

Jessica Lonergan

OF COUNSEL

Litigation
New York

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FOCUS AREAS

Board and Internal
Investigations
Government Investigations
Litigation
Strategic Risk and Crisis
Management
Supreme Court and
Appellate
Trial
White Collar Crime

HIGHLIGHTS

- Diverse Litigation Practice**
Jessica represents companies and individual clients in white collar criminal defense cases, internal and government-facing investigations, and compliance and regulatory matters.
- Experienced Trial Attorney and Investigator**
Jessica served for over 10 years as a federal prosecutor. She led over 175 grand jury investigations and prosecutions. She has conducted ten criminal jury trials and briefed and argued numerous appeals in the Second Circuit Court of Appeals.
- Thought Leader**
Jessica frequently writes about white collar crime. She has been quoted in high-profile publications including *Bloomberg*, *The Wall Street Journal*, and *Law360*.

EXPERIENCE

Jessica Lonergan is Of Counsel in the New York office of Wilson Sonsini Goodrich & Rosati. Her practice focuses on representing and defending clients in governmental and internal investigations and criminal and regulatory prosecutions. She regularly assists clients in navigating sensitive and high-stakes matters, both internally and before the Department of Justice, the U.S. Securities and Exchange Commission, and other regulatory bodies, on a wide range of issues, including public corruption, fraud, the Foreign Corrupt Practices Act (FCPA), health care fraud, Bank Secrecy Act violations, money laundering, and False Claims Act violations.

Jessica is an experienced trial lawyer and investigator with a deep understanding of how prosecutors and the Justice Department approach criminal cases. This experience shapes her approach to guiding clients by anticipating and preparing for issues that could arise at trial from the outset of the representation.

Prior to joining the firm, Jessica spent more than 10 years as an Assistant United States Attorney in the Criminal Division of the U.S. Attorney's Office for the Southern District of New York. In this position, she led more than 175 grand jury investigations and prosecutions involving bribery, Foreign Corrupt Practices Act violations, bank and wire fraud, frauds against the government, tax evasion, labor union fraud, racketeering, money laundering, and narcotics trafficking. In addition, Jessica conducted nine criminal jury trials and briefed and argued numerous successful appeals in the Second Circuit Court of Appeals. She has been quoted in high-profile publications, including *The Wall Street Journal* and *Law360*.

Previously, Jessica served as a law clerk to the Honorable Julio M. Fuentes in the U.S. Court of Appeals for the Third Circuit. She also clerked for the Honorable Jan E. DuBois in the U.S. District

CREDENTIALS

Education

- J.D., New York University School of Law, 2008
Magna Cum Laude; Order of the Coif; Florence Allen Scholar; Recipient, Dean's Scholarship; Executive Editor, New York University Journal of Legislation and Public Policy
- B.A., English and Theatre Studies, Swarthmore College, 2000
Phi Beta Kappa; News Editor and Reporter, The Phoenix

