

ANTON R. VALUKAS, Partner

Anton R. Valukas is a litigator and senior partner at Jenner & Block. A former United States Attorney and Fellow of the American College of Trial Lawyers, he focuses on major civil and white collar criminal litigation, representing individuals and corporations in contested proceedings throughout the nation. Fortune 500 companies and public entities seek his counsel on matters ranging from government contracts and health care to class actions, ethics violations and internal corporate investigations. In 2014, Mr. Valukas led a highly complex internal investigation for General Motors Company regarding events leading up to certain recalls stemming from faulty ignition switches. In 2009, he was appointed as the Examiner in the Lehman Brothers Holdings bankruptcy, reputed to be the largest such case in US history. The resulting account, coined by the press as the "Valukas Report," was universally applauded for its clarity and usefulness in determining what brought about the demise of Lehman Brothers, an event many commentators point to as the precipitating event triggering the economic crisis of 2008.

Chambers USA named Mr. Valukas one of the leading US litigation lawyers for eight consecutive years, and in 2009, *Chicago Lawyer* named him "Person of the Year." In 2013 Mr. Valukas was recognized by *The National Law Journal* as one of "The 100 Most Influential Lawyers in America" and by *Best Lawyers* as "Chicago Bet-the-Company Litigation Lawyer of the Year." He has also been recognized by *Best Lawyers* for over 25 years. Mr. Valukas is AV Peer Review Rated, Martindale-Hubbell's highest peer recognition for ethical standards and legal ability. In 2011 *The American Lawyer* magazine recognized Mr. Valukas as the "Newsmaker of the Year," and in January 2012, *AmLaw* named him "Litigator of the Year." Mr. Valukas was recognized by the National Association of Corporate Directors (NACD) Directorship as among the 100 "Most Influential People in the Boardroom" (2010-2014).

Mr. Valukas has been appointed to a number of special investigative roles for the City of Chicago, the Chicago Transit Authority and the Chicago Housing Authority. He also served as chairman of the Governor's Task Force on Crime and Corrections for the State of Illinois, a two-year effort that led to the passage of major prison reform legislation in 1993. Mr. Valukas has been an instructor at the John Marshall School of Law and an Adjunct Professor of Law at Northwestern University School of Law. He has published extensively, been a featured speaker at numerous American Bar Association seminars and institutes and presented to thousands of leading business and legal executives from across the globe on some of the most pressing financial, ethical and legal challenges facing the United States today.

Mr. Valukas focuses on major civil and white collar criminal defense litigation. As a civil litigator, he has extensive experience in the areas of mass tort and class actions. He has defended companies ranging from manufacturers to air carriers in consumer products litigation, product defect and consumer fraud class actions, food contamination, mass accident, and toxic exposure and environmental claims.



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PRACTICE GROUPS

Class Action

Government Contracts

Government Controversies and Public Policy
Litigation

Investigations, Compliance and Defense
Litigation

Media and First Amendment

Private Wealth

Products Liability

Professional Responsibility

EDUCATION

Northwestern University School of Law, J.D.,
1968; Dean's List

Lawrence University, Doctor of Laws
(Honorary), 2012

Lawrence University, B.A., 1965

ADMISSIONS

Illinois, 1968

COURT ADMISSIONS

US Court of Appeals, Seventh Circuit,
1969

US District Court, Northern District of Illinois
(Trial Bar)

Illinois Supreme Court, 1968

As a white-collar criminal defense attorney, Mr. Valukas has represented clients that have included lawyers, accountants, real estate developers, and corporate executives in high-profile matters. Many of these cases were either resolved before charges were brought or ended in verdicts of acquittal.

Mr. Valukas has worked on a wide variety of matters relating to government contracts and issues of fraud and compliance. He represents Fortune 500 companies and public entities with regard to conflicts of interest, ethics violations and internal corporate investigations, as well as in SEC investigations and civil securities fraud lawsuits.

