Michael Diamant

Partner

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Michael S. Diamant is a partner in the Washington, D.C. office of Gibson, Dunn & Crutcher. He is a member of the White Collar Defense and Investigations Practice Group, and serves on the firm's Finance Committee. His practice focuses on white collar criminal defense, internal investigations, and corporate compliance.

Michael has been recognized as one of the leading U.S. Foreign Corrupt Practices Act ("FCPA") experts in the United States by *Chambers USA* nationwide (2016–2026) and *Chambers Global* (2017–2026). He has also been recognized in *The Best Lawyers in America*® for work in Criminal Defense: White-Collar (2021–2026). *Who's Who Legal* named Michael to its "Investigations Guide" (2019, 2022–2024), Thought Leaders: USA list (2023–2024), Thought Leaders: Global Investigations Review (2022–2024) and to its "Future Leaders: Investigations" list (2018, 2020). He was selected to *Benchmark Litigation's* "40 & Under Hot List" (2016–2018, 2020) and listed as a "Future Litigation Star" (2016, 2019, 2025, 2026) and "Rising Star" (2016). Michael was also named to *Global Investigation Review's* "40 Under 40" list (2014, 2017), and named to *Law360's "Rising Stars"* for White Collar (2017).

Michael has broad white collar defense experience representing corporations and corporate executives facing criminal and regulatory charges. He has represented clients in an array of matters, including accounting and securities fraud, antitrust violations, and environmental crimes, before law enforcement and regulators, including the U.S. Department of Justice and the Securities and Exchange Commission. Michael also has led numerous internal investigations for publicly traded corporations and conducted fieldwork in nineteen different countries on five continents. In addition to his U.S. government-facing work, Michael has extensive World Bank Group enforcement experience, working on behalf of clients under investigation by the World Bank's Integrity Vice Presidency (INT) and assisting companies already subject to World Bank sanction, as well as representing clients before other multilateral development bank enforcement authorities. He has negotiated numerous settlement agreements with INT, obtained declinations, and successfully litigated to complete victory in the World Bank's sanctions process.

A recognized expert on corporate compliance, Michael routinely advises clients on the adequacy of the design and implementation of their corporate ethics and compliance programs, often conducting risk assessments and program evaluations. He served as a DOJ-appointed independent compliance monitor, overseeing the implementation of competition-related controls and core compliance program elements at a corporation subject to a non-prosecution agreement with DOJ's Antitrust Division. Michael's compliance-related representations have included extensive work on all programmatic elements, including whistleblowing and investigative procedures, codes of conduct, expense approval and reimbursement processes, and oversight and governance functions, among many others. Michael has designed entire ethics and compliance programs for Fortune 100 corporations, and he frequently assists companies in preparing for compliance presentations to DOJ in advance of the government's corporate charging

Capabilities

White Collar Defense and Investigations
Aerospace and Defense
Anti-Corruption & FCPA
Antitrust and Competition
Government Contracts
Litigation
Robotics
Securities Enforcement

Credentials

Education

Georgetown University - 2003 Juris Doctor
Georgetown University - 2000 Bachelor of Science

Admissions

District of Columbia Bar
Virginia Bar

Clerkships

US Court of Appeals, 5th Circuit, Hon. Fortunato P. Benavides, 2004 - 2005

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decision. He also conducts compliance trainings for in-house counsel, corporate executives, and line employees. And he has served as a faculty member for the Ethics and Compliance Officer Association's Global Law School.

Select representative public engagements handled by Michael include the following:

- Serving as lead criminal defense counsel of Mercedes-Benz Group AG before DOJ in its diesel investigation and successfully obtaining a criminal declination (2016–2024);
- Representing Grupo Mecánica del Vuelo Sistemas, S.A.U., before the World Bank's Integrity Vice Presidency and securing a negotiated settlement (2019–21);
- Representing Petróleo Brasileiro S.A. – Petrobras before the SEC and DOJ in their FCPA investigations and successfully negotiating resolutions to both investigations (2014–18);
- Representing Acciona Ingeniería S.A. before the World Bank's Integrity Vice Presidency and securing a negotiated settlement of that investigation (2017–19);
- Representing MTS Systems before the FCPA Units of the SEC and DOJ and securing a written declination from both to conclude their long-running investigations (2017);
- Representing Mead Johnson Nutrition during FCPA investigations by the SEC and DOJ, reaching an SEC resolution and obtaining a DOJ declination (2013–15);
- Serving as post-resolution counsel to Daimler AG during its FCPA monitorship (2010–13);
- Representing ARINC before the World Bank's Integrity Vice Presidency and securing a negotiated resolution of that investigation (2011–12);
- Helping to lead the compliance monitorship for Siemens AG, pursuant to the then largest-ever FCPA resolution with the SEC and DOJ (2009–12);
- Helping to lead the FCPA compliance monitorship for Statoil ASA, the first non-U.S. organization to receive an FCPA monitor pursuant to enforcement actions by the SEC and DOJ (2007–09);
- Representing St. Jude Medical before the SEC in its Oil-for-Food investigation, which resulted in the SEC declining to bring an enforcement action (2005–07).

