

Solomon L. Wisenberg

Partner

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Solomon L. Wisenberg is co-chair of the firm's White Collar Defense and Government Investigations practice. He has more than two decades of experience as lead counsel in complex federal white collar crime investigations and jury trials. His practice is exclusively devoted to representing individuals and businesses: 1) exposed to federal white collar criminal, regulatory and civil inquiries; 2) engaged in or threatened with federal civil parallel proceedings; 3) charged with federal business-related crimes; or 4) awaiting federal sentencing.

Mr. Wisenberg's government career included serving as Deputy Independent Counsel, the number two position in the Whitewater/Lewinsky Investigation, and he was selected by Judge Kenneth Starr to conduct grand jury questioning of President Bill Clinton.

Mr. Wisenberg is the author of *White Collar Crime: Securities Fraud* (2016), published by West/Thomson Reuters.

Since entering private practice in 1999, Mr. Wisenberg has represented clients under investigation for public corruption (Hobbs Act), bribery, fraud (securities, bank, mail, tax, health care, FDA), Foreign Corrupt Practices Act violations, false statements to government officials, arms export control act violations, theft of federal property, and insider trading. He has also conducted internal investigations and insurance coverage fraud inquiries for corporations and nonprofits.

Prior to his service with the Office of Independent Counsel, Mr. Wisenberg was chief of the Financial Institution and Health Care Fraud Unit in the U.S. Attorney's Office for the Western District of Texas. He directed approximately 75 to 100 criminal investigations during his tenure as an Assistant U.S. Attorney in Texas and North Carolina.

Education

University of Texas School of Law, JD
(1980)

Washington University in St. Louis, AB,
History (1976)

Admissions

District of Columbia

Illinois

Texas

North Carolina

U.S. Court of Appeals for the District of
Columbia Circuit

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. District Court for the District of
Colorado

U.S. District Court for the District of
Columbia

U.S. District Court for the Northern District
of Florida

U.S. District Court for the Eastern District
of Michigan

Frequently asked to comment on federal white collar criminal defense issues, Mr. Wisenberg has been a repeat guest on Wall Street Journal Live and CNBC. He has also appeared on The Today Show, National Public Radio, ABC's World News Tonight, ABC's Nightline, CNN, and Fox News. Mr. Wisenberg's articles, op-eds, and reviews have been published in the Washington Post, the National Law Journal, Corporate Counsel, the Wilson Quarterly and other journals. He is the Contributing Editor of the White Collar Crime Prof Blog.

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Experience

- Represented a corporate executive targeted by the U.S. Department of Justice in a wide ranging international FCPA investigation. The government declined prosecution
- Represented a Florida insurance executive after indictment on federal wire and insurance fraud charges in the Northern District of Florida. Government dismissed all charges two weeks before trial
- Represented an auto industry corporate vice president indicted for securities fraud in the U.S. District Court for the Southern District of New York. After two years of discovery and motions work, the government dismissed all charges
- Represented a North Carolina attorney at sentencing in a white collar matter. Argued for downward variance from Sentencing Guidelines range of 108-135 months. After all-day hearing, variance granted; client sentenced to probation with six months house arrest
- Represented a thoroughbred industry entrepreneur targeted in a federal honest services fraud investigation. Investigation ultimately closed with no charges filed
- Represented a California businessman after indictment on two federal felony counts charging Aggravated Identity Theft and False Statements to SEC Officials. Misdemeanor plea agreement negotiated, both felony counts dismissed; client sentenced to three years probation
- Represented a corporation's president investigated and questioned as part of a major federal white collar

U.S. District Court for the Western District of Michigan

U.S. District Court for the Southern District of Texas

U.S. District Court for the Western District of Texas

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Eastern District of North Carolina

U.S. District Court for the Middle District of North Carolina

U.S. District Court for the Western District of North Carolina

Clerkships

Law Clerk, The Honorable Tom G. Davis, Texas Court of Criminal Appeals

Law Clerk, The Honorable J. Daniel Mahoney, U.S. Court of Appeals for the Second Circuit

