



## Abbe David Lowell

Partner

Co-Chair, Government Investigations, Enforcement, and Compliance

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Abbe is one of the country's foremost white collar defense and trial lawyers. He has tried civil and criminal cases before judges and juries in more than a dozen states, argued numerous appeals before courts that include the U.S. Supreme Court, led complex international investigations, and navigated clients through congressional and administrative proceedings, often under the glare of media scrutiny. Abbe served as Chief Minority Counsel to the House of Representatives during the impeachment proceedings against President Bill Clinton. He also previously served as Special Assistant to the U.S. Attorney General and Special Counselor to the United Nations High Commissioner for Human Rights.

Abbe is one of the nation's most recognized white collar defense and trial lawyers. His practice focuses on litigation, complex investigations, and regulatory enforcement. In his wide-ranging career, Abbe has represented numerous high-profile corporate and individual clients and provided counsel in matters of national and international

importance. He has successfully tried numerous complex civil and criminal cases throughout the United States and has briefed and argued dozens of appeals before federal and state appeals courts and before the United States Supreme Court.

In addition to trying cases and arguing appeals, Abbe advises clients in their dealings with the U.S. Congress and its committees, other legislative bodies, and numerous federal and state regulatory agencies. He also works with clients on internal investigations, voluntary disclosure decisions, and developing compliance programs to prevent issues from arising with law enforcement agencies. His matters and cases often require him to navigate all of these legal issues under the glare of media scrutiny.

In criminal matters, Abbe has successfully avoided charges or defended clients against a wide array of charges, including conspiracy, election law violations, bank fraud, insurance fraud, bankruptcy fraud, Foreign Corrupt Practices Act (FCPA) violations, mail and wire fraud, securities fraud, money laundering, public corruption, honest services fraud, False Claims Act, obstruction of justice and false information charges and violations of the Racketeer Influenced, and Corrupt Organizations Act (RICO) and the Espionage Act. In civil cases, he has helped clients win in cases of breach of contract and fiduciary duty, FCPA violations, False Claims Act, civil rights violations, conspiracy, employment discrimination, negligence, RICO violations, securities fraud, tortious interference with business, breach of fiduciary, and unfair trade practices. He has conducted internal investigations responding to government, whistleblower, or other allegations of FCPA, money laundering, securities, and other law violations.

Abbe has been counsel to the U.S. House of Representatives twice, including when he was Chief Minority Counsel during impeachment proceedings against President Clinton and before that, as special ethics counsel to the House Committee of Standards of Official Conduct (Ethics Committee).

From 1994 to 1996, he was appointed as Special Counselor to the United Nations High Commissioner for Human Rights in the investigation and prosecution of human rights violations, war crimes, and other human rights projects in Rwanda and the former Yugoslavia. Abbe has also served at the U.S. Department of Justice from 1977 to 1981 as a Special Assistant US Attorney, Special Assistant to the Deputy Attorney General, and Special Assistant to the Attorney General.

His high-profile clients have included national and international companies (Goldman Sachs, Intuit, GNC, Star Scientific, Bank Hapoalim, Banco San Juan Internacional), public officials (Governors Jim Gibbons and George Pataki; Senators Robert Torricelli, John Ensign, John Edwards, and Robert Menendez; Reps. Gary Condit, Charlie Wilson, Walter Fauntroy, Harold Ford, Bill Boner, Jim Weaver, Austin Murphy, and Joe McDade; NY Majority Leader Joe Bruno, Puerto Rico Senator Hector Martinez, D.C. Councilman Jack Evans, Senior Presidential Advisors Jared Kushner and Ivanka Trump), international organizations (U.N. High Commissioner for Human Rights), state and local governments (City of Alexandria, Virginia), government lobbyists (Jack Abramoff; former AIPAC official Steve Rosen), businessmen (Victor Restis, Gene Phillips, Aubrey McClendon, and Sam Waksal), actors (Steven Seagal, Sean Combs) and others.

