

# Daily Journal

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**WINSTON Y. CHAN**

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SAN FRANCISCO

**W**inston Chan serves as co-chair of Gibson, Dunn & Crutcher LLP's white-collar defense and investigations practice group and its False Claims Act/qui tam defense practice group. This year marks his 25th year in practice.

Chan joined Gibson Dunn after serving as an assistant U.S. attorney in New York. He relocated to establish the firm's

white-collar practice in the Bay Area. His colleagues taught him lessons beyond legal technique. "One of the most impactful takeaways has been the wisdom to take time to enjoy and give your all to each matter as it comes, while healthily balancing family, community and health," Chan said.

From 2023 to 2025, he led the defense of a technology company in three concurrent investigations by the DOJ, SEC and California Attorney General. Each agency investigated different theories of whether the company misrepresented cybersecurity events and weaknesses to customers and investors. The team faced extensive and competing document, information and interview requests from all three agencies.

"These were open-ended investigations in search of a whisper of a problem," Chan said.

Earlier this year, all three agencies closed their investigations without taking action against the company.

In late 2023, the San Jose Police Department arrested a former youth hockey coach for a junior league team operated by the San Jose Sharks. The allegations involved sexual assault of a minor during

the coach's tenure with the Sharks. Chan was appointed to conduct an independent investigation into the allegations and larger implications for the Sharks' youth league teams.

The investigation involved minor victims, interviews with players, parents and team volunteers and a parallel criminal prosecution.

"In the end, we were able to overcome these issues by assembling an all-star team of colleagues that brought a range of expertise, not just in conducting traditional internal investigations in both the criminal and workplace contexts, but also as parent-coaches for our own children's sports teams," Chan said. "We completed our investigation and report in 2024 and garnered the trust of all the involved stakeholders."

Chan observed changes in False Claims Act enforcement under the current administration. "Not in my entire career working on FCA cases have I seen so many novel applications of the statute being pursued all at once, in such a public way, with top-down pronouncements designed to motivate DOJ staff as well as putative whistleblowers and their counsel," Chan said.