Practice Areas

[White Collar Defense & Government Investigations](#)

[Healthcare Government Investigations & Litigation](#)

[Securities & Enforcement](#)

[Congressional Oversight Investigations](#)

Industries

[Healthcare](#)

investigation into corruption among securities class action law firms. Immunity agreement negotiated; no charges filed

- Represented corporate executives and employees being questioned by FBI special agents, a federal prosecutor, and a federal grand jury regarding alleged violations of the Arms Export Control Act. No charges filed
- Represented a foreign corporation's U.S. subsidiary and two of the parent company's officers after indictment for fraud against the FDA. Negotiated dismissal of all charges against the officers with prejudice. Parent company pled guilty to one felony count, received probation, and paid a fine
- Represented several clients (witnesses and subjects) questioned in a high-profile FBI investigation into Congressional corruption related to the Jack Abramoff investigation. No charges filed
- Represented a senior bank official in Connecticut named as a felony target in a federal bank fraud investigation. Misdemeanor plea negotiated; client sentenced to three years probation
- Wrote appellate brief and argued appeal on behalf of a public official convicted for harboring an alien. The United States Court of Appeals for the Third Circuit reversed conviction
- Represented a client indicted in the Eastern District of Virginia for perjury and filing false claims. Government dismissed all charges on the eve of trial
- Represented an Illinois businessman investigated for mortgage fraud. No charges filed
- Represented a Texas attorney investigated for alleged participation in a bust-out scheme. No charges filed
- Represented the President of a Texas corporation charged with securities fraud in a complaint filed by the SEC. No-fault civil settlement negotiated
- Represented an elected official indicted by a Delaware federal grand jury on multiple Hobbs Act felony counts, which could have resulted in several years of federal prison time. Government offered a misdemeanor tax plea 10 days before trial. Client pled guilty to the tax misdemeanor and was sentenced to three years probation. Government dismissed all felony charges
- Represented a Pennsylvania businessman after being charged with bank fraud in a multi-count indictment alleging more than \$500,000 in losses. Plea agreement negotiated; client received felony probation following a hotly contested sentencing hearing

- Argued on behalf of a convicted Texas man; the U.S. Court of Appeals for the Fifth Circuit vacated conviction and entered a judgment of acquittal
- Represented a San Antonio businessman after conviction of insurance fraud. Along with co-counsel, argued for a downward variance from Sentencing Guideline Range of 46-57 months with government seeking 71 months. Client sentenced to 15 months
- Represented a prominent foreign national questioned by a federal grand jury as part of the "Pardongate" investigation into President Clinton's last-minute pardon of financier Marc Rich. No charges filed
- Represented a corporation president held in civil contempt (and briefly jailed) by a federal court for failing to pay a judgment in an SEC enforcement action. Court eventually lifted contempt order
- Represented a broker accused of fraud by the SEC in connection with a major day-trading investigation. Broker entered into a civil settlement agreement with the SEC. No criminal charges were filed
- Represented a prominent businessman investigated for alleged federal mail fraud in connection with municipal zoning issues. No charges filed
- Represented a federal law enforcement official investigated for alleged espionage, false statements, and unlawful transport of firearms. Assistant United States Attorney in charge of the case filed no charges
- Represented a contractor to a foreign government named as a felony target in a Foreign Corrupt Practices Act investigation. No charges filed
- Represented a former employee of a federal contractor named a felony target in a federal contracting fraud investigation in Connecticut. Misdemeanor plea negotiated; client sentenced to three years probation

Previous Professional Experience

- Partner and co-chair, White Collar Crime Defense Practice Group, Barnes & Thornburg LLP (2008-2013)
- Founded Wisenberg & Wisenberg PLLC, a white-collar boutique (2004-2008)
- Partner and Chair, White Collar Crime Practice Group, Ross, Dixon & Bell (1999-2004)
- Deputy Independent Counsel, Whitewater/Lewinsky investigation (1998-1999)