Abbe has been recognized by various publications ranging from *The National Law Journal* to *Chambers USA* as one of the most influential and most successful attorneys in the United States. He has written articles on legal issues and current political events that have been widely published. He has also written op-ed pieces for newspapers, including *The Wall Street Journal*, *The New York Times*, *The Washington Post*, *USA Today*, and *Roll Call*, as well as articles for legal publications and websites, such as *Business Crimes Bulletin*, *American Criminal Law Review*, *Law.com*, *The National Law Journal*, and *Legal Times*. Abbe wrote the chapter "The Penal System Is Broken" for *Beyond a Reasonable Doubt*, a book edited by Larry King.

## Key Matters

*Some of the experience represented below may have been handled at a previous firm.*

### CRIMINAL CASES

*United States v. Robert Menendez* (sitting U.S. Senator on corruption and false filing charges)

*United States v. John Edwards* (former presidential candidate on election law charges)

*United States v. Hector Martinez* (Puerto Rico Senator charged with bribery)

*United States v. Ousama Naaman* (businessman charged with Foreign Corrupt Practices Act)

*United States v. Joseph Bruno* (former New York Senate leader charged with honest services violations)

*United States v. Paul Minor, et al.* (trial attorney charged with bribery and racketeering)

*United States v. Gene Phillips* (real estate developer/stock investor indicted for securities fraud)

*United States v. Henry Espy* (Mississippi public official indicted for election law and bank fraud)

*United States v. Loren Mintz* (bank president indicted for bank fraud)

*United States v. Jack Harvard* (bank president/local mayor charged with bank fraud)

*United States v. Phil Palmer* (leading attorney indicted for bankruptcy fraud)

*United States v. Thomas Gaubert* (real estate developer indicted for bank and other fraud)

*United States v. Erwin Friedman* (real estate developer indicted for bank and other fraud)

*United States v. Peter Gill* (bank CEO indicted for bank and other fraud)

*United States v. Sam McKerral* (real estate developer indicted for bank and other fraud)

*State of Maryland v. Stephen Edwards* (16-year-old charged with murder)

*United States v. Clarence Mitchell* (state official charged with bribery)

*United States v. Steven Rosen* (AIPAC lobbyist charged under the Espionage Act with disclosing classified information)

*United States v. Henry Cisneros and Sylvia Arce-Garcia* (public officials indicted for perjury and obstruction)

*United States v. Behzad Cohen* (chemical company indicted by California U.S. Attorney for violation of drug distribution laws)

*United States v. Jack Abramoff* (D.C. lobbyist charged with gratuities, wire fraud and tax evasion)

*United States v. Roya Rahmani* (political asylum grantee indicted by California U.S. Attorney for illegally providing aid to foreign groups—case later reinstated)

*United States v. Judy Wischer* (bank CEO charged with securities and bank fraud)

*United States v. Toussie* (real estate developer indicted for tax violations)

*United States v. Al Malik Alshahhi et al.* (analyst charged with acting as agent of a foreign government)

*United States v. Hamilton, et al.* (real estate developer charged with bribery)

## **CIVIL CASES**

*Bailey, et al. v. George Pataki, et al.* (former New York Governor case involving federal civil rights claims)

*Victor Restis v. UANI* (international shipping businessman defamation suit)

*Gaubert v. United States* (Supreme Court of the United States, U.S. Court of Appeals for the Fifth Circuit and U.S. District Court for the Northern District of Texas case involving claims of U.S. violations of civil rights and tort claims)

*Toussie v. Suffolk County* (federal civil rights claims)

*Abramson v. JCC* (Maryland highest court case establishing charitable immunity)

*Lawrence v. A.S. Abell Co.* (Maryland highest court case defending newspaper from invasion of privacy)

*SCAD v. SVA* (Georgia highest court case affirming client's claims of civil liability for co-conspirators)

*McCarthy v. City of Alexandria* (federal civil rights defense)

*G-I Holdings v. Baron & Budd* (federal civil RICO and fraud case)

*City of Alexandria, VA v. FAA* (lawsuit challenging flight patterns via Endangered Species Act)

*Joan Baez v. CIA* (FOIA appeal)

## **REPRESENTATIVE ADMINISTRATIVE/CONGRESSIONAL PROCEEDINGS**

*In re: Impeachment Proceedings of President William Jefferson Clinton* (Chief Minority Investigative Counsel)

*In re: Rep. Charles Wilson* (Congressman's ethics counsel)

