

# Peter R. Zeidenberg

PARTNER

Peter defends scientists, individuals, and companies in white collar criminal matters involving contracting fraud, trade secret theft, economic espionage, export violations, and espionage-related offenses.



## Industries

Health Care

## Practices

Complex Litigation  
Government Enforcement & White Collar  
Government Relations  
International Trade

## International

Asia  
China

## Education

Boston College Law School JD, 1985  
University of Wisconsin BA, 1981

## Offices

Washington, DC

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## Client Work

Peter's practice includes the representation of scientists and other individuals and business organizations accused of government contracting and procurement fraud, theft of trade secrets, economic espionage, export violations, espionage-related offenses, computer crimes, the False Claims Act and the Foreign Corrupt Practices Act. He has experience in conducting internal investigations and counseling companies and organizations responding to government enforcement threats. His work in such matters includes grand jury investigations, administrative subpoenas, and Congressional investigations.

A representation of Peter's work on behalf of his clients includes the following:

- Persuading the government to dismiss a four-count indictment against Chinese-American Chair of the Temple University Physics Department suspected of espionage on behalf of China. (*US v. Xiaoxing Xi*, 15-CR-204, E.D. Pennsylvania; see "US Drops Charges That Professor Shared Technology with China", *New York Times*, 11 September 2015; "US Drops Charges that Temple University Professor Sought to Give Tech Secrets to China", *Wall Street Journal*, 11 September 2015.
- Persuading the government to dismiss an eight-count indictment charging government employee with computer hacking, theft and false statements (*US v. Xiafen "Sherry" Chen*, 14-CR-149, S.D. Ohio) one week before trial; see "Government Drops Charges Against Federal Employee," *Wall Street Journal*, 10 March 2015; "Federal hacking case against NOAA hydrologist dismissed," *Dayton Daily News*, 11 March 2015.
- Persuading the government to dismiss a complaint alleging scientist made false statements in connection with export of certain technology to China (*US v. Xin Zhao*, 8:16-MJ-1538, M.D. Fla).
- Representation of nuclear engineer accused of assisting China in the development of plutonium; *US v. Szuhsiung Ho*, 3:16-CR-00046; "US used Cold War-era statute to prosecute Taiwanese American nuclear engineer," *The Washington Post*,

January 6, 2017.

- Representation of Chinese-American scientist accused of SBIR contracting fraud; *US v. Wei Xu*, 6:16-CR-14, M.D. Fla.
- Representation of Chinese-American scientist accused of SBIR contracting fraud involving NASA and NSF, 8:16-cr-00558, D. of Md.
- Representing a publicly-held company in connection with a Department of Justice (DOJ) and Securities and Exchange Commission (SEC) investigation into alleged bribes paid in Asia to obtain licenses and visas; persuaded DOJ to decline prosecution.
- Representing a publicly-held company in connection with a qui tam case in which relator alleged that company overcharged the US Army for meals and travel-related expenses in Pakistan; persuaded the government not to intervene in case.
- Winning dismissal of all charges lodged against an individual charged in US District Court in Washington, DC in connection with a so-called "Shot Show" FCPA sting case, in which the DOJ alleged that 22 defense contractors had paid bribes to an African defense minister in connection with the sale of military hardware.
- Winning acquittals on all counts in the Eastern District of Virginia on charges of Obstruction of Justice and Conspiracy lodged against former federal law enforcement agent.
- Winning release of a physician sentenced to life in prison for illegally dispensing OxyContin and causing the death of a patient; successfully brought *habeas* petition resulting in the vacating of key counts of conviction.
- Representing the president of a Fortune 500 company on allegations of insider trading; persuaded state and federal prosecutors that charges not warranted.
- Representing a foreign national charged with arms smuggling and conspiracy in Western District of New York; successfully persuaded government to offer misdemeanor plea with no jail time and no forfeiture or fines.
- Representing a foreign bank in a DOJ investigation of alleged OFAC violations; persuaded federal prosecutors to decline charges.
- Representing a federal law enforcement official investigated by DOJ for conspiracy, false statements, and visa fraud; successfully persuaded DOJ to decline prosecution.
- Representing an officer of a European manufacturing corporation alleged to have conspired with an international cartel to fix prices.
- Representing a publicly held defense contractor in connection with a whistleblower claim that sales agents paid bribes to military of Middle-Eastern country in violation of the FCPA.
- Representing individuals in a DOJ investigation into alleged violations of Federal Election Commission (FEC) laws.
- Representing of a publicly traded corporation alleged to have committed bid-rigging.
- Representing a publicly-held corporation in connection with Congressional investigation.
- Representing a former DOJ official alleged to have violated conflict of interest laws; persuaded the DOJ to decline prosecution.
- Representing an international corporate entity in establishing compliance with FCPA and enhancing compliance through policy, procedure, and training programs.

## Previous Work

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Prior to joining Arent Fox, Peter was a partner at an international law firm where he represented businesses and individuals threatened with government investigations. Before working at that firm, he spent 17 years as a federal prosecutor at the Justice Department, where he served in both the Public Integrity Section of the Criminal Division and at the United States Attorney's Office in the District of Columbia.

