

Zachary J. Harmon (Zack)

Partner

*Special Matters and Government
Investigations*

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Zack Harmon is a partner in the firm's Special Matters & Government Investigations practice. He has served in leadership roles in the Department of Justice (DOJ) and Federal Bureau of Investigation (FBI), including most recently as FBI Chief of Staff. During the course of his 25-year career, he has led hundreds of investigations across a wide spectrum of issues, industries and geographies.

Clients ranging from *Fortune 100* global corporations to senior company executives and boards rely on Zack to address issues posing enterprise risk.

As the leader of King & Spalding's national security practice, Zack provides clients with cutting-edge guidance regarding the practical implications of U.S. national security priorities. He helps clients to preempt and respond to nation-state IP theft and data breaches; navigate emerging government requirements concerning cybersecurity and business transactions; and liaise with senior government officials at DOJ, FBI, SEC, State, Treasury, DOD and Congress to address national security concerns of all kinds.

After serving for over 15 years as a leader of King & Spalding's government investigations team, Zack also focuses on government and internal investigations, as well as compliance counseling. He has served as lead counsel to clients in a wide variety of industries. He has led investigations in over 30 countries and designed global compliance programs for companies operating in numerous industries. Zack also has extensive trial experience, having first-chaired over 25 jury and bench trials in federal and state courts throughout the country.

Zack's focus on national security dates back to his appointment to the presidential commission that investigated the FBI's national security and counterintelligence programs in the wake of FBI Special Agent Robert Hanssen's espionage. Thereafter, serving as Counsel to U.S. Deputy Attorney General Larry D. Thompson, he played a central leadership role in DOJ's extensive mission shift following 9/11. He held other roles at DOJ, including as Trial Attorney on the Enron Task Force, Special Assistant U.S. Attorney in the District of Columbia, and prosecutor in the Tax Division of the U.S. Department of Justice.

Before first joining King & Spalding in 1996, Zack clerked for the Honorable William Garwood,

United States Court of Appeals for the Fifth Circuit. Zack retains Secret and Top Secret clearances.

Matters

Represented a major oilfield services company in a multinational FCPA internal investigation in Africa and the Middle East, and in response to parallel investigations by the DOJ and SEC.

Represented a Singapore-based energy company in a high-profile FCPA/anti-corruption investigation by DOJ and the Indonesian KPK.

Representing numerous international corporations—including several Fortune 50 companies—in matters involving the Foreign Corrupt Practices Act, including international investigations (in Angola, Azerbaijan, Bangladesh, Brazil, Brunei, Bulgaria, Canada, China, Czech Republic, the Dominican Republic, Egypt, Germany, Greece, India, Indonesia, Italy, Kazakhstan, Malaysia, Mexico, Nigeria, Poland, Russia, Saudia Arabia, Singapore, Switzerland, Turkey, the United Arab Emirates, and the United Kingdom), DOJ and SEC disclosures, and development of FCPA compliance programs, including:

Conducting multinational FCPA investigation (in Asia, India, Bangladesh and Latin America) for major freight forwarding company and assisting company with overhaul of compliance programs as well as self-disclosure to FCPA authorities—no action was taken by authorities;

Conducting multinational FCPA investigation (in five European countries) for one of the largest global medical device companies and representing company in discussions with FCPA authorities – received declinations from both the SEC and DOJ;

Conducting multinational FCPA investigation (in Brunei, Malaysia and India) for major oil field services company and advising company in decisions concerning self-disclosure;

Serving as primary outside FCPA counsel for several multinational companies, and assisting in all aspects of design implementation, and operation of companies' FCPA compliance programs; and

Advising companies in FCPA due diligence related to significant mergers, acquisitions and divestitures.

Representing several senior partners of a Big Four accounting firm in a high-profile investigation by the U.S. Department of Justice Fraud Section and the SEC;

Defending a large U.S. corporation in a complex federal and international criminal tax investigation prosecuted by the Tax Division of the U.S. Department of Justice and the U.S. Attorney's Office in Atlanta;

Representing a Native American tribe in investigations and proceedings by the U.S. Department of Justice and the U.S. Senate concerning the activities of Jack Abramoff;

Defending GlaxoSmithKline in a consumer fraud lawsuit brought by the New York Attorney General's Office;

Representing an individual defendant in the then-largest international antitrust conspiracy investigation and litigation;

Representing a prominent Middle Eastern bank in an investigation by the National Security Division of the U.S. Department of Justice;

Representing an Egyptian national in a fraud investigation by the U.S. Attorney's Office for the Southern District of New York;

Representing the managing partner of an accounting firm in a criminal tax investigation;

Defending the president of a large labor union in an investigation by the U.S. Department of Labor;

Representing drug and medical device companies in criminal and civil litigation involving the U.S. Department of Justice and various U.S. Attorney's Offices regarding "off-label" promotion and other development, sales and marketing conduct;

Conducting a review of the FBI's Office of Professional Responsibility;

Representing pharmaceutical supply companies in a civil action against the U.S. Drug Enforcement Administration regarding the seizure of drug product;

Representing a prominent government defense contractor in a Congressional investigation; and

Routinely serving as a panelist or as featured faculty at conferences and seminars throughout the world.

Credentials

EDUCATION

J.D., The University of Texas at Austin

A.B., Princeton University, cum laude

ADMISSIONS

U.S. Court of Appeals for the Fifth Circuit

U.S. District Court for the District of Columbia

District of Columbia

Texas

CLERKSHIPS

Law Clerk, Hon. William Garwood, U.S. Court of Appeals for the Fifth Circuit

ASSOCIATIONS

Member, American Law Institute

Member, American Health Lawyers Association

Recognition

Recognized as DC Super Lawyer

SUPER LAWYERS 2018

Recognized as a leading white collar criminal defense practitioner

LEGAL 500, 2014–2016

Named a Washington, D.C., Super Lawyer in the white collar criminal defense category

SUPER LAWYERS, 2013–2016

Profiled in connection with recognition as Best FCPA Lawyer

MAIN JUSTICE

Award for Distinguished Legal Writing

BURTON AWARDS FOR LEGAL ACHIEVEMENT

Insights

CLIENT ALERT

June 24, 2021

Supreme Court Decision on Computer Fraud and Abuse Act: Implications for Cybersecurity and Insider Threat Programs

FEATURE

January 22, 2021

General Counsel Internal Investigations Decision Tree for the Energy Industry

January 21, 2021

General Counsel Internal Investigations Decision Tree for the Financial Services Industry

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Events

SPEAKING ENGAGEMENT

May 15, 2020

Josh Kamin, Tom Hawk, Zack Harmon, Catherine Greaves to Speak on Georgia Bio Zoom Webinar About Developing a Framework for Return to Work in the Coronavirus Crisis

December 11, 2019

Phyllis Sumner, Scott Ferber, Zack Harmon to Speak at Cyber Risk Director Network Event

WEBINAR

November 10, 2020

13th Annual King & Spalding Medical Device Summit

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News

CASES & DEALS

Cross-Border FCPA/Anti-Corruption Investigation for Southeast Asia Energy Company

RECOGNITION

June 10, 2021

Legal 500 United States 2021 Ranks King & Spalding Practices Among the Top in the Nation

October 23, 2020

GIR Names King & Spalding to List of Top 30 Global Investigations Firms for Sixth Year

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