Mr. Valukas also has broad and significant experience in the health care area. He has assisted many corporations in developing corporate compliance policies and conducted internal investigations for matters ranging from sale of products to embargoed countries to misrepresentations in new drug applications. He has successfully resolved many matters prior to the filing of charges, and has handled many *qui tam* actions regarding Medicare/Medicaid and PATH fraud allegations, as well as the resulting shareholders derivative suits.

Representative matters include:

- Led an internal investigation and produced an internal report to the board of directors for General Motors Company (GM) with regard to events leading up to certain recalls stemming from faulty ignition switches. In a 70-day period, a multidisciplinary team collected and searched in excess of 41 million documents and records and conducted more than 350 witness interviews. The firm team coordinated GM's response to several federal agencies and Congress. Mr. Valukas subsequently testified before Senate and House committees on the report's findings. He also represented GM in a related investigation by the US Attorney's Office for the Southern District of New York, culminating in the resolution of the matter through a deferred prosecution agreement.
- Served as Court-appointed Examiner in the Lehman Brothers bankruptcy matter, leading an exhaustive investigation into and producing a universally acclaimed 2,200 page report on the causes of the failure of the global financial services firm. In 2010, he was invited to testify before the U.S. House of Representatives Committee on Financial Services, regarding the findings in the Examiner's Report, alongside US Treasury Secretary Timothy Geithner, Federal Reserve System Chairman Ben Bernanke and SEC Chairperson Mary Schapiro; in 2011, he testified before the US Senate Subcommittee on Securities, Insurance and Investment. The information and insights he shared at these hearings influenced enactment of the Dodd-Frank Act and new SEC and FASB rules, making sweeping changes to America's financial regulatory environment. For his "central role in the credit crisis," *Directorship* named Mr. Valukas one of the 100 "most influential people in the boardroom" in 2010 and *The American Lawyer Magazine* named him its "#1 Newsmaker of the Year."
- Served as lead counsel for the "old" General Motors in a four-year long Securities Exchange Commission investigation focusing primarily on GM's pension accounting. Investigation concluded with no allegations of fraud or intentional misconduct against the client.
- Served as lead trial counsel for American Airlines in defending and prosecuting \$1 billion in claims arising out of the November 2001 aviation disaster known as *In Re Belle Harbor Aviation Disaster - AA Flight #587*. That litigation concluded with successful settlements in 2008.
- Represented the parent company of American Airlines and AMR Eagle on the liability side in suits arising from the 1994 crash of American Eagle Flight 4184, killing all 68 people on board. All cases settled after jury selection.
- Defended a major food manufacturer in wrongful death and class action cases stemming from an outbreak of listeria traced to the company's meat products (including a criminal case that was settled by the company pleading to a misdemeanor and paying a fine).
- Defended a chemical company in toxic tort wrongful death cases alleging that plant emissions caused cancer in area children.

- Achieved dismissal of a *qui tam* False Claims Act case against Medline Industries in *U.S. ex rel. Mason v. Medline Industries, Inc.*, a suit alleging that Medline made false pricing representations relating to products purchased by the US Veterans Administration and engaged in various activities constituting kickbacks to health care providers, resulting in their making false claims to Medicare and Medicaid.
- Won dismissal of a *qui tam* False Claims Act lawsuit against Biogen Idec, Inc., the manufacturer of Rituxan, a widely prescribed treatment for some forms of cancer. The complaint alleged that Biogen had illegally marketed Rituxan for off-label use in treating rheumatoid arthritis, prior to the FDA's approval of the drug for that indication in 2006, causing false claims for reimbursement to be submitted by doctors to Medicare and Medicaid.
- Represented Honeywell International, Inc. in an arbitration and related litigation over the breach of a petrochemical supply agreement.
- Represented H&R Block, Inc. in a nearly decade-long nationwide class action over Refund Anticipation Loans, achieving a settlement favorable to the client, after a previous settlement arrived at with prior counsel was rejected by the US Seventh Circuit Court of Appeals.
- Represented former Sun-Times publisher F. David Radler in civil and criminal litigation growing out of accusations of fraud at Hollinger International, Inc.

