

Joseph M. Terry

Partner

Joe Terry focuses his practice on complex, high-stakes civil and criminal litigation. He serves as Co-Chair of Williams & Connolly's Accounting Malpractice group. Joe was selected for inclusion in the 2013, 2014, 2015, and 2016 editions of *Washington, D.C. Super Lawyers* and was recognized as a "Future Star" by Institutional Investor's *Benchmark Litigation* for both 2010 and 2011.

Raised in Fairbanks, Alaska and Seattle, Washington, Joe was recruited to Northwestern University in Evanston, Illinois to join the school's college debate team. He graduated with departmental honors in 1996, after twice winning the college National Debate Tournament. He attended law school at the University of Chicago, where he served on the law review, won the school's annual moot court competition, and graduated with honors. After clerking for a year on the U.S. Court of Appeals for the Fifth Circuit, Joe joined Williams & Connolly in 2000.

Throughout his career at Williams & Connolly, Joe has represented multinational media companies, financial services companies and executives, public officials and public accounting and law firms in a wide variety of litigation matters including criminal investigations and prosecutions, SEC investigations and enforcement actions, private securities fraud suits, actions alleging professional malpractice and defamation. Over the last several years, Joe has also worked extensively on matters involving the Foreign Corrupt Practices Act (FCPA), including representing clients involved in government investigations, advising clients on FCPA compliance matters, and conducting internal investigations and risk assessments around the world.

Joe has represented clients in federal and state trial courts throughout the country and before the U.S. Courts of Appeals for the 4th Circuit, 5th Circuit, 9th Circuit, and District of Columbia Circuit.

Joe is a founding member of the Board of Directors of the Washington Urban Debate League, a not-for-profit dedicated to supporting interscholastic debate in Washington, D.C.-area public schools.

Representative Experience

Though all cases vary and none is predictive, Joe's experience includes:

- Representation of a Fortune 500 corporation that was the target of a highly-publicized FCPA investigation by the Department of Justice



jterry@wc.com

D 202-434-5320

Education

The University of Chicago Law School, J.D., with honors, 1999: The University of Chicago Law Review; First Place, University of Chicago Moot Court Tournament, 1999
Northwestern University, B.A., with honors, 1996: National Intercollegiate Debate Champion 1994, 1995

Practice Focus

Accountant Liability
Civil Litigation and Trial Practice
Commercial Litigation
Criminal Defense and Government Investigations
First Amendment and Media
Foreign Corrupt Practices Act ("FCPA")
Securities Enforcement
Securities Litigation

Recognitions

"Legal Lion," *Law360*, March 2019

Selected to *Super Lawyers*, 2013-2017

and SEC. The investigation was closed without settlement, charges, or an enforcement action.

- Obtaining a complete defense victory for a Big Four accounting firm in a multi-hundred-million-dollar accounting malpractice arbitration.
- Obtaining summary judgment for a major accounting firm accused of professional malpractice.
- Ongoing defense of a television news organization against libel and product disparagement claims by the producers of “lean finely textured beef.”
- Representation of various clients in connection with FCPA-related internal investigations and compliance program enhancements.
- Obtaining summary judgment on behalf of a Chairman and CEO of a major financial services company in civil securities fraud litigation arising from an accounting restatement.
- Obtaining a dismissal on behalf of a multinational media company in the only civil litigation brought in the United States regarding the phone hacking controversy involving UK tabloids.
- Criminal defense of Senator Ted Stevens on charges that he made false statements on federal disclosure forms. Senator Stevens was ultimately exonerated on all counts following the revelation that the prosecution withheld key evidence that undermined its principal theory of the case. *The American Lawyer* described Williams & Connolly’s work on the case as “one of the best criminal defense performances in memory, resulting in a heightened scrutiny of prosecutors that will affect the Justice Department for years to come.”
- Defense of former New York Stock Exchange Chairman and CEO Richard A. Grasso in the highly publicized civil action brought by New York Attorney General Eliot Spitzer challenging the reasonableness of Mr. Grasso’s compensation. After a four-year battle that reached New York’s highest court, all counts against Mr. Grasso were dismissed. The *Wall Street Journal* described Williams & Connolly’s victory in that case as “one of the biggest defeats suffered by authorities in the past decade in white-collar civil and criminal cases aimed at alleged financial improprieties.”
- Lead counsel in the representation of a multi-billion-dollar asset manager in an arbitration concerning a non-compete dispute with a former partner.
- Lead counsel in the defense of a chain of for-profit trade schools accused of fraud and deceptive trade practices.

“Future Star,” *Benchmark Litigation*, 2010-2011

Admissions

United States Supreme Court

District of Columbia

United States Court of Appeals for the

District of Columbia, Second,

Fourth, Fifth, Seventh, and Ninth

Circuits

United States District Court for the

District of Columbia and Maryland

Government Service

Law Clerk, Judge W. Eugene Davis,

United States Court of Appeals for

the Fifth Circuit, 1999-2000

- Lead trial counsel in the pro bono defense of an individual charged with first degree attempted murder. The jury acquitted the defendant of first degree attempted murder and hung on all remaining charges but theft of over \$500.
- Lead appellate counsel in *Giles v. General Motors Acceptance Corporation*, 494 F.3d 865 (9th Cir. 2007), and successfully obtaining a reversal of summary judgment based on a novel application of the economic loss doctrine.
- Representation of Omnicare, Inc. in briefing before the U.S. Supreme Court in *Omnicare, Inc. v. Laborer's District Council Construction Industry Pension Fund* 2015 WL 1291916 (2015), in which the Court upheld the dismissal of a suit for securities fraud against Omnicare.

Resources

Publications

- *Tactical and Ethical Considerations in Multinational Investigations*, January 2016
- *Russian Risks: Reconciling the Novo Nordisk Standard with the FCPA*, July 2013
- *Jurisdictional Discovery under the Foreign Sovereign Immunities*, 1999