Select notable professional publications by Michael include the following:

- "How to avoid pitfalls during a monitorship's life cycle," in The Guide to Monitorships (5th ed.), published by Global Investigations Review (2026) (with George J. Hazel, and Kristen C. Limarzi);
- "Avoiding common pitfalls in multilateral development bank audits on the path to effective settlement of allegations," in The Guide to Multilateral Development Bank Investigations (2d ed.), published by Global Investigations Review (2026) (with Oleh Vretsona and Pedro Soto);
- Contributing Editor, Corporate Investigations 2026, published by Global Legal Group;
- "Navigating Attorney-Client Privilege and Work Product Protection in Corporate Investigations," in Corporate Investigations 2026, published by Global Legal Group (with Melissa Farrar, Monica Limeng, and Ben Schlichting);
- "USA - Corporate Investigations Laws and Regulations," in Corporate Investigations 2026, published by Global Legal Group (with Melissa Farrar, Lora MacDonald and Todd Truesdale);
- "Anti-corruption risk in 2026 in the face of a recalibration of U.S. enforcement priorities and global response," in Bribery & Corruption Laws and Regulations 2026 , published by Global Legal Insights (with Melissa Farrar);

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- "FCPA enforcement pause: Anti-corruption compliance is as important as ever," in Compliance & Ethics Professional (CEP) Magazine (June 2025) published by Society of Corporate Compliance and Ethics (with Teri Cotton Santos);
- "DOJ leadership highlights criminal enforcement priorities in new FCPA memorandum and public remarks," in Westlaw Today (June 2025) published by Thomson Reuters (with Patrick Stokes, Oleh Vretsona, and Bryan Parr);
- "Common pitfalls in MDB audits and charting a path to effective settlement of allegations," in The Guide to Multilateral Development Bank Investigations (1st ed.) published by Global Investigations Review (with Pedro Soto);
- "FCPA liability: when 'Red Flags' become 'Knowledge' of FCPA violations" in Bribery & Corruption 2025 (12th Ed.) published by Global Legal Insights (with Melissa Farrar);
- "How to avoid and resolve pitfalls during a monitorship's life cycle" in The Guide to Monitorships (4th ed.) published by Global Investigations Review (with Kristen Limarzi and George Hazel);
- "FCPA liability: avoiding the thirdparty pitfall" in Bribery & Corruption 2024 (11th ed.) published by Global Legal Insights (with Melissa Farrar);
- "Potential liability under the third-party payment provision: Due diligence a must do" in Bribery & Corruption 2023 (10th ed.) published by Global Legal Insights (with Joel Cohen);
- "Some More Carrots, and Definitely More Sticks: DOJ Corporate Criminal Enforcement" *Financier Worldwide* (December 2022) (with Nicole Lee);
- "All in the Nuance: Corporate NPA and DPA," International Financial Law Review (March 2018) (with F. Joseph Warin and Melissa Farrar).

Michael's academic publications include the following:

- "FCPA Enforcement Against U.S. and Non- U.S. Companies," 8 *Mich. Bus. & Entrepreneurial L. Rev.* 353 (2019) (with Christopher Sullivan and Jason Smith);
- "Corporate Monitors and the Monitorship Process" in *From 'Baksheesh' to Bribery: Examining the Global Fight Against Corruption and Graft* (T. Markus Funk & Andrew S. Boutros eds., Oxford UP 2019) (with F. Joseph Warin and Christopher Sullivan);
- "Sanctionable Practices at the World Bank: Interpretation and Enforcement," 18 *U. Pa. J. Bus. L.* 985 (2016) (with Christopher Sullivan and Jason Smith).
- "Don't You Forget About Me: The Continuing Viability of the FCPA's Facilitating Payments Exception," 73 *Ohio St. L.J. Furthermore* 19 (2012) (with Jesenka Mrdjenovic);
- Hot off the Press: Resetting the Global Anti-Corruption Thermostat to the U.K. Bribery Act," 12 *Bus. L. Int'l* 257 (2011) (with Lee G. Dunst and Teresa R. Kung);
- Somebody's Watching Me: FCPA Monitorships and How They Can Work Better," 13 *U. Pa. J. Bus. L.* 321 (2011) (with F. Joseph Warin and Veronica S. Root);
- The British Are Coming!: Britain Changes Its Law on Foreign Bribery and Joins the International Fight Against Corruption," 46 *Tex. Int'l. L.J.* 1 (2010) (with F. Joseph Warin and Lord Charles Falconer); and
- "FCPA Compliance in China and the Gifts and Hospitality Challenge," 5 *Va. L. & Bus. Rev.* 33 (2010) (with F. Joseph Warin and Jill M. Pfenning).