In addition to his private practice, Mr. Valukas has made a career-long commitment to public service and pro bono. Due in great measure to his solid leadership with respect to the performance of pro bono work, and his willingness, as chairman of Jenner & Block, to devote considerable firm resources to these endeavors, the firm's pro bono program is nationally recognized for its unique breadth and depth.

Mr. Valukas has also led Jenner & Block in the formation of a "partnership" with Fairfield Academy, an elementary school on Chicago's south side, 98 per cent of whose students reside below the poverty line. Since 2002, this ongoing commitment has provided Fairfield students with more than 70 computers, more than \$100,000 toward school supplies and parent education, and hundreds of hours of tutoring by Firm employees who go to the school on a bi-weekly basis (with transportation provided by Jenner & Block) to meet with students.

Mr. Valukas has served in many public capacities on behalf of the people of the City of Chicago and State of Illinois - for example, as special counsel to the City of Chicago to investigate the city's health care system, special inspector general to the Chicago Transit Authority to investigate vendor fraud, and counsel to the Chicago Housing Authority to investigate vendor and pension fraud. In 1993, he chaired the Illinois Governor's Task Force on Crime and Corrections, a two-year effort that led to the passage of major prison reform legislation.

He is a member of the Chicagoland Chamber of Commerce and a member of the Steering Committee of CHANGE Illinois, an influential coalition of more than 40 major civic organizations aligned to bring honesty and ethics to Illinois government. He is an active member of numerous other community and civic organizations.

In 2007, Mr. Valukas chaired the inaugural Chicago Bar Foundation's groundbreaking "Investing in Justice" Campaign, which raised more than \$905,000 to supplement the salaries of Chicago's legal aid attorneys and is now an annual fundraiser.

In 2006, he was appointed by U.S. Supreme Court Chief Justice John G. Roberts, Jr. to the select U.S. Judicial Conference's Advisory Committee on Civil Rules, responsible for drafting and recommending amendments and additions to the Federal Rules of Civil Procedure.

Awards

- American Jewish Committee
Judge Learned Hand Human Relations Award - 2005
- *The American Lawyer*
Litigator of the Year - 2011
Lifetime Achievement Award - 2016
- Anti-Defamation League
First Amendment Freedom Award - 2010
- Anti-Defamation League of B'nai B'rith, Chicago
Distinguished Public Service Award - 1990
- Armed Forces Council of Chicago
Civilian of the Year Award - 1988
- *Benchmark Litigation*
Litigation Star (Illinois) - 2009-2017
Top 100 Trial Lawyers in America - 2015
- *Best Lawyers*
Chicago Bet-the-Company Litigation Lawyer of the Year - 2013
- *Best Lawyers in America* - 1983-2021
Bet-the-Company Litigation
Commercial Litigation
Criminal Defense: White Collar
- BTI Consulting Group
Client Service All-Star, 2014, 2015
- *Chambers Global*
Named as one of the world's leading litigation lawyers - 2004
Trial Lawyers (Band 2) - 2013
- *Chambers USA*
Leading litigation lawyers - 2003-2015
Litigation: White-Collar Crime and Government Investigations (Illinois) - 2003-2020
Litigation: General Commercial (Illinois) - 2014-2020
Litigation: Trial Lawyers (Nationwide) - 2015
- Chicago Chamber of Commerce and Industry
Distinguished Service Award - 1990
- Chicago Jr. Chamber of Commerce
Named one of Ten Outstanding Young Citizens of Chicago - 1976
- *Chicago Lawyer*
Person of the Year - 2009
- Constitutional Rights Foundation
Citizen of the Year Award - 1987
- *Crain's Chicago Business*
Who's Who in Chicago Business

