

Michael Diamant

Partner

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Washington, D.C.

Michael S. Diamant is a partner in the Washington, D.C. office of Gibson, Dunn & Crutcher. He is a member of the White Collar Defense and Investigations Practice Group, and serves on the firm's Finance Committee. His practice focuses on white collar criminal defense, internal investigations, and corporate compliance.

Michael has been recognized as one of the leading U.S. Foreign Corrupt Practices Act ("FCPA") experts in the United States by *Chambers USA* nationwide (2016-2024) and *Chambers Global* (2017-2024). He has also been recognized in *The Best Lawyers in America*® for work in Criminal Defense: White-Collar (2021-2025). *Who's Who Legal* named Michael to its "Investigations Guide" (2019, 2022-2023), Thought Leaders: USA list (2023-2024), Thought Leaders: Global Investigations Review (2022-2024) and to its "Future Leaders: Investigations" list (2018, 2020). He was selected to *Benchmark Litigation's* "40 & Under Hot List" (2016-2018, 2020) and listed as a "Future Litigation Star" (2016, 2019, 2025) and "Rising Star" (2016). Michael was also named to *Global Investigation Review's* "40 Under 40" list (2014, 2017), and named to *Law360's* "Rising Stars" for White Collar (2017).

Michael has broad white collar defense experience representing corporations and corporate executives facing criminal and regulatory charges. He has represented clients in an array of matters, including accounting and securities fraud, antitrust violations, and environmental crimes, before law enforcement and regulators, including the U.S. Department of Justice and the Securities and Exchange Commission. Michael also has managed numerous internal investigations for publicly traded corporations and conducted fieldwork in nineteen different countries on five continents. In addition to his U.S. government-facing work, Michael has extensive World Bank Group enforcement experience, working on behalf of clients under investigation by the World Bank Integrity Vice Presidency and assisting companies already subject to World Bank sanction.

In his FCPA practice, Michael regularly conducts internal investigations for corporations regarding possible anti-bribery violations and assists them in complying with government subpoenas and negotiating settlements with enforcement agencies. He also routinely advises corporations on the adequacy of the design and implementation of their corporate ethics and compliance programs. This has included extensive work on all programmatic elements, including whistleblowing and investigative procedures, codes of conduct, expense approval and reimbursement processes, and oversight and governance functions, among many others. Michael has designed entire anti-bribery compliance programs for Fortune 100 corporations. He also frequently conducts FCPA training for in-house counsel, corporate executives, and line employees. And he has served as a faculty member for the Ethics and Compliance Officer Association's Global Law School.

Representative public engagements handled by Michael include the following:

- Representing Petróleo Brasileiro S.A. – Petrobras before the SEC and DOJ in their



Capabilities

White Collar Defense and Investigations
Anti-Corruption & FCPA
Antitrust and Competition
Government Contracts
Litigation
Securities Enforcement

Credentials

Education

Georgetown University - 2003 Juris Doctor
Georgetown University - 2000 Bachelor of Science

Admissions

District of Columbia Bar
Virginia Bar

Clerkships

US Court of Appeals, 5th Circuit, Hon.
Fortunato P. Benavides, 2004 - 2005

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FCPA investigations and successfully negotiating resolutions to both investigations (2014–18);

- Representing MTS Systems before the FCPA Units of the SEC and DOJ and securing a written declination from both to conclude their long-running investigations (2017);
- Representing Mead Johnson Nutrition during FCPA investigations by the SEC and DOJ, reaching an SEC resolution and obtaining a DOJ declination (2013–15);
- Serving as post-resolution counsel to Daimler AG during its FCPA monitorship (2010–13);
- Representing ARINC before the World Bank's Integrity Vice Presidency and securing a negotiated resolution of that investigation (2011–12);
- Helping to lead the compliance monitorship for Siemens AG, pursuant to the then largest-ever FCPA resolution with the SEC and DOJ (2009–12);
- Helping to lead the FCPA compliance monitorship for Statoil ASA, the first non-U.S. organization to receive an FCPA monitor pursuant to enforcement actions by the SEC and DOJ (2007–09);
- Representing St. Jude Medical before the SEC in its Oil-for-Food investigation, which resulted in the SEC declining to bring an enforcement action (2005–07).