*In re: Rep. Mario Biaggi* (Congressman's ethics counsel)

*In re: Rep. Austin J. Murphy* (Congressman's ethics counsel)

*In re: Rep. William H. Boner* (Congressman's ethics counsel)

*In re: Rep. Walter Fauntroy* (Congressman's ethics counsel)

*In re: Rep. Roy Dyson* (Congressman's ethics counsel)

*In re: Rep. Dan Daniels* (Congressman's ethics counsel)

*In re: Rep. James Weaver* (Congressman's ethics counsel)

*In re: Rep. Charles G. Rose III* (Congressman's ethics counsel)

*In re: Lincoln Savings and Loan Association* (OTS cease and desist proceeding)

## **Recent Experience**

Prevailed in Fifth Circuit for Prominent Real Estate Developer, Vacating Bribery and Conspiracy Convictions

Secured High-Profile Acquittal at Trial for Matthew Grimes on Charges He Acted as an Unregistered Foreign Agent

# Recognitions

Abbe has received numerous accolades from his peers and prominent legal publications, and he is consistently ranked among top Washington, DC, and national lawyers. Publications in which he has been recognized include:

- *Who's Who Legal*, recognized as a leading investigations lawyer, 2024
- *Lawdragon*, recognized as one of the "500 Leading Litigators in America" for White Collar, Investigations, 2023–2024
- *Benchmark Litigation US*, recognized as a "National Practice Area Star" for White Collar Crime, Securities, Professional Liability and Commercial Litigation, 2022–2024
- *Benchmark Litigation US*, recognized as one of the "Top 100 Trial Lawyers in America," 2015, 2018–2024
- *Benchmark Litigation US*, recognized as a "D.C. Litigation Star," 2023–2024
- *Forbes*, recognized as one of the "Top 200 Lawyers in America," 2024
- *Washingtonian Magazine*, Lawyer Lifetime Achievement Member, 2022
- *The Legal 500 US*, Hall of Fame, 2020–2023
- *The Legal 500 US*, "Leading Trial Lawyer," 2023
- *The National Law Journal*, recognized as a "Criminal Law Trailblazer", 2020
- *The National Law Journal*, recognized as a "Winning Litigator", 2018 and 2020
- *The National Law Journal*, recognized as a "White Collar Litigation Trailblazer", 2018
- *Chambers USA*, ranked "Band 1" for White Collar Defense & Government Investigations in Washington, D.C., 2018–2023
- *Chambers USA*, listed as a "Recognized Practitioner" for Nationwide Litigation: Trial Lawyers, 2018–2019
- *The Best Lawyers in America*®, recognized for Criminal Defense – White Collar, 2005–2012, 2018–2024
- *The Legal 500 US*, recognized as a "Leading Trial Lawyer" for Corporate Investigations and Dispute Resolution, 2012–2019
- *The Legal 500 Latin America*, International Firms – Recognized Lawyer for Compliance & Investigations 2022–2024
- *Expert Guide's Best of the Best USA*, recognized as one of the top 30 "Leading White Collar Crime Lawyers", 2015
- LawNewz.com, recognized as one of the "Top 38 Criminal Defense Attorneys in America," 2016
- Law360, "White Collar MVP", 2013
- *The National Law Journal*, selected as the "Most Influential Lawyer in America", 2013
- National Association of Criminal Defense Lawyers, selected as the "White Collar Criminal Defense Attorney of the Year," 2013
- *Benchmark Litigation US: The Definitive Guide to America's Leading Litigation Firms & Attorneys*, listed, 2008–2016
- *Washingtonian Magazine*, recognized as as one of the "Top 30 Lawyers in Washington, D.C.," 2011
- *The National Law Journal*, recognized as one of the "Most Influential Lawyers in America," *The National Law Journal*, 2011
- Washington, DC *Super Lawyers*, White Collar Criminal Defense, Thomson Reuters, 2007–2018