While Peter was at the DOJ, he investigated and prosecuted local, state, and federal officials. His trial experience included some of the DOJ's highest profile criminal cases. One of these cases involved Peter's service as a Deputy Special Counsel in the investigation and prosecution of Lewis "Scooter" Libby. While at the Public Integrity Section, Peter was also responsible for the prosecution of *David Safavian*, in which the former Chief of Staff of the General Services Administration (GSA) was tried for obstruction of justice and false statements in connection with the Jack Abramoff investigation.

While at the DOJ, Peter coordinated and supervised investigations conducted by the Federal Bureau of Investigation (FBI), the Office of Inspector General (OIG) from the GSA, the DOJ, the Drug Enforcement Agency (DEA), and the Special Inspector General for Iraq Reconstruction (SIGIR).

Prior to his work at the DOJ, Peter was an Assistant United States Attorney in the District of Columbia. There he spent the majority of his time prosecuting violent crimes, winning convictions in 16 out of 18 first-degree murder cases he tried. In addition, Peter won life sentences for all six of the defendants he prosecuted in a nine-month long Racketeer Influenced and Corrupt Organizations (RICO) prosecution of a murderous drug-gang. In his career, Peter has first-chaired over 100 jury trials and argued two dozen appellate cases.

In addition to his work at the federal level, Peter was also a state prosecutor for five years in Middlesex County, Massachusetts.

## Publications, Presentations & Recognitions

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### Publications

Peter is the author or co-author of the following publications:

- "Employers Take Note: DOJ Cracks Down On H-1B Abuse," *Law360*, 11 December 2015.
- "Chinese-Americans are being caught mistakenly in the US's cybercrime dragnet," *Washington Post*, 12 November 2015.
- "Government Pulls Out All the Stops to Investigate and Prosecute Medicare Fraud Against Sacred Heart Hospital Executives in Chicago," *Bloomberg BNA*, 15 April 2015.
- "Supreme Court Justices Need To Get Out More," *Law360*, 14 November 2014.
- "What the McDonnell Verdict May Mean Going Forward," *Roll Call*, 9 October 2014.
- "Saving Face: DOJ Prosecutes Executives Over Corporations," *Law360*, 25 September 2014.
- "Reduce long sentences for drug dealers even if it makes prosecutions harder," *The Washington Post*, 10 April 2014.
- "US-Swiss voluntary disclosure program: deadlines are looming — Swiss banks need not panic, but must act swiftly and thoughtfully," 21 November 2013.

- "1 More Thing to Keep GCs Awake at Night," *Law360*, 13 November 2013.
- "Banques: le point de vue d'avocats américains," 23 October 2013.
  - "US DOJ and Swiss government announce new voluntary disclosure program for Swiss banks," *DLA Piper International Tax Compliance Alert*, 4 October 2013.
  - "The Ted Stevens case shows a need for reform," *Politico*, 2 April 2012.
  - "Growing liability risk to foreign financial institutions from tax disclosure cases," *Financial Fraud Law Report*, 16 February 2010.
  - "IRS voluntary disclosure program poses threat to foreign banks," *Daily Tax Report*, 3 December 2009.
  - "Tax man cometh — and is looking for your overseas accounts," 22 June 2009.
  - "IRS issues new voluntary disclosure guidance for unreported offshore accounts and entities," 15 April 2009.

### **Recognitions**

In 2012, 2015, and 2016, Peter was listed in *The Best Lawyers in America* in the practice area of Criminal Defense: White-Collar.

In 2002, Peter received the Director's Award for Superior Performance as an Assistant United States Attorney by the Executive Office of United States Attorneys. In addition, he received 10 Department of Justice Special Achievement Awards.

### **Presentations**

Peter is a sought-after commentator and speaker on an extensive list of topics. Recently, he has presented on the following:

- University of Minnesota's US-China Relations S.T.E.M. Community Outreach Event. 4 April 2019 (Minneapolis, MN).
- "Scientist or Spy?," 2016 SASE Midwest Regional Conference. 12 March 2016 (Minneapolis, MN).
- "Examining Cases of Scientists Wrongly Accused of Spying for China," *The Heat*, CCTV America. 24 February 2016.
- "Government Targeting of Chinese-Americans in Science & High-Tech Industries," Penn State University. 12 December 2015 (University Park, PA).
- "Free Speech, Anti-Corruption, and the Criminalization of Government Affairs ." 2015 National Lawyers Convention, Federalist Society. 13 November 2015 (Washington, DC).
- "Spies or Stereotypes? The Case of Professor Xiaoxing Xi - Are Asian American Scientists Profiled as Economic Espionage Threats?" University of California Hastings College of the Law. 23 October 2015 (San Francisco, CA).
- "Trade Secrets and Economic Espionage: Legal Risks in Advancing Technology between the US and China," Committee of 100. 16 September 2015 (Washington, DC).

### **Professional Activities**

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Peter is a barrister at the Edward Bennett Williams Inn of Court. He is also an adjunct professor of law at Georgetown University Law Center where he teaches a course on public corruption.

### **Bar Admissions**

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District of Columbia