



## Jay Holtmeier

PARTNER

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Jay Holtmeier co-leads WilmerHale's Foreign Corrupt Practices Act (FCPA) and Anti-Corruption Group and is a member of the firm's White Collar Defense and Investigations Practice. He represents institutions and individuals in complex government and internal investigations and matters of corporate governance and compliance. He has particular experience in matters involving the FCPA, and he also is well versed in issues related to environmental, social and corporate governance (ESG) matters and Dodd-Frank Act whistleblower provisions. Mr. Holtmeier's breadth of experience as a litigator includes service as a federal prosecutor, a senior in-house attorney and a lawyer in private practice.

In FCPA matters, Mr. Holtmeier has represented clients in government and internal investigations involving conduct in Europe, Asia, the Middle East, Africa, Latin America and Australia. He regularly counsels clients facing difficult FCPA issues in a variety of business contexts, and he has assisted clients in numerous industries in developing and implementing FCPA compliance programs. He devotes substantial attention to advising clients on FCPA problems that arise in the context of mergers and acquisitions, joint ventures and other corporate transactions. He writes and speaks extensively on the subject and is a co-author, with Kimberly Parker, Erin Sloane, Roger Witten and Lillian Potter, of the leading treatise in the field, *Complying with the Foreign Corrupt Practices Act* (Matthew Bender, 10th ed. 2021) and has been described by *Global Investigations Review* as having been involved in more public FCPA resolutions over a recent 10-year period than almost any other lawyer.

Mr. Holtmeier joined WilmerHale in 2004. He has also served as a senior vice president and principal legal counsel with the Reuters Group (now Thomson Reuters), a role in which he was responsible for all litigation and compliance matters in North and South America. As an assistant US Attorney for the Southern District of New York, he tried several cases to verdict and led extensive grand jury investigations of various crimes, including racketeering, securities fraud, murder, narcotics and counterfeiting. Significant prosecutions included *United States v. Jose Muyet, et al.*, and *United States v. Ronald Ocasio, et al.*, related cases involving more than twenty murders, for which Mr. Holtmeier received the Director's Award for Superior Performance

from the Executive Office for US Attorneys, and United States v. Carol Bayless, which received national attention and calls for the impeachment of the presiding US District Judge.

## *Professional Activities*

Mr. Holtmeier is a long-time member of the board of directors of The City Bar Fund of the New York City Bar Association and formerly served as its chairman.

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## *Solutions*

Litigation

International Trade, Investment  
and Market Access

Business and Financial  
Integrity

Securities Litigation

Foreign Corrupt Practices Act  
and Anti-Corruption

Investigations

Monitorships

Latin America

White Collar Defense and  
Investigations

Cross-Border Investigations  
and Compliance

Securities Enforcement

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## *Experience*

- Representation of a major financial institution in the Securities and Exchange Commission (SEC)'s first FCPA enforcement action involving the hiring of relatives of foreign officials and representation of other financial industry players in similar SEC and Department of Justice (DOJ) investigations.
- Representation of a medical device manufacturer in enforcement actions by the DOJ and SEC relating to FCPA issues involving distributors in Russia and elsewhere.
- Representation of a global manufacturer in enforcement actions by the Department of Justice, SEC, Department of Treasury, Department of Commerce and the US Navy involving allegations of improper kickbacks under the United Nations Oil-for-Food Program, violations of the FCPA and violations of US export laws.
- Representation of a global airline in a non-prosecution agreement and a deferred prosecution agreement with the DOJ for alleged violations of the FCPA and Travel Act.
- Representation of the chief executive officer of a public company in a non-prosecution agreement with the DOJ and a civil settlement with the SEC for alleged violations of the FCPA and US sanctions laws.
- Representation of the audit committee of a global networking and communications company in a DOJ and SEC investigation of FCPA issues in Russia, Thailand and numerous other countries.
- Representation of a major accounting firm in SEC and FDIC investigations relating to alleged financial reporting fraud at two financial institution clients.
- Representation of the audit committee of a national food distributor in an investigation by the SEC into allegations of improper accounting.
- Representation of the chief executive officer of a large newspaper in an Eastern District of New York grand jury investigation.
- Representation of an accounting firm in investigations by the DOJ, the SEC, the PCAOB and the New York Attorney General into alleged financial reporting fraud at a major financial institution.
- Representation of numerous companies and individuals in the pharmaceutical, financial services, media, manufacturing, natural resources and other industries in numerous government and corporate internal investigations.

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## *Recognition*

- Named a "New York *Super Lawyer*" in white collar criminal defense in 2023.
- Named a leader in the field of FCPA by *Chambers Global* in its 2015–2024 editions, with clients identifying him as a "very practical and very strategic" attorney with "incredible knowledge of what needs to be done and how the government is going to react to a situation."

- Recognized in the 2015–2023 editions of *Chambers USA Guide* for his FCPA and white-collar crime litigation practices (ranked in Band One for FCPA), with clients calling him "very experienced" with an "ability to anticipate issues and help put effective solutions in place."
- Selected as one of the "Best Lawyers" in the area of white-collar criminal defense in the 2013–2024 editions of the *Best Lawyers in America*.
- Recognized as a Global Elite Thought Leader in the 2022 edition of *Who's Who Legal: Investigations*.
- Recognized by *Global Investigations Review* as having been involved in more public FCPA resolutions over a recent 10-year period than almost any other lawyer.
- Recommended in the 2017 and 2018 editions of *The Legal 500 United States* for corporate investigations and white-collar criminal defense.

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## Credentials

### EDUCATION

JD, Cornell Law School, 1990

*magna cum laude*

*Articles Editor, Cornell Law Review*

BA, University of Minnesota,  
1986

### ADMISSIONS

New York

### CLERKSHIPS

The Hon. Phyllis A. Kravitch,  
US Court of Appeals for the  
Eleventh Circuit, 1990 - 1991

### GOVERNMENT EXPERIENCE

Department of Justice

United States Attorney's Office

*Assistant US Attorney, Southern  
District of New York*