



Chris Johnstone

SPECIAL COUNSEL

PALO ALTO

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CHRIS.JOHNSTONE@WILMERHALE.COM

Chris Johnstone is an experienced litigator focused on government investigations, complex litigation, and trial work. As a resident of the firm's Palo Alto office, Mr. Johnstone works with companies throughout Silicon Valley on issues at the intersection of law and technology.

Government Investigations

Mr. Johnstone is well-versed in defending investigations conducted by the SEC, DOJ, FINRA, and state AGs. He has worked on matters focusing financial reporting, data incidents, data scraping, and competitive intelligence. Over the years, he has delivered presentations to law enforcement, C-suite executives, and Boards.

SEC Litigation

Mr. Johnstone has in-depth experience litigating against the SEC. In recent years, he has provided counseling to clients in the cryptocurrency space regarding potential litigation with the SEC. He also served as co-lead counsel for the CEO of a Bitcoin mining company in an enforcement action. He previously served as a key member of the WilmerHale trial team that prevailed on all ten claims brought by the SEC against two former executives of Thornburg Mortgage. During that case, Mr. Johnstone presented more than a dozen oral arguments and managed years of hard-fought litigation. In the beginning of his career, he represented the former CFO of a California-based semiconductor company.

Complex Litigation

Mr. Johnstone also focuses on complex litigation. He served as co-lead counsel for a major venture capital firm in two recent business disputes. Prior to that, he served as co-lead counsel for a manufacturer of capacitors in a class action alleging over \$1 billion in damages. During

that case, he deposed a former U.S. Attorney and successfully excluded him from testifying as an expert at trial. In 2018, Mr. Johnstone was a key member of the WilmerHale trial team that obtained the acquittal of Rohan Ramchandani, a former foreign exchange (FX) trader charged with violating the Sherman Act. Earlier in his career, he represented an online platform in successive lawsuits against a state AG.

Pro Bono & Firm Leadership

In his pro bono practice, Mr. Johnstone regularly represents individuals charged with federal crimes in the US District Court for the Northern District of California. He has obtained successful results for clients facing decades in prison. Mr. Johnstone serves on the Hiring Committee for the firm's Northern California offices.

Solutions

Antitrust Litigation

Investigations

Securities Litigation

Blockchain and
Cryptocurrency

Litigation

Trials

Cybersecurity and Privacy

Securities Enforcement

White Collar Defense and
Investigations

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