposure under a variety of civil and criminal laws. He also regularly supervised anti-corruption due diligence efforts in the context of mergers and acquisitions, and provided proactive guidance to clients regarding how to address compliance problems when they arise.

ACHIEVEMENTS

- Best Lawyers, Ones to Watch - Criminal Defense: White-Collar (2020, 2022)

SPEAKING ENGAGEMENTS

- Presenter, *Conducting an Internal Investigation*, Seton Hall University Latin America Healthcare Compliance Certificate Program, Bogotá, Colombia (September 2019)
- Presenter, *Answering the Call: Student-Athlete Misconduct, Considerations for Coaches, and the Meaning of Culture*, National Association of Basketball Coaches Convention, Houston, Texas (April 2016)

EDUCATION

- J.D., American University Washington College of Law, 2010 (*cum laude*)
- B.A., Davidson College, 2005 (*with honors*)

ADMISSIONS

- Bar of District of Columbia
- Bar of Maryland
- Bar of North Carolina

LANGUAGES

- English
- Portuguese
- Spanish

THOUGHT LEADERSHIP POWERED BY HUB

- 5 August 2021, Voluntary Disclosure: Deep Dive - Key Trends in U.S. Corporate Enforcement (*Podcast*)

- 1 July 2021, More Than Innovation and Competition: The Latest Proposed Monitoring and Enforcement Mechanisms Targeting Foreign Influence in U.S. Research (*Alerts/Updates*)
- 10 June 2021, Biden Administration Identifies Global Corruption as a National Security Issue (*Alerts/Updates*)
- 16 March 2021, Emerging National Security Considerations for AMCs and Research Universities: Foreign Influence Oversight and Enforcement Trends (*Webinar*)
- February 2021, Ninth Annual "Under the Wire" CLE Webinar (*Webinar*)
- 9 December 2020, Voluntary Disclosure: Special Edition - A Debrief on the 37th International Conference on the Foreign Corrupt Practices Act (*Podcast*)
- 5 October 2020, Voluntary Disclosure: Newsflash – 5 October 2020 (*Podcast*)
- 9 September 2020, Voluntary Disclosure: Deep Dive - The DOJ on Campus (*Podcast*)
- 3 August 2020, Voluntary Disclosure: Newsflash 3 August 2020 (*Podcast*)
- 16 July 2020, Voluntary Disclosure: Newsflash - 16 July 2020 (*Podcast*)
- 24 June 2020, Liu v. SEC: The Supreme Court Limits the SEC's Disgorgement Power and Sets the Stage for Future Legal Battles (*Alerts/Updates*)
- 22 May 2020, COVID-19: Senior Officials Comment on the Current State of Enforcement, Expectations, and Context Considerations During the COVID-19 Pandemic (*Alerts/Updates*)
- 22 May 2020, COVID-19: Enforcement Trends in Latin America and Corporate Risk Mitigation in the Next Global Hotspot (*Alerts/Updates*)
- 18 May 2020, New Developments in the DOJ's Inquiry into Chinese Influence at American Research Institutions (*Alerts/Updates*)
- 25 March 2020, COVID-19: Government Enforcement in the Time of a Pandemic (*Alerts/Updates*)
- 5 March 2020, Supreme Court Hears Oral Arguments in Liu v. SEC to Determine the Fate of the SEC's Ability to Seek Disgorgement in Judicial Proceedings (*Alerts/Updates*)
- 19 February 2020, Charles Lieber, Feng Tao, and the DOJ's Ongoing Search for Chinese Spies at U.S. Research Institutions (*Alerts/Updates*)
- 1 October 2019, DOJ v. China: Is DOJ Acting as an Instrument of Foreign Policy? (*Alerts/Updates*)
- 17 September 2019, Are We Living in the Golden Age of Cooperation or Not? The Implications of SEC Chair Jay Clayton's Recent Comments Challenging Perceptions of Cross-Border Collaboration in FCPA Enforcement (*Alerts/Updates*)
- 19 August 2019, D.C. Circuit Upholds Foreign Banks' Contempt for Noncompliance with U.S. Subpoenas in North Korea Sanctions Investigation (*Alerts/Updates*)