- Associate Independent Counsel, Whitewater/Lewinsky investigation (1997-1998)
- Chief, Financial Institution and Health Care Fraud Unit, U.S. Attorney's Office for the Western District of Texas (1993-1996)
- Assistant U.S. Attorney, Texas and North Carolina (1987-1997)
- Adjunct professor of law, Catholic University's Columbus School of Law, Business Crimes (2007)

Recognitions

The bar rules of some states require that the standards for an attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- [Listed by Chambers USA as one of "America's Leading Lawyers in Litigation: White Collar Crime & Government Investigations"](#) (2016-2019)
- [Martindale-Hubbell AV® Rated](#) (2003-2018)
- [Super Lawyers®, Criminal Defense: White Collar Crime](#) (2012-2019)
- Highest Rating "10: Superb" by AVVO (2009-2018)
- [Bar Register of Preeminent Lawyers](#) (2003-2018)
- Winner of the Department of Justice Director's Award (1994)

Professional Activities

- National Association of Criminal Defense Lawyers Board of Directors (2009-2012)
- National Association of Criminal Defense Lawyers White Collar Crime Committee (2009-2016)
- National Association of Criminal Defense Lawyers Discovery Reform Committee (2009-2016)
- American Bar Association
 - Criminal Justice Section, White Collar Crime Committee
 - Criminal Justice Section, Global Anticorruption Committee
- Fellow, American Bar Foundation
- College of the State Bar of Texas (2011-2016)

Articles & Speeches

Insights

[The Federal Grand Jury: Ten Tips If You Receive a Subpoena](#), *National Law Review* - Author (July 2, 2019)

[Mueller's Innovative Use Of Money Laundering Statute](#), *Law 360* - Co-Author (April 2, 2018)

[Misreading Rod Rosenstein and Missing a New Angle on Obstruction](#), *Law Professor Blogs Network* (June 17, 2017)

[How to Speak and Not Speak When the Feds Come Calling](#), *American Bar Association, Environmental Litigation Section* (August 30, 2016)

[White Collar Crime: Securities Fraud](#), *West/Thomson Reuters* - Co-Author (2016)

[Federal Grand Jury Crash Course](#), *Thomson Reuters* (January 15, 2014)

Events/Speaking Engagements

[From Watergate to Whitewater and Beyond: An Inside Look at Presidential Investigations](#) - Panelist (October 4, 2018)

[Nixon, Clinton & Trump: Federal White Collar Practice in High Profile Political Cases](#) - Speaker (May 15, 2018)

NACDL White Collar Crime Defense College, *Stetson University College of Law* (2014)

Human After All Conference - Speaker (2014)

NACDL's Ninth Annual Defending the White Collar Case seminar (2013)

NACDL White Collar Crime Defense College, *at Stetson University College of Law* (2012)

[Prosecuting Fraud: Criminally Civilly and Administratively](#), *at University of Missouri Kansas City School of Law Symposium* - Speaker (2011)

[Downward Departures and Variances at 20th Annual National Seminar on the Federal Sentencing Guidelines](#) - Speaker (2011)

[Parallel Proceedings](#), *Review of Litigation's White Collar Crime Symposium, University of Texas School of Law* - Panelist (2010)

[Grand Jury Reform at Overcriminalization 2.0 Conference](#) - Speaker (2010)

[A Return to Brady Basics](#), *NACDL Midwinter Meeting in Austin, TX* - Speaker (2010)

Guest speaker at the FBI Academy in Quantico, Va. (2001)

Instructor at the Justice Department's Trial Advocacy Institute (1993)

Blogs

[Second Circuit Decision Rejects the Government's Attempts to Expand the Jurisdictional Reach of the FCPA, Investigations](#) - Author (August 31, 2018)

[Mueller's Innovative Use Of Money Laundering Statute, Investigations](#) - Author (April 4, 2018)