- Department of Justice, Chicago
Special Commendation Award - 1975
- Epilepsy Foundation of Greater Chicago
Richard N. Rovner Award - 2004
- *Illinois Super Lawyers*
Business Litigation - 2010-2020
Top 10 Illinois Super Lawyers - 2010, 2011, 2013-2015, 2018
Top 100 Illinois Super Lawyers - 2010, 2011, 2013-2019
- Jewish Council On Urban Affairs
Arthur Goldberg Social Justice Award - 2009
- The John Marshall Law School
Freedom Award - 1985
- *Lawdragon Magazine*
500 Leading Lawyers in America - 2010-2013
- Lawrence University
Distinguished Achievement Award - 1990
- Leading Lawyers Network
Top 10 Leading Lawyers in Illinois in All Areas of Law - 2011
Class Action/Mass Tort Defense Law, 2003-2019
Commercial Litigation, 2003-2019
Criminal Defense Law: White Collar, 2003-2019
Products Liability Defense Law, 2003-2019
Number 5 on the list of Top 10 Business Lawyers in IL - 2004-2009
Number 3 on the list of Top 10 Business Litigators in IL - 2004-2009
Top 100 Business Lawyers in Illinois - 2004-2009
- Leaders League *Litigation & Competition* Directory
Nationwide Commercial Litigation - 2018
- *Legal 500*
Finance: Corporate Restructuring - 2010
- Legal Media Group
Best of the Best USA 2013 - Litigation
- Metropolitan Family Services Legal Aid Bureau
William H. Avery Award for Equal Access to Justice - 2007
- National Association of Corporate Directors (NACD) Directorship
100 "Most Influential People in the Boardroom" - 2010-2014
- *National Law Journal*
Litigation Trailblazer and Pioneer - 2014
"100 Most Influential Lawyers in America" - 2013
- Northwestern University Alumni Association
Alumni Merit Award - 1995

- Northwestern University School of Law - Student Funded Public Interest Fellowship Program
Distinguished Alumni Award - 2009
- Palatine High School, Illinois
Distinguished Graduate Award - 1984
- WBBM Radio, Chicago
Man of the Year Award - 1988
- Who's Who Legal
Investigations - 2017
The International Who's Who of Investigations Lawyers & Forensic Experts - 2014-present
The International Who's Who of Business Crime Defence Lawyers - 2013-present
The International Who's Who of Commercial Litigators - 2004, 2010
- Who's Who Legal Illinois
Business Crime - 2007 and 2008
Commercial Litigation - 2007 and 2008

Community

- Boy Scouts of America
Member, Board of Directors
- Business and Professional People for the Public Interest (BPI)
Member, Board of Directors - 1998-2014
- Chicagoland Chamber of Commerce
Member, Board of Directors - 1999-2014
- The Chicago Inn of Court
- City of Chicago Special Counsel - 1991
- The Commercial Club of Chicago
- Economic Club of Chicago
Member - 1990-present
- Executives Club of Chicago
Member - 1996-2014
- Governor's Task Force on Crime and Corrections
Chairman - 1992-93
- Lawrence University
Trustee - 1992-95
- Metropolitan Fair and Exposition Authority
Director and Treasurer - 1985
- Metropolitan Planning Council of Chicago
- Northwestern University School of Law
Member, Visiting Committee - 1992-95

- Smithsonian Institution Libraries
Member, Board of Directors - 2004-2009

Educational

- Northwestern University School of Law
Adjunct Professor - 1980-1982
- The John Marshall School of Law
Instructor - 1972-76