OTHER PUBLICATIONS

- "Challenges, Opportunities, and the Future of FCPA Enforcement After Liu v. SEC", *Global Investigations Review*, 29 June 2020
- "Pandemic Elevates Cos.' Compliance Risks In Latin America," *Law360*, 27 May 2020
- "When DOJ's China Initiative Entangles US Research Orgs," *Law360*, March 11, 2020
- "Greg Craig: The Government's Latest Swing at FARA Enforcement & What Comes Next," *Just Security*, October 2, 2019
- "Mexico Moves Forward: Sweeping Anti-Corruption Regime," Presidential Apology, *The FCPA Blog*, August 30, 2016
- "What Happens in Latin America No Longer Stays in Latin America," *Law360*, November 30, 2015

NEWS & EVENTS

- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch (*Rankings & Recognitions*)
- 5 March 2021, K&L Gates Names 31 New Partners Across Global Platform (*Press Release*)

AREAS OF FOCUS

- Investigations, Enforcement, and White Collar
- Anti-Bribery and Anti-Corruption
- Food, Drugs, Medical Devices, and Cosmetics (FDA)
- Health Care and FDA
- Health Care Fraud and Abuse (U.S.)
- Internal Investigations
- Securities Enforcement / Financial Regulatory Enforcement
- U.S. National Security Law and Policy
- White Collar Crime

REPRESENTATIVE EXPERIENCE

- Successfully assisted Division I and Division II collegiate institutions in navigating the academic eligibility waiver process under NCAA regulations.

- Negotiated successful admission of NCAA member institution into the Football Bowl Championship subdivision (FBS) as an independent member for first time in NCAA's history.
- Drafted and implemented compliance policies and procedures for clients across a variety of industries, including biopharmaceutical companies, professional sports leagues, and energy companies.
- Led and coordinated anti-corruption and economic sanctions compliance program development projects and trainings for portfolio companies in Latin America and Europe affiliated with private equity clients.
- Led anti-corruption and compliance diligence efforts in connection with potential private equity acquisitions in Brazil and Colombia.
- Conducted diagnostic compliance assessments of pharmaceutical client's international interactions with patient assistance organizations.
- Conducted wide-ranging, proactive compliance risk assessments for pharmaceutical company's high-risk operations in China, Mexico, and the Middle East region.
- Conducted more than 40 other internal and government-facing investigations for clients across a variety of industries allegations of various criminal and civil violations, including corruption, accounting fraud, and customs violations at clients' affiliat
- Conducted internal investigation of multinational pharmaceutical company's operations in Colombia following complaints regarding noncompliance with adverse event reporting responsibilities.
- Served as US counsel for a multinational oil and gas client in connection with a wide-ranging, cross-border corruption investigation in Brazil.
- Represented multinational medical device client under corporate monitorship in connection with US authorities' investigation of alleged FCPA violations in Mexico and Brazil.
- Supported appointed Independent Compliance Monitor of a Brazilian multinational company in connection with three-year monitorship term that formed part of the company's settlement with US and Brazilian authorities.
- Secured SEC declination on behalf of US-based biopharmaceutical company following multiyear inquiry into company's sales and promotional practices in Brazil.
- Represented US energy company in connection with civil investigation by state authorities into alleged violations under the Pennsylvania Oil and Gas Act.
- Represented national financial services and wealth management in connection with FINRA arbitration dispute.
- Drafted and implemented policies and procedures for publicly traded IT company based in India regarding conducting internal investigations.
- Advised the National Association of Basketball Coaches (NABC) regarding governance matters and the potential impact of the Commission on College Basketball on day-to-day program operations and recruiting.

- Advised multinational apparel company regarding the impact of NCAA regulations on proposed promotional campaign targeting high school student-athletes.
- Represented men's basketball coaches at NCAA Division I institutions in connection with NCAA investigations into the alleged delivery of improper benefits to student-athletes and their families.
- Represented head football coach at NCAA Division I institution in connection with NCAA investigation into alleged recruiting violations.