



Chris Johnstone

SPECIAL COUNSEL

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Chris Johnstone represents individuals and corporations in investigations conducted by the Department of Justice (DOJ), Securities and Exchange Commission (SEC), and other law enforcement agencies. As a resident of the firm's Palo Alto office, Mr. Johnstone has worked with the legal departments of many of the leading tech companies in Silicon Valley on high-profile investigations and corporate crises.

Mr. Johnstone has also played a key role in trials against the government. Recently, he was a member of the WilmerHale trial team that obtained an acquittal for a former foreign exchange (FX) trader charged with criminal antitrust violations in the US District Court for the Southern District of New York. Mr. Johnstone was also a member of the WilmerHale trial team that prevailed on all eleven claims brought by the SEC against two former executives of Thornburg Mortgage. During that case, Mr. Johnstone managed years of litigation with the SEC and presented more than a dozen oral arguments in federal court.

In his pro bono practice, Mr. Johnstone represents individuals facing criminal charges in the US District Court for the Northern District of California. He has repeatedly obtained successful results on behalf of clients facing decades in prison.

Before entering private practice, Mr. Johnstone served as a law clerk for two years in the US District Court for the Southern District of New York. During his clerkship with the Honorable Shirley Wohl Kram, Mr. Johnstone focused on criminal matters and cases involving the securities laws.

Solutions

Antitrust Litigation

Investigations

Cross-Border Investigations
and Compliance

Litigation

Cybersecurity and Privacy

Securities Enforcement

Experience

— INVESTIGATIONS

- Conducted an investigation of a major data breach on behalf of special committee of a technology company.
- Conducted an investigation of whistleblower allegations concerning a company's security and competitive intelligence practices on behalf of a special committee of a technology company.
- Represented a healthcare company in parallel investigations by the DOJ and SEC concerning its disclosures to investors.
- Represented a technology company in an SEC investigation into its initial public offering.
- Represented a former BSA/AML officer in an investigation by the DOJ.
- Represented an entertainment company in an investigation by the DOJ's Antitrust Division and various state attorneys general.

— LITIGATION

- Represented a former FX trader in a criminal case brought by the DOJ's Antitrust Division.
- Represented the former CEO and CFO of a mortgage origination company an SEC enforcement action concerning the accounting of impaired assets.
- Represented the CFO of a hardware company in an SEC enforcement action and parallel class action concerning the accounting of stock options.
- Represented a technology company in a securities class action concerning its disclosures to investors.
- Represented a technology company in an action seeking to enjoin the enforcement of a subpoena issued by a state attorney general.

— PRO BONO CRIMINAL DEFENSE

- Represented an individual charged with drug trafficking and conspiracy.
- Represented an individual charged with drug trafficking, conspiracy and illegal reentry.
- Represented an individual charged with drug exportation and conspiracy to pass counterfeit foreign currency.
- Represented an individual charged with wire fraud.

Credentials

EDUCATION

JD, University of Southern
California Law School, 2004

*Editor, Southern California Law
Review*

BA, Public Policy Studies, Duke
University, 2001

ADMISSIONS

California

CLERKSHIPS

The Hon. Shirley Wohl Kram,
US District Court for the
Southern District of New York,
2004 - 2006