Barry H. Berke

Partner

bberke@gibsondunn.com
T: +1 212.351.3860
New York



Barry H. Berke is renowned nationwide as a leading trial lawyer and white-collar criminal defense attorney. He is Co-Chair of the firm's Litigation Practice Group and a member of the Trials, White Collar Defense and Investigations, and Congressional Investigations Practice Groups. Barry represents individuals and corporations in high-stakes trials, investigations, and complex litigation. He is a fellow of the American College of Trial Lawyers.

Barry is widely acclaimed for his success and creativity as a trial lawyer and strategist, his ability to connect with and persuade juries, and his skills in protecting his clients' interests. *Chambers USA* has recognized Barry as a "Star Individual" in Trial Lawyers Nationwide (one of only 10 nationwide) and as a "Star Individual" in New York for White-collar Crime & Government Investigations (one of only five lawyers). He has been praised in *Chambers USA* as "one of the foremost litigators in the U.S." and "the go-to criminal defense lawyer in the country." His peers and clients describe him as "the best lawyer of our generation," "America's greatest trial lawyer," and "a legend of the profession." Known for his "strategic ingeniousness," "incredibly sharp legal mind," and "great connection with juries," Barry is celebrated for his ability to protect his clients and navigate them through crises. Others note that Barry is "endlessly creative, brilliant and super effective as an advocate," and that "[t]here's no problem he can't solve." *The Legal 500 US* 2025 has named Barry a "Leading Trial Lawyer" and has recommended him in the area of corporate investigations and white-collar criminal defense. Barry has also been named by *Benchmark Litigation* as a New York "Litigation Star" (2026) and recognized as one of *Lawdragon's* 500 Leading Lawyers in America (2025-2026), a guide to the nation's top attorneys.

Barry served as chief impeachment counsel to the U.S. House of Representatives during the Senate impeachment trial of the former President of the United States. As lead counsel, Barry was instrumental in preparing and presenting a case that garnered widespread recognition for its precise choreography and compelling presentation of factual evidence and constitutional arguments.

Previously, Barry served as special counsel to the Judiciary Committee of the U.S. House of Representatives during its first investigation and impeachment of the former President. His opening statement and cross-examination of key witnesses received widespread acclaim, with *The Washington Post* naming him "Distinguished Person of the Week" and *Slate* describing his cross-examination of the president's former campaign manager as "a cross-examination that should be mandatory viewing for every law student in the history of time."

Recent Representations*

- Secured dismissal of all charges against New York's former Lieutenant Governor Brian Benjamin, as federal prosecutors dismissed the bribery indictment against

Capabilities

White Collar Defense and Investigations
Class Actions
Congressional Investigations
Crisis Management
Law Firm Defense
Litigation
Securities Enforcement
Securities Litigation
Trials

Credentials

Education

Harvard University - 1989 Juris Doctor
Duke University - 1986 Bachelor of Arts

Admissions

New York Bar

Clerkships

USDC, Southern District of New York, Hon. Mary Johnson Lowe, 1989 - 1990

2026 Gibson, Dunn & Crutcher LLP. All rights reserved.
For other information, please visit us at **www.gibsondunn.com**

him after a nearly three-year-long battle.

- Obtained complete dismissal for Amazon of a lawsuit by a former supplier seeking more than $800 million in damages by proving the plaintiff committed a fraud on the court and winning case terminating sanctions prior to trial.
- Secured complete vindication for a hedge fund manager in an insider trading and fraud case, culminating in the dismissal of all remaining charges following acquittal of the insider trading charges at trial and the remaining counts being overturned on appeal.
- Successfully resolved an arbitration dispute for an American multinational media company against its former CEO resulting in the dismissal of the proceeding and the reversion of a $120 million grantor trust to the company.
- Represented former New York City Mayor Bill de Blasio in federal and local criminal investigations, which concluded with no charges or actions taken.
- Represented a former investment bank broker accused of participating in one of the largest tax fraud cases in history and secured acquittal of all nine criminal charges against him after a ten-week trial in the Southern District of New York.
- Successfully represented a former hedge fund manager in a prominent insider-trading case where it was shown U.S. prosecutors overstepped the bounds of insider-trading law.
- Succeeded in clearing the head of a multibillion-dollar investment fund of all charges in an indictment alleging an FCPA bribery conspiracy in connection with the privatization of a state-owned oil company.
- Won dismissal of all claims brought against a major bank in the first bank-against-bank lawsuit arising out of the financial crisis seeking to recover $3 billion in losses.
- Conducted internal investigations for boards and audit committees of major companies.
- Represented a company's general counsel charged with violating federal immigration and labor laws and achieved dismissal of all charges against him on the eve of trial following successful motions to sever and limit the charges.
- Secured an acquittal of all 23 counts for a lawyer client charged with participating in a multimillion-dollar securities arbitrage fraud following a two-month jury trial.
- Successfully defended the president of an investment company accused of a $60 million bond fraud. Achieved a complete dismissal of all charges following the government's case at trial.
- Represented an accountant and officer of a Fortune 20 company in an SEC accounting fraud investigation. Following two Wells submissions, Barry successfully persuaded the SEC not to file any charges.
- Represented the owner of a 1933 Double Eagle gold coin, considered the rarest and most valuable coin in the world, in a case where the U.S. government claimed it was stolen property. Barry successfully persuaded the government to dismiss criminal charges and negotiated a landmark civil forfeiture settlement on the eve of trial, resulting in a record $7.6 million auction, with proceeds divided between his client and the government.
- Represented a prominent law firm in an arbitration brought by a former partner, achieving a significant decision that upheld the enforceability of the firm's partnership agreement and noncompete provisions.
- Represented a businessman involved in a high-profile state corruption scandal, successfully persuading the government to end its investigation and criminal prosecution.
- Represented world-champion boxers and others in the boxing profession in high-profile arbitrations and court proceedings, all of which Barry won on behalf of his

Barry H. Berke
Partner

bberke@gibsondunn.com
T: +1 212.351.3860
New York

2026 Gibson, Dunn & Crutcher LLP. All rights reserved.
For other information, please visit us at **www.gibsondunn.com**

clients.

Barry co-authored *The Practice of Federal Criminal Law: Prosecution and Defense* and the chapter on cross-examination in *Winning at Trial: A Practical Guide From Bench and Bar*. He has taught courses on criminal law and professional ethics at New York University School of Law. He also is chairman of the board of directors of the Coalition for the Homeless and former chairman of the board of directors of the Federal Defenders of New York.

Barry received his J.D., *cum laude*, from Harvard Law School and his B.A., *summa cum laude* and Phi Beta Kappa, from Duke University. After law school, he clerked for the Honorable Mary Johnson Lowe of the United States District Court for the Southern District of New York.

Prior to joining Gibson Dunn, Barry was a Partner in the New York office of a major law firm and served as Chair of the firm's Litigation Department. Earlier in his career, Barry was a trial lawyer with the federal defenders office for the Southern District of New York where he defended individuals accused of a wide range of federal offenses, serving as lead counsel in numerous jury trials and achieving favorable verdicts in a large majority of those cases.

**Matters handled prior to joining Gibson*

Barry H. Berke
Partner

bberke@gibsondunn.com
T: +1 212.351.3860
New York

2026 Gibson, Dunn & Crutcher LLP. All rights reserved.
For other information, please visit us at **www.gibsondunn.com**