Eric D. Vandevelde

Partner

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Los Angeles



Eric Vandevelde is a former federal prosecutor and litigation partner in Gibson Dunn's Los Angeles office. He is Global Co-Chair of the firm's AI Practice Group and a member of its White Collar Defense and Investigations, Privacy, Cybersecurity and Data Innovation, and Intellectual Property Practice Groups. Eric has significant first-chair trial experience both at the DOJ and in the private sector. He has a deep technical background, with a degree in computer science from Stanford and having worked as a software engineer in Silicon Valley and Latin America.

Eric has repeatedly been recognized by *Chambers*, with clients describing him as "phenomenal" and "exceptional," their "go-to attorney for government investigations or any possible changes at regulatory level," and noting that his "technical background and legal acumen were critical to [their] success." He is ranked by *Chambers USA* nationwide for Artificial Intelligence and in California for White-Collar Crime & Government Investigations. Eric has also been recognized for his white collar work by *Super Lawyers*, *The Best Lawyers in America*®, and the *Daily Journal*, including as one of the Top 20 Cyber/AI lawyers in California. *Lawdragon* named Eric to its 100 Leading AI & Legal Tech Advisors (2024-2026) and 500 Leading Global Cyber Lawyers lists (2024-2026). Eric was also recognized as a Key Lawyer in the areas of Corporate Investigations and White-Collar Criminal Defense by *The Legal 500 US* (2024).

Eric has a broad practice, handling complex criminal and civil trials, internal investigations, regulatory enforcement matters, advisory work for boards and management — but nearly all of his matters lie at the intersection of technology and the law, and involve cutting edge issues in AI, cryptocurrency, data privacy, cybersecurity, biotech, fintech, gaming, and software. He has also represented clients in some of the highest profile, highest stakes cases in the country concerning government demands for personal data and technical assistance in connection with criminal and national security-related investigations.

Representative criminal and regulatory investigations matters:

- Obtained declination for **major technology company** in DOJ investigation regarding its AI-based online trust and safety platform.
- Obtained declination for **AI company** in DOJ investigation regarding its AI content generation practices.
- Successfully resolved without charges investigation into **AI executives** regarding data-scraping and copyright infringement allegations.
- Obtained declination for **cryptocurrency platform** in investigations by DOJ and Financial Crime Enforcement Network (FinCEN), and successfully resolved separate investigations by Securities and Exchange Commission (SEC) and Office of Foreign Assets Control (OFAC).
- Obtained sentence of probation for **individual NFT/cryptocurrency holder** in

Capabilities

White Collar Defense and Investigations
Anti-Money Laundering
Artificial Intelligence
Consumer Protection
Crisis Management
Fintech and Digital Assets
Intellectual Property
Litigation
National Security
Privacy, Cybersecurity, and Data Innovation
Securities Enforcement
State Attorneys General
Tech and Innovation
Technology Litigation
Trade Secrets
Trials

Credentials

Education

University of California - Los Angeles - 2005 Juris Doctor

Stanford University - 1998 Bachelor of Science

Admissions

California Bar

Clerkships

USDC, Central District of California, Hon. A. Howard Matz, 2005 - 2006

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federal tax prosecution involving millions in unpaid taxes.

- Successfully resolved without charges investigation into **environmental consulting firm** regarding crisis arising from subsurface chemical reaction in landfill site.
- Obtained declination for **mobile gaming company** in coordinated consumer protection investigations by multiple state regulators relating to AI-powered in-game economy and in-app purchases.
- Obtained successful resolution for **leading technology company** in investigation by 30+ state Attorneys General and multiple District Attorneys' offices, alongside parallel investigations by DOJ, SEC, and Federal Trade Commission (FTC).
- Obtained declinations for **financial services executives** in connection with "Varsity Blues" college admissions scandal.
- Obtained successful resolution for **online gaming and fantasy sports company** in wide-ranging criminal and regulatory investigations.
- Obtained successful resolution for **healthcare services provider** in nationwide False Claims Act (FCA) investigation by DOJ and the Department of Health & Human Services (DHHS).
- Obtained successful resolution, with no admission of wrongdoing, for **CFO of publicly traded company** in parallel SEC and DOJ investigations.
- Led internal investigation for **nutraceutical company**, uncovering evidence of fraud through digital forensics and recovering tens of millions of dollars within days of confronting perpetrators.

