



## *Roger M. Witten*

### SENIOR COUNSEL

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Roger Witten is a senior counsel in the firm's Litigation/Controversy Department, and a member of the White Collar Defense and Investigations and Government and Regulatory Litigation Practices. He joined the firm in 1975 and became a partner in 1980. Mr. Witten co-chaired the firm's Litigation Department from 1994 until 1999 and served on the firm's Management Committee from 1998 through 2008. His practice emphasizes complex international and domestic litigation, internal corporate investigations, law enforcement matters and Foreign Corrupt Practices Act matters. In January 2003, Mr. Witten became the senior litigation partner in the firm's New York office.

Mr. Witten has led teams of lawyers in several of the firm's largest and most noteworthy litigation cases. He leads a group of more than 40 lawyers who focus on FCPA enforcement and counseling issues. The team counsels roughly fifty companies and typically has about 20 matters pending with the DOJ and SEC at any one time. He has led major matters for Johnson Controls, Titan, InVision, the Audit Committee of Royal Ahold, N.V., the German Economy Foundation Initiative, General Electric, UBS AG, Credit Suisse Group, Senators McCain and Feingold, DaimlerChrysler, Commerzbank, The Federal Republic of Germany, KarstadtQuelle, Citibank and US citrus growers. These cases involve matters of unique importance to the clients, have broad public dimensions and often involve international issues. Mr. Witten has conducted complex internal investigations and has represented companies and individuals in criminal, administrative, congressional and private litigation that arise out of such investigations. Mr. Witten is an internationally recognized practitioner on the Foreign Corrupt Practice Act and is an experienced trial and appellate lawyer. He has authored numerous articles on the FCPA.

Mr. Witten served as Assistant Special Prosecutor of the Watergate Special Prosecution Force in 1973 and 1974. He is a member of the District of Columbia and New York bars.

### *Professional Activities*

Mr. Witten chaired the Twentieth Century Fund Working Group on Campaign Finance Litigation, which published a report entitled “Buckley Stops Here: Loosening the Judicial Stranglehold on Campaign Finance Reform” (1998). He also served as Chairman of the Election Law Committee of the Section of Administrative Law and Regulatory Practice of the American Bar Association from 1988 to 1990. He formerly served as Counsel to Common Cause and has, for several years, served as counsel for Democracy 21 on whose board he sits.

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## *Solutions*

Litigation

Foreign Corrupt Practices Act  
and Anti-Corruption

International Litigation

Government and Regulatory  
Litigation

White Collar Defense and  
Investigations

Commercial Litigation

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## *Experience*

Illustrative of Mr. Witten's litigation practice are:

- His representation of various companies in counseling or litigation contexts on FCPA matters
- His involvement in recent major FCPA cases including York, Titan, InVision and BAE Systems
- His conduct of an internal investigation on behalf of Royal Ahold's Audit Committee into alleged accounting and related issues
- His representation of Senators McCain and Feingold in successful litigation defending the constitutionality of the 2002 campaign finance reform law
- His representation of UBS and Credit Suisse in the litigation and settlement of multiple class actions relating to World War II deposits
- His representation of leading German companies in successful international negotiations relating to asserted World War II claims and in related litigation
- His representation of UBS in a major securities case that went to trial in New York and was successfully settled

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## Recognition



### ***Lifetime Achievement Award***

*New York Law Journal*

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2019



### ***Outstanding Career Award***

*Global Investigations Review*

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2019

- Selected as one of the "Best Lawyers" for commercial litigation and white-collar criminal defense in the *Best Lawyers in America* (2005, 2006, 2008–2024).
- Recognized as a national FCPA leader in the 2010–2019 editions of *Chambers USA: America's Leading Lawyers in Business*.
- Selected as an FCPA leader in the 2012–2019 editions of *Chambers Global: The World's Leading Lawyers for Business*.
- Honored with the *Global Investigations Review's* 2019 Outstanding Career Award recognizing his work on landmark cases from the start of his career and his role in developing a new generation of top investigations lawyers.
- Received the 2019 Lifetime Achievement Award from the *New York Law Journal* and was recognized as a lawyer who has "made an impact on the legal community and the practice of law over an entire career."
- Selected by clients and peers as being among the world's leading investigations lawyers in the 2015 edition of *Who's Who Legal: Investigations*, *Who's Who Legal: Commercial Litigation*, and *Who's Who Legal: Business Crime Defence*.
- Recognized by his peers as one of the world's leading banking and litigation attorneys in Legal Media Group's *The Best of the Best*.
- Recognized by *Main Justice* as a "Foreign Corrupt Practice Act Master" in 2013, and as one of seven "Best FCPA Lawyers Outside the Beltway" in 2011.
- Listed in the 2010, 2012 and 2013 editions of *Benchmark Litigation* as a leading New York attorney for complex commercial litigation and international litigation.
- In 2012 survey by *Best Lawyers*, a client cited Mr. Witten as "an excellent attorney who always provides thoughtful, accurate and consistent advice" who is "very responsive to client inquiries." In addition, they noted that "in the area of anti-corruption/FCPA matters and investigations, there are very few attorneys who have the depth of experience and knowledge of the law as Roger."
- Recognized as a "New York Super Lawyer" in the 2006–2017 editions of *Metro Edition* magazine.

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## Credentials

### EDUCATION

JD, Harvard Law School, 1972

*cum laude*

AB, Dartmouth College, 1968

*magna cum laude*

*Phi Beta Kappa*

### ADMISSIONS

New York

District of Columbia

### CLERKSHIPS

The Hon. Harrison L. Winter,  
US Court of Appeals for the  
Fourth Circuit, 1972 - 1973

### GOVERNMENT EXPERIENCE

Special Investigations:  
Independent Counsel to the  
Federal Government

*Assistant Special Prosecutor,  
Watergate Special Prosecution  
Force*