

ROBERT A. VAN KIRK, PARTNER

Bob Van Kirk has argued cases successfully at every level of the federal system, including the United States Supreme Court, and has appeared in federal appellate and district courts across the country. He has been retained by a variety of corporate and individual clients, including Fortune 500 companies, officers and directors of major corporations, and partners at national law firms, to handle complex commercial litigation, civil and criminal investigations by various governmental agencies, as well as congressional inquiries. He has served as lead counsel in a number of trials, appeals, arbitrations, and evidentiary hearings. His experience extends across a broad array of substantive areas, including securities, consumer and other class actions, breach of contract, breach of fiduciary duty, fraud and RICO cases, intellectual property disputes, professional liability defense, products liability, FCPA investigations and litigation, and representation of clients in both grand jury investigations and SEC enforcement matters. The cases he has handled have been covered on the front pages of newspapers from *The New York Times* to *The San Francisco Chronicle*, as well as by broadcast media, including *60 Minutes*, *Nightline*, and every network nightly news program. He has served as:

- Lead counsel in a \$100 million consumer class action against one of the nation's largest wireless carriers alleging fraudulent billing practices;
- Lead counsel in cases seeking tens of millions of dollars against a leading private equity firm involving alleged misrepresentations related to investments in mortgage-backed securities;
- Co-lead counsel on behalf of national accounting firm in consumer and competitor class actions seeking hundreds of millions of dollars based on alleged misrepresentations relating to the provision of services;
- Lead counsel on behalf of leading defense firms in a \$100 million bid protest hearing;
- Lead counsel on behalf of leading food industry producer in both defensive and affirmative products liability actions involving alleged food borne illness; also represented company in related criminal, congressional and administrative investigations.
- Lead counsel on behalf of former CEO of BearingPoint Inc. in securities class actions and related litigation;
- Lead counsel on behalf of CEO of one of nation's largest travel services companies in criminal investigation involving alleged false statements relating to minority business participation in federally funded project;



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PRACTICE AREAS

- Appellate
- Arbitration
- Class Actions
- Criminal Defense
- Federal Programs and National Defense
- General Civil Litigation
- Intellectual Property
- International Litigation and Arbitration
- Product Liability, Torts, and Medicine
- Professional Liability Defense
- Securities and Financial Services Litigation
- Trade Secrets

EDUCATION AND HONORS

- Duke University School of Law, J.D., with high honors, 1990; Order of the Coif; Note Editor, *Duke Law Journal*; Winner, Hardt Cup Moot Court Competition; Graduation Speaker, Law School Commencement
- University of Notre Dame, B.A., with highest honors, 1987
- "AV-Rated" by *Martindale-Hubbell®*

BAR ADMISSIONS

- District of Columbia
- United States Supreme Court

- Lead counsel on behalf of former officers of bankrupt company in action alleging RICO and other fraud-based claims by former customers and bankruptcy trustee;
- Lead counsel on behalf of former controller of telecommunications company in SEC and related investigations;
- Co-lead counsel on behalf of former CEO of major financial institution in SEC and related litigation;
- Counsel on behalf of leading industrial supplies company in qui tam action and False Claims Act matter involving alleged misrepresentations in bidding;
- Co-lead counsel for major industrial company in action raising FCPA and related claims in connection with United Nations Oil for Food program.

Prior to joining Williams & Connolly, Mr. Van Kirk held a number of government positions, including serving in the Office of Counsel to the President, as Acting Deputy Assistant Attorney General at the United States Department of Justice, and as a trial attorney in DOJ's Honors Program. Mr. Van Kirk graduated with Highest Honors from the University of Notre Dame with a degree in Economics and attended Duke University School of Law where he graduated with High Honors and was a member of the Order of the Coif. After graduation, he clerked for the Honorable Paul H. Roney of the United States Court of Appeals for the Eleventh Circuit. At Williams & Connolly, Mr. Van Kirk has served on a variety of firm governance committees including the firm's hiring committee as well as its partnership evaluation committee, among others.

GOVERNMENT SERVICE

- Acting Deputy Assistant Attorney General, United States Department of Justice, Office of Policy Development, 1996-1997
- Office of Counsel to the President, 1995-1996
- Trial Attorney, United States Department of Justice (Honor Program), Federal Programs Branch, Civil Division, 1991-1995
- Law Clerk, Judge Paul H. Roney, United States Court of Appeals for the Eleventh Circuit, 1990-1991

PUBLICATIONS

- *The Evolution of Useful Life Statutes in the Products Liability Reform Effort*, 1989 Duke L.J. 1689 (1989)
- *Costly Criticism*, The Washington Post, July 24, 1996

- United States Courts of Appeals for the Fourth, Fifth, Ninth, Tenth, District of Columbia, and Federal Circuits
- United States District Courts for the Districts of Colorado, and District of Columbia
- United States Court of Federal Claims