Admissions

- State Bar of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit

MATTERS

Representative Criminal and Regulatory Matters

- Representing former Credit Union executive in connection with historic criminal and regulatory matters brought by the Department of Justice (DOJ) and Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) alleging violations of the Bank Secrecy Act
- Representing on appeal a former local government leader charged by the DOJ with alleged public corruption and obstruction offenses
- Representing a technology company in connection with a DOJ False Claims Act investigation
- Representing a former alternative energy company executive in connection with Foreign Corrupt Practice Act investigation led by DOJ
- Representing a photonics company in connection with investigations by DOJ and SEC into allegations of insider trading
- Representing an eCommerce company in connection with an SEC investigation into alleged investor fraud
- Represented a healthcare professional indicted in connection with an alleged \$165 million Medicare fraud prosecuted by the DOJ Fraud Section and U.S. Attorney's Office, EDNY. Jury acquitted client of all counts at trial.
- Represented senior officers of two leading U.S. healthcare companies in connection with the DOJ's Antitrust Division investigation into alleged no-poach agreements
- Represented an app developer start-up in connection with a federal grand jury investigation into alleged investor fraud
- Represented a leading global life sciences technology company in connection with a federal grand jury investigation into alleged fraud and healthcare fraud violations
- Represented an advertising software company in connection with a DOJ Antitrust Division investigation into alleged no-poach agreements and succeeded in persuading the DOJ to close its investigation without charges
- Represented a global tech platform in an investigation conducted by the Federal Trade Commission
- Represented a global social media company in an investigation by the New York State Attorney General's Office into content moderation practices
- Represented a healthcare professional charged by the U.S. Attorney's Office, SDNY, in connection with an alleged multi-million dollar health care fraud scheme
- Represented an individual in connection with an international FCPA and money laundering case prosecuted by the U.S. Attorney's Office, S.D. Tex., and the DOJ Fraud Section
- Represented an individual in connection with a DOJ Antitrust Division investigation into possible bid-rigging, which resulted in the DOJ closing the investigation without bringing charges

Representative Internal Investigations

- Represented a financial software company in an internal investigation into allegations that employees violated auditor independence guidelines
- Represented the Audit Committee of a technology company in an internal investigation regarding software licensing issues
- Represented a former senior officer of a cloud software company in an internal investigation into allegations of accounting fraud

Select Publications

- Co-author, “DOJ and FTC ‘Signal’ That Companies Cannot ‘Slack’ on Preserving Ephemeral Messages,” Wilson Sonsini Alert, February 21, 2024
- Co-author, “DOJ Targets Foreign Officials with Long-Awaited Anti-Corruption Law: 5 Takeaways for Multinational Corporations and State-Affiliated Entities,” Wilson Sonsini Alert, January 22, 2024
- Co-author, “Goal Disallowed: Court Rules in FIFA Corruption Case that U.S. Prosecutors Cannot Use Fraud Statute to Tackle Foreign Commercial Bribery,” Wilson Sonsini Alert, October 25, 2023
- Co-author, “Corporate Compliance Lessons From FirstEnergy Scandal,” *Law360*, September 15, 2023
- Co-author, “Federal District Court Dismisses Justice Department’s Latest ‘No-Poach’ Case Before Jury Deliberations,” *Employee Relations Law Journal*, Autumn 2023
- Co-author, “What Companies Can Learn from the FirstEnergy/Ohio GOP ‘Dark Money’ Scandal,” Wilson Sonsini Alert, August 14, 2023
- Co-author, “Charges Dropped Against Two ‘Varsity Blues’ Parents After First Circuit Educates the DOJ on Proper Scope of Bribery, Fraud, and Conspiracy Charges,” Wilson Sonsini Alert, June 29, 2023
- Co-author, “Supreme Court Uses New York Corruption Cases to Teach Fraud Lessons,” Wilson Sonsini Alert, May 18, 2023
- Co-author, “Court Dismisses DOJ’s Latest ‘No-Poach’ Case Before Jury Deliberations,” Wilson Sonsini Alert, May 1, 2023
- Co-author, “DOJ’s Criminal Division Champions Corporate Compliance Changes: Compensation Clawbacks and Third-Party Communication Apps,” Wilson Sonsini Alert, March 22, 2023
- Co-author, “In the Year of the Rabbit, the DOJ Dangles More Carrots to Incentivize Self-Disclosure and Cooperation,” Wilson Sonsini Alert, February, 2, 2023
- Co-author, “Banks Fined \$2 Billion for Employees’ ‘Off-Channel’ Communications—Is Your Industry at Risk?” Wilson Sonsini Alert, November 16, 2022
- Co-author with T. Helou, M. Casey, K. Sharp, and S. Maughan, “DOJ Announces New Guidance on Corporate Criminal Enforcement,” Wilson Sonsini Alert, September 19, 2022