

Matthew Kutcher

Partner



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Chicago

White Collar Defense and Investigations

Commercial Litigation

Securities Litigation + Enforcement

Corporate Governance and Shareholder Engagement

Financial Services Enforcement

Export Controls and Economic Sanctions

Workplace Investigations

Congressional Investigations

Matthew Kutcher is a former federal prosecutor with significant experience handling complex criminal cases, particularly involving fraud and corruption. Prior to his work as a prosecutor, Matthew developed 15 years of experience representing corporations, accounting firms and investment banks, as well as their officers, directors and executives in white collar, FCPA, EU and US trade sanctions, export controls, securities fraud and anti-competition proceedings before the DOJ, SEC and other federal agencies. Matthew's background includes leading domestic and cross-border investigations resulting from regulatory and statutory violations, money laundering, corruption and fraud, environmental and whistleblower claims across numerous industries. Matthew combines his experience as an Assistant US Attorney and as a seasoned defense attorney to effectively navigate clients through complex investigations and criminal actions brought in state and federal courts. He has a known track record of resolving high-stakes issues for clients at the investigative stage, often before proceedings are initiated, but is always ready to take a case to trial.

Matthew's practice also encompasses litigating civil cases in trials and appeals, where he has successfully defended clients in a range of class actions, shareholder litigation and general commercial disputes. He has also advised clients regarding their anti-corruption, trade sanctions and securities law compliance programs, including identifying risks associated with FCPA, trade sanctions and other global commercial transactions such as mergers, acquisitions and asset sales. In addition, Matthew has routinely provided trainings for clients around corporate compliance best practices in the energy, defense, aerospace and international sports industries.

Before his government service, Matthew was the chair of the local Chicago litigation department at Latham & Watkins where he was also a member of the firm's white collar practice.

Representative Experience*:

- Served as AUSA and deputy chief, prosecuting cases involving public corruption, securities fraud, bank fraud, human trafficking, civil rights, narcotics and violent crimes
- Defended a multinational corporation in multiple investigations alleging corruption, trade sanctions and environmental violations
- Defended global equipment manufacturer in an investigation claiming possible FCPA violations
- Represented a pharmaceutical company in an internal investigation regarding potential whistleblower claims
- Represented a leading energy company regarding FCPA and trade sanctions implications of an acquisition of a foreign company

- Represented a Hong Kong based gaming company and an individual director in a shareholder dispute brought by US investors
- Defended a Chinese company in a securities class action involving the distribution of a popular video game in China
- Represented global accounting firm partners in proceedings brought by the SEC involving auditor independence and complex derivative accounting
- Defended manufacturer in a securities class action related to the company's restatement of financials
- Represented a financial institution against securities claims resulting from the bankruptcy of a global energy company

**Representation handled prior to joining Cooley*

Education

Yale Law School

JD, 2001

University of Michigan

PhD, 1998

University of Michigan

MA, 1995

Northwestern University

BA, 1993

Admissions & Credentials

Illinois

New York

Court Admissions

US District Court for the Northern District of Illinois

US District Court for the Southern District of New York

US Court of Appeals for the Second Circuit

US Court of Appeals for the Fourth Circuit

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Seventh Circuit