Other

- Judicial Conference Advisory Committee on Civil Rules
Member, 2006-2012

Service To The Bar

- Chicago Bar Foundation
Chair, Investing In Justice Campaign - 2007

Publications

- Co-Author, *Bank Failure – Lessons from Lehman Brothers*, Oxford University Press, 2017
- "Motions in Limine" *Business and Commercial Litigation in Federal Courts, Fourth Edition*; Thomson Reuters and The American Bar Association Section of Litigation, March 23, 2017
- Co-Author, "Motions in Limine," Chapter 37 in *Business and Commercial Litigation in Federal Courts*, ABA Section on Litigation, 4th Edition, 2016
- "The Lehman Examination – A Team Effort," *National Litigation Consultants' Review*, vol. 3, 2013, January 17, 2014
- "Arrogance: My Favorite Sin," *Your Witness: Lessons on Cross-Examination and Life from Great Chicago Trial Lawyers*, Law Bulletin Pub. Co., 2008
- Co-Author, "Investigation and Disclosure of Violations," *Compliance Programs and Corporate Sentencing Guidelines*, Thompson/West, 2006
- "Enforcement Actions in the Post-Enron World: Zero Tolerance in the White-Collar Arena," *The Review of Securities & Commodities Regulation*, Vol. 37, No. 13, July 2004
- Co-Author, "A Practical Guide to Preparing For and Responding to a Crisis," *The Lawyer's Brief*, Vol. 33, April 15, 2003
- "Crimes and Misdemeanors," *Food Processing Magazine*, September 2002
- "A Model for Food Manufacturers in Crisis," *Food Processing Magazine*, Spring 2002
- *Crisis Management: The Economy, Security and Coping with the Unexpected*, April 1, 2002
- "Preventing, Investigating and Addressing Misconduct in the Corporate Environment," *Corporate Counsel's Guide to Legal Audits & Investigations*, 1999 and 2002

- Co-Author, "Motions in Limine," *Business and Commercial Litigation in Federal Courts*, West Publishing, January 1, 1997
- Co-Author, "Cameras in the Courtroom: An Overview," *Communications Lawyer*, Fall 1995
- Co-Author, "Corporate Internal Investigations," *Corporate Counsel's Guide to Legal Audits & Investigations*, February 1995
- Co-Author, "Internal Corporate Investigations: The Law, Practice and Strategies of Corporate Self-Policing," *Corporate Counsel's Guide to Lawyering Laws*, February 1994
- Co-Author, "Threshold Considerations" and "Investigation and Disclosure of Violations," *Compliance Programs and the Corporate Sentencing Guidelines, Establishing an Effective Compliance Program*, November 1993
- Co-Author, "Cooperation with Authorities; Acceptance of Responsibility; Obstruction of Justice; Interests of the Corporation and its Employees; Vagaries of Prosecutorial Discretion," Chapter 5 of *BNA/ACCA Compliance Manual: Prevention of Corporate Liability*, 1993
- "Criminal Liability of Corporations and their Agents," *The Review of Securities & Commodities Regulation*, July 1992
- "Internal Investigations of Corporate Misconduct," *Prentice Hall Law & Business - Corporation*, April 1992

Speaking Engagements

- Keynote Speaker, "Lehman 10 Years Later: Lessons Learned?" Loyola University School of Law, September 14, 2018
- Countdown to the Closing Bell, Fox Business Network, September 13, 2018
- Keynote Speaker, "AIG - How the Big Short Nearly Caught the World Economy Short," University Club of Chicago, May 17, 2016
- "Creating Value Through Corporate Restructuring: The Collapse of Lehman Brothers," Harvard Business School, February 20, 2015
- "Operation Greylord: A Retrospective," Chicago Bar Association and Illinois Judges Association, October 08, 2014
- "Creating Value Through Corporate Restructuring: The Collapse of Lehman Brothers," Harvard Business School, January 30, 2014
- "Protecting Your Business From Within," TechLaw Group, Inc. and Jenner & Block, October 09, 2013
- "Creating Value Through Corporate Restructuring: The Collapse of Lehman Brothers," Harvard Business School, January 31, 2013
- The Diversity Committee and Associate Board - Diversity Retreat, Chicago, IL, June 20, 2012
- Keynote Speaker, Sixth Annual Ethos Week, Eastern Michigan University College of Business, Ypsilanti, MI, March 16, 2012
- Illinois CPA Society Fraud Conference, Chicago, IL, November 16, 2011
- "Innovator: Corporate Investigations," Council of Institutional Investors 2011 Fall Meeting, Boston, MA, September 27, 2011
- Lehman Brothers Holdings' Bankruptcy Presentation, Lawrence University, Appleton, WI, April 07, 2011