Select external speaking engagements that featured Michael include the following:

- "SEC Enforcement, FCPA & Other Regulatory Compliance" (May 2026), the Center for Professional Education's SOX 404 Virtual Conference;
- "SEC Enforcement: A New Day" (December 2025), the Center for Professional

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Education's SEC Virtual Conference;

- "The Essentials of Updating Your Due-Diligence Playbook: Adapting to New Risks Impacting Your Supply Chains, Third Parties, and M&A Transactions" (National Harbor, Maryland; December 2025), ACI's 42nd Annual Conference on FCPA and Global Anti-Corruption;
- "A Changed Landscape for Corporate Enforcement" (Minneapolis, Minnesota; October 2025), Corporate Governance and Compliance Roundtable with the University of Minnesota's Corporate Institute;
- "Internal Audits and the Expectations of Regulators and Enforcers: A Legal Perspective" (Toronto, Canada; October 2025), the International Audit Practice Consortium's Fall 2025 Meeting;
- "FCPA Compliance and Enforcement" (October 2025), guest lecture at Loyola University Chicago's School of Law;
- "Ethics, FCPA, Fraud & Disclosure Process in an International Environment" (September 2025), the Center for Professional Education's International Operations Accounting Virtual Conference;
- "Brazil Business Relocation" (July 2025), panel discussion hosted by the Coalition for Integrity;
- "SEC Enforcement, FCPA & Other Regulatory Compliance" (May 2025), the Center for Professional Education's SOX 404 Virtual Conference;
- "Changes to the Evaluation of Corporate Compliance Programs" (Indianapolis, Indiana; April 2025), Corporate Governance and Compliance Roundtable with Indiana University's Kelley School of Business;
- "AI Risk and Compliance: Updated DOJ Corporate Compliance Guidance and Enforcement Preview" (January 2025), Retail Industry Leaders Association (RILA) Virtual Presentation;
- "Ethics, FCPA, Fraud & Disclosure Process in an International Environment" (September 2024), the Center for Professional Education's International Operations Virtual Conference;
- "Recent Developments in Multilateral Development Bank Enforcement" (February 2024), Guidepost Solutions-Gibson Dunn Webinar;
- "Labor Law, Data Privacy and Internal Investigations" (October 2021), Virtual White Collar Crime Workshop sponsored by Shinshu University;
- "The U.S. Foreign Corrupt Practices Act (FCPA): Global Reach and Enforcement Webinar" (March 2021), Webinar hosted by the Association of Corporate Counsel, Israel;
- "Effective Compliance Programs" (November 2020), Virtual White Collar Crime Workshop sponsored by Shinshu University;
- "World Bank Enforcement: Considerations for Companies Accepting Development Funding" (September 2020), KPMG-Gibson Dunn Webinars for US/EU and Asia;
- "New DOJ Compliance Program Guidance: Evolving Retail Compliance Programs to Address Impact of COVID-19 and New Emerging Risks" (July 2020), Retail Industry Leaders Association (RILA) Virtual Presentation;
- "How to Develop Global Compliance Programs" (Washington, D.C.; September 2019), White Collar Crime Workshop cosponsored by Shinshu University & the Embassy of Japan;
- "DOJ & SEC Enforcement Priorities Under the Trump Administration" (Arlington, Virginia; May 2018), Retail Industry Leaders Association (RILA) Compliance Council Meeting;
- "Environmental Crimes Enforcement" (San Diego, California; February 2018), The American Bar Association's 32nd Annual National Institute on White Collar Crime;

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- “Conflicts of Interest, Corruption and Compliance Risks” (New York City; October 2017), Practicing Law Institute’s Advanced Compliance and Ethics Workshop 2017;
- “Anti-Corruption Statutes and Legal Ethics” (Washington, D.C.; October 2017), 6th Annual Hotel & Lodging Legal Summit at Georgetown University Law Center;
- “World Bank Sanctions: Defense Perspective” (Washington, D.C.; June 2017), guest lecture at American University Law School.

Michael clerked for the Honorable Fortunato P. Benavides of the U.S. Court of Appeals for the Fifth Circuit. He is a 2003 *magna cum laude* graduate of the Georgetown University Law Center, where he was inducted into the Order of the Coif. At Georgetown, he served as Senior Articles & Notes Editor of the *American Criminal Law Review* and authored the article on the False Claims Act for the *Seventeenth Survey of White Collar Crime*, 39 Am. Crim. L. Rev. 491 (2002). In 2000, Michael received his Bachelor of Science in Foreign Service *magna cum laude* from Georgetown’s Walsh School of Foreign Service, where he was elected to Phi Beta Kappa.

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