Michael's academic publications include the following:

- "[FCPA Enforcement Against U.S. and Non- U.S. Companies](#)," 8 *Mich. Bus. & Entrepreneurial L. Rev.* 353 (2019) (with Christopher Sullivan and Jason Smith);
- "Corporate Monitors and the Monitorship Process" in [From 'Baksheesh' to Bribery: Examining the Global Fight Against Corruption and Graft](#) (T. Markus Funk & Andrew S. Boutros eds., Oxford UP 2019) (with F. Joseph Warin and Christopher Sullivan);
- "[Sanctionable Practices at the World Bank: Interpretation and Enforcement](#)," 18 *U. Pa. J. Bus. L.* 985 (2016) (with Christopher Sullivan and Jason Smith).
- "[Don't You Forget About Me: The Continuing Viability of the FCPA's Facilitating Payments Exception](#)," 73 *Ohio St. L.J. Furthermore* 19 (2012) (with Jesenka Mrdjenovic);
- [Hot off the Press: Resetting the Global Anti-Corruption Thermostat to the U.K. Bribery Act](#)," 12 *Bus. L. Int'l* 257 (2011) (with Lee G. Dunst and Teresa R. Kung);
- [Somebody's Watching Me: FCPA Monitorships and How They Can Work Better](#)," 13 *U. Pa. J. Bus. L.* 321 (2011) (with F. Joseph Warin and Veronica S. Root);
- [The British Are Coming!: Britain Changes Its Law on Foreign Bribery and Joins the International Fight Against Corruption](#)," 46 *Tex. Int'l. L.J.* 1 (2010) (with F. Joseph Warin and Lord Charles Falconer); and
- "[FCPA Compliance in China and the Gifts and Hospitality Challenge](#)," 5 *Va. L. & Bus. Rev.* 33 (2010) (with F. Joseph Warin and Jill M. Pfenning).

Michael's notable professional publications include the following:

- "FCPA liability: avoiding the thirdparty pitfall" in [Bribery & Corruption 2024](#) (Expert Analysis) published by Global Legal Insights (with Melissa Farrar);
- "Potential liability under the third-party payment provision: Due diligence a must do" in [Bribery & Corruption 2023](#) (10th Ed.) published by Global Legal Insights (with Joel Cohen);
- "[Some More Carrots, and Definitely More Sticks: DOJ Corporate Criminal Enforcement](#)" *Financier Worldwide* (December 2022) (with Nicole Lee);
- "[All in the Nuance: Corporate NPA and DPA](#)," *International Financial Law Review* (March 2018) (with F. Joseph Warin and Melissa Farrar).

Select external speaking engagements that featured Michael include the following:

- "Labor Law, Data Privacy and Internal Investigations" (October 2021), Virtual White Collar Crime Workshop cosponsored by Shinshu University;
- "The U.S. Foreign Corrupt Practices Act (FCPA): Global Reach and Enforcement Webinar" (March 2021), Webinar hosted by the Association of Corporate Counsel, Israel;

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- “Effective Compliance Programs” (November 2020), Virtual White Collar Crime Workshop cosponsored by Shinshu University;
- “Corporate Compliance and U.S. Sentencing Guidelines” (November 2020), Gibson Dunn Webcast;
- “Managing Internal Audit and Investigations” (November 2020), Gibson Dunn Webcast;
- “World Bank Enforcement: Considerations for Companies Accepting Development Funding” (September 2020), KPMG-Gibson Dunn Webinars for US/EU and Asia;
- “New DOJ Compliance Program Guidance: Evolving Retail Compliance Programs to Address Impact of COVID-19 and New Emerging Risks” (July 2020), Retail Industry Leaders Association (RILA) Zoom Discussion;
- “Brazil-US Information Sharing and Coordination” (June 2020), Brazil-US “40 and Under” White Collar Lawyers Initiative Zoom Panel Discussion;
- “How to Develop Global Compliance Programs” (Washington, D.C.; September 2019), White Collar Crime Workshop cosponsored by Shinshu University & the Embassy of Japan;
- “DOJ & SEC Enforcement Priorities Under the Trump Administration” (Arlington, Virginia; May 2018), Retail Industry Leaders Association (RILA) Compliance Council Meeting;
- “FCPA M&A: Identifying and Mitigating Anti-Corruption Risk in Cross-Border Transactions” (May 2018), Gibson Dunn Webcast;
- “Environmental Crimes Enforcement” (San Diego, California; February 2018), The American Bar Association’s 32nd Annual National Institute on White Collar Crime;
- “Conflicts of Interest, Corruption and Compliance Risks” (New York City; October 2017), Practising Law Institute’s Advanced Compliance and Ethics Workshop 2017;
- “Anti-Corruption Statutes and Legal Ethics” (Washington, D.C.; October 2017), 6th Annual Hotel & Lodging Legal Summit at Georgetown University Law Center;
- “World Bank Sanctions: Defense Perspective” (Washington, D.C.; June 2017), guest lecture at American University Law School.

Michael clerked for the Honorable Fortunato P. Benavides of the U.S. Court of Appeals for the Fifth Circuit. He is a 2003 *magna cum laude* graduate of the Georgetown University Law Center, where he was inducted into the Order of the Coif. At Georgetown, he served as Senior Articles & Notes Editor of the *American Criminal Law Review* and authored the article on the False Claims Act for the *Seventeenth Survey of White Collar Crime*, 39 Am. Crim. L. Rev. 491 (2002). In 2000, Michael received his Bachelor of Science in Foreign Service *magna cum laude* from Georgetown’s Walsh School of Foreign Service, where he was elected to Phi Beta Kappa.