Representative litigation matters:

- Led successful representation of software support provider **Rimini Street** in sprawling litigation against Oracle, including multiple trials and appeals to Ninth Circuit and Supreme Court. Ultimately, defeated Oracle's claims of more than $1.4 billion in damages.
- Represented **Amazon Web Services** in bid protest regarding the U.S. Department of Defense's $10 billion JEDI cloud contract.
- Represented **Scale AI** in major theft of trade secrets matter.
- Represented **major retailer and other companies** in multiple privacy lawsuits alleging violations of California Invasion of Privacy Act and similar laws.
- Represented **AT&T Mobility** in lawsuit arising out of alleged theft of cryptocurrency and related cybersecurity issues.
- Represented **Machine Zone** in complex commercial litigation against former datacenter services provider involving allegations of theft of trade secrets, breach of contract, and fraud.
- Represented **Amgen** in lawsuit involving patent licensing dispute.
- Represented **AddOn Networks** in copyright infringement, DMCA, and CFAA lawsuit.
- Represented **St. Jude Medical** in trade secret case involving theft and misuse of confidential information by former employee in company's research and development arm.
- Represented **Orange Barrel Media** in suit alleging RICO and other violations. Obtained full dismissal with prejudice.

AI / Cybersecurity / Privacy matters:

Across a wide range of industries, including software, hardware, social media, cloud and other online services, retail and luxury goods, health care, biotech and other life sciences,

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telecom, transportation, and private equity, Eric has helped numerous clients identify and manage AI, cybersecurity, and privacy risks:

- **AI** – Represented and advised technology companies, including social media and gaming companies, regarding compliance and risk mitigation with respect to AI, dark patterns, and other algorithmic decision-making issues.
- **Data Breach / Incident Response** – Represented victim companies in crisis management and remediation efforts (including managing forensics, consumer notification and regulatory reporting requirements, law enforcement interactions, and public relations) in connection with some of the largest and most sophisticated cyberattacks and data breaches.
- **Cybersecurity** – Advised C-suite, boards, and audit or special committees on cybersecurity risk and best practices, and compliance with applicable cybersecurity laws and regulations.
- **Privacy** – Advised and proactively managed compliance efforts with respect to various privacy laws and regulations, including the California Consumer Privacy Act (CCPA), California Privacy Rights Act (CPRA), and General Data Protection Regulation (GDPR).
- **Government Demands for Data and Assistance** – Handled complex, high-profile, or contentious demands for data and technical assistance by government agencies and law enforcement via subpoenas, search warrants, pen registers, wiretaps, national security letters (NSLs), and other formal process issued under federal and state law, including the Stored Communications Act (SCA), Electronic Communications Privacy Act (ECPA), and Wiretap Act. Successfully litigated against the government to resist overbroad and unlawful process, as well as accompanying non-disclosure (i.e., “gag”) orders. Advised companies on encryption issues relating to such disputes.

From 2007 to 2014, Eric served as an Assistant U.S. Attorney in the U.S. Attorney’s Office for the Central District of California. He was Deputy Chief of the Cyber & IP Crimes unit, supervising one of the nation’s largest teams of federal prosecutors dedicated to investigating and prosecuting computer hacking and intellectual property offenses. He was the lead prosecutor on numerous high-profile cyber-crime investigations, including cases involving corporate espionage, theft of trade secrets, APTs, botnets, distributed denial of service (DDoS) attacks, and other sophisticated cyberattacks by nation-state actors. Eric has handled the prosecution of several infamous hacking groups that infiltrated government and corporate servers around the world. He also successfully prosecuted numerous traditional white collar cases as part of the Major Frauds Section, including healthcare fraud, mortgage fraud, investment fraud, tax fraud, and government procurement fraud cases, as well as some of the largest Ponzi scheme cases in Southern California. For his work with the government, Eric received numerous awards and commendations from federal agencies, including the FBI, Secret Service, IRS, and U.S. Postal Inspection Service.

Eric is an active member of the legal community and committed to pro bono work. He served as Co-Chair of the ABA White Collar Crime Committee for Southern California. He serves on the board of the Crowell Family YMCA, and previously served on the board of the Survivor Justice Center, which provides direct representation to survivors of domestic violence and families in crises, and the Federal Bar Association of Los Angeles. Eric graduated from UCLA School of Law, Order of the Coif. After law school, he clerked for the Honorable A. Howard Matz, United States District Judge, Central District of California.

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