- Keynote Speaker, KPMG 2011 Audit Committee Issues Conference, Miami, FL and Scottsdale, AZ, February 02, 2011 to February 08, 2011
- Institutional Investor Legal Forum 2011 Winter Roundtable, New York, NY, February 01, 2011 to February 02, 2011
- Keynote Speaker, "How Lehman Played with the Numbers," U.S. Institute - A Membership Organization of Institutional Investor, Inc. - CFO "Best Practices" Forum, Chicago, IL, November 11, 2010
- "Playing with Numbers: Lessons from Lehman," Fixed Income Forum 2010 Fall Roundtable, Chicago, IL, November 10, 2010
- Moderator, "Doing Business in Bad Neighborhoods: Tips and Challenges for Staying on the Right Side of the FCPA," Litigation Department Spotlight Live Seminar Series Event CLE Seminar, Chicago, IL, September 29, 2010
- Featured Speaker, "Perspectives and Lessons Learned from the Lehman Brothers Bankruptcy Examination." The Lawyers Club of Chicago, Chicago, IL, September 27, 2010
- "Lehman Brothers' Bankruptcy - The First Domino in the Financial Crisis," American College of Trial Lawyers 60th Anniversary Annual Meeting, Washington, DC, September 23, 2010
- Panelist, "The Grand Inquisitor in Chapter 11- The Examiner," Past is Prologue, American College of Bankruptcy, Chicago, IL, September 20, 2010
- Co-Chair, Jewish Council on Urban Affairs' Jurisprudence Awards for Social Justice Ceremony, Chicago, IL, September 20, 2010
- Panelist, "A Crisis of Our Own Design: What We Can Learn from the Build Up to and Culmination of the Crisis in September 2008," New York County Lawyers' Association CLE Institute - The Remaking of Wall Street, New York, NY, September 15, 2010
- "Thoughts for Directors from the Lehman Brothers Bankruptcy Examiner," National Association of Corporate Directors, Chicago, IL, September 08, 2010
- "The Responsible Corporate Officer Doctrine and Questions of Representation," Law Bulletin Publishing Company White Collar Crime/Corporate Governance Conference, Chicago, IL, February 11, 2010
- Panelist, Law Bulletin Seminars White Collar Crime/Corporate Governance Conference, Chicago, IL, April 24, 2008
- Keynote Speaker, The Chicago Bar Association Young Lawyers Section 14th Annual Pro Bono & Community Service Fair, Chicago, IL, October 11, 2007
- Featured Speaker, Jenner & Block Winter Break Open House for First Year Law Students, Chicago, IL, January 05, 2006
- 24th Annual Ray Garrett Jr. Corporate and Securities Law Institute, Northwestern University School of Law, Chicago, IL, April 29, 2004 to April 30, 2004
- "Internal Investigations and the Defense of Corporate Wrongdoing: Views from Both Sides," International Association of Defense Counsel Corporate Counsel College, Chicago, IL, April 22, 2004 to April 23, 2004
- "Supreme Court Practice: Review-Preview of this Year's Key Cases," The Chicago Inn of Court, Chicago, IL, October 21, 2003
- "Plotting Litigation Strategy in the Global Context," International Bar Association Conference, Chicago, IL, June 19, 2003

- Panelist, "Lessons Learned From My Best and Worst Moments on Cross," The Chicago Bar Association and The Seventh Circuit Bar Association All Star Cross-Examination Seminar, Chicago, IL, October 25, 2002
- 2002 *InsideCounsel* SuperConference, June 20, 2002
- "Government Fraud and Abuse Enforcement," American Bar Association Health Law Section Fourth Annual Conference on Physician-Legal Issues, Chicago, IL, June 14, 2002 to June 15, 2002
- Panelist, "The First Amendment: What Restrictions are Permissible in Time of War," Loyola University Chicago, The Chicago Press Veterans Association and the Chicago International Press Club, Chicago, IL, April 26, 2002
- Georgetown University Law Center Corporate Counsel Institute, Washington, DC, March 14, 2002 to March 15, 2002
- Deloitte & Touche and Jenner & Block Executive Breakfast Briefing: Corporate Investigations Seminar, Chicago, IL, December 05, 2001
- Panelist, Law Bulletin Publishing Company White Collar Crime/Corporate Governance Conference, Chicago, IL,