

John Bostic

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White Collar Defense and Investigations
Trials
Commercial Litigation
Workplace Investigations
Crisis Management
Congressional Investigations

John is a former federal prosecutor and a seasoned first-chair trial lawyer. A fellow in the American College of Trial Lawyers, he has deep experience handling high-stakes and high-profile civil and criminal matters. After starting his career at a San Francisco litigation boutique firm, John spent more than eight years with the US Attorney's Office for the Northern District of California (NDCA), where he helped lead some of the office's most challenging and sensitive cases, including the widely publicized prosecution of Theranos founder Elizabeth Holmes. At Cooley, he focuses on responding to government investigations and prosecutions, conducting internal investigations, litigating complex civil matters, and leading trial teams.

John's clients praise his litigation skills and judgment, with one telling Chambers USA: "He provides strong advice and has a depth of experience that translates into great strategic insights. I would trust him with anything." In 2025, Northern California's federal judges appointed John co-chair of the NDCA Lawyer Representatives Committee.

John joined Cooley from the Corporate and Securities Fraud Unit of the US Attorney's Office for the NDCA. As an Assistant US Attorney (AUSA), John led teams investigating and prosecuting a variety of criminal violations, including securities fraud, bank fraud, insider trading, computer hacking, public corruption, international export violations, and Racketeer Influenced and Corrupt Organizations Act (RICO) offenses. He was co-lead counsel in the government's case against Theranos' Holmes and chief operating officer Ramesh Balwani, playing a leading role in the three-month jury trials that culminated in convictions of both defendants. John also served as co-first-chair trial counsel in a critically important domestic terrorism case following a fatal attack by right-wing extremists at the Oakland federal courthouse in 2020. For his work as an AUSA, the US Attorney General presented him with the John Marshall Award for Trial of Litigation, the Department of Justice's (DOJ's) highest award given to attorneys for excellence in specific areas of legal performance.

Before his government service, John practiced at a litigation boutique firm, where he represented clients in complex commercial litigation and government investigations. John clerked for Judge Marilyn L. Huff of the US District Court for the Southern District of California.

His notable representations include:

- Jenner & Block in its successful challenge to US presidential executive order 14246, which threatened

the law firm and its personnel with various sanctions – secured a temporary restraining order and summary judgment victory in US District Court for the District of Columbia on the grounds that the executive order was unconstitutional (*Jenner & Block v. U.S. Department of Justice et al.*)

- An international biomedical device manufacturer in a several-week jury trial in federal district court, defending against trade secret misappropriation allegations – achieved an 85% reduction in damages award in post-trial litigation (*Insulet Corp. v. EOflo Co. Ltd.*)
- NVIDIA and its officers in putative class action litigation brought by shareholder plaintiffs
- A tech-focused venture fund and its partners in connection with a DOJ investigation and prosecution of a portfolio company founder
- A special committee of the board of directors of a publicly traded data services and artificial intelligence company, conducting an independent internal investigation on its behalf
- A specialty biopharmaceutical company in a Delaware Court of Chancery trial involving a contract to develop a novel botulinum toxin product – partway through trial, secured a favorable resolution restoring to the company all worldwide rights to develop and commercialize the product*
- Two national law firms in federal litigation brought by the Heller Ehrman bankruptcy estate seeking to claw back profits earned from hourly rate matters that Heller's former partners brought to their new firms – prevailed on summary judgment, securing complete victory for the client firms*
- A global pharmaceutical company in a multidistrict class action challenging a product label under California unfair competition law and the Consumer Legal Remedies Act – achieved favorable settlement (*In re Budeprion XL Marketing and Sales Practices Litigation*)
- The founders of a biofuel startup in an action brought by its majority shareholder and certain board members alleging breaches of fiduciary duty – won dismissal of the derivative action on demurrer and achieved a substantial settlement for clients on their affirmative claims

* Representation handled before joining Cooley

Education

Stanford Law School JD, 2008

Yale University BA, Molecular, Cellular and Developmental Biology, 2005

Admissions & Credentials

California

Court Admissions

US Court of Appeals for the Ninth Circuit

US District Court for the Northern District of California

Rankings & Accolades

Chambers USA: Litigation: White-Collar Crime & Government Investigations – California (2025)

The Legal 500 US: Corporate Investigations and White-Collar Criminal Defense (2025)

Attorney General's John Marshall Award for Trial