- *Who's Who Legal*, recognized as a "Thought Leader" for Business Crime Defence – Corporates and Individuals, 2022
  - *Who's Who Legal*, recognized as a "Global Leader" for Business Crime Defence – Corporates and Individuals and Investigations, 2022
  - *Who's Who Legal: The International Who's Who of Business Lawyers*, listed, 2000–2012
  - *Who's Who Legal: The International Who's Who of Business Crime Defense Lawyers*, listed, 2012
  - *The National Law Journal*, listed on the "Appellate Hot List", 2010
  - *Lawdragon 500*, listed, 2006–2009
  - *The National Law Journal*, recognized as one of the "100 Most Influential Attorneys in America," 2006
  - *Marquis Who's Who in America*, listed, 2006–2009
  - *Marquis Who's Who in American Law*, listed, 2005–2009
  - *Legal Times*, recognized as one of the "Top 10 Leading White – Collar Criminal Defense Lawyers in Washington, D.C.," 2006
  - *Washingtonian Magazine*, recognized as a "Top Attorney," in every survey conducted since 1986
  - *The National Law Journal*, listed as one of the "Top 10 Trial Lawyers in America," July 2002
  - *The National Law Journal*, recognized on the "Appellate Hot List," 2010
  - *Vanity Fair*, listed as one of the "Top Lawyers in Washington and the Washington Universe," October 1997
  - *Roll Call*, listed as one of the "D.C. Lawyers to Call," 1993
  - *Regardie's* magazine, listed on the "Washington Power 100," November 1991
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## Activities

- Member, American Bar Association (ABA) (prior chair of the ABA Committee on Rules, White Collar Crime Section)
  - Member and Conference Chair, National Association of Criminal Defense Lawyers
  - Member, International Academy of Trial Lawyers
  - Adjunct professor, Georgetown Law Center in Washington, D.C., teaching trial practice, evidence, and advanced criminal procedure, 1984–present
  - Adjunct professor, Columbia Law School in New York, teaching trial practice, evidence, and advanced criminal procedure, 2006–present
  - Trustee, The Shakespeare Theatre Company (Chair of Development, Chair of the Lawyers' Bard Association)
  - Vice president and general counsel, Jewish Community Center of Greater Washington
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## Credentials

### EDUCATION

Abbe received a J.D. from Columbia University and a B.A. from Columbia College.

### ADMISSIONS

- District of Columbia
- New York

## Related Insights & News

### PUBLICATIONS

- Opinion: Congress has the power to subpoena its own members, *The Washington Post*, Jan. 12, 2022
- The Major Fraud Statute May Apply to Borrowers of Funds Under the CARES Act, Winston & Strawn Client Briefing, June 10, 2020
- Federal Program Bribery Law May Reach Paycheck Protection Program Loan Recipients, Law360, May 2020
- Problems with Federal Courts Tolling Statutes of Limitations, Law360, May 2020
- Problems with Tolling the Speedy Trial Act During Pandemic, Law360, May 2020
- An Early Look At DOJ's Increased Focus On COVID-19 Fraud, Law360, April 6, 2020
- DOJ And States Creatively Respond To Fraud Amid COVID-19, Law360, March 25, 2020
- 6 more leading trial lawyers share secrets of effective opening statements, *ABA Journal*, March 2017
- The Broken System of Classifying Government Documents, *New York Times*, Feb. 29, 2016
- Devil's Advocate: Defending Angelo in Measure for Measure, *Asides*, Sept. 4, 2013
- Abbe Lowell: Prosecutors' bad decisions should have real costs, *The Washington Post*, June 21, 2012
- Federalizing Corporate Internal Investigations and the erosion of employees' fifth amendment rights, *Georgetown Law Journal* – 40 Geo. L.J. Ann. Rev. Crim. Proc., Co-author, June 2011
- Knock, Knock, Who's There? The Government, American Bar Association, Co-author, April 2011
- Not Every Wrong is a Crime: The Legal and Practical Problems with the Federal Honest Services Statute, Rev. En Banc. 11, 2010
- Don't Overstate Crimes, *The National Law Journal*, Oct. 27, 2008
- Crossing Borders, *National Law Journal*, June 2008
- Supreme Sentence Snafu, *Legal Times*, Aug. 2007
- The Right Way to Manage U.S. Attorneys, *The Washington Post*, March 10, 2007
- Ironies of the U.S. Attorney Firings, *The Washington Post*, March 2007
- Is the DOJ's New Policy of Prosecuting Corporations Real Reform or Business as Usual?, Law.com, Jan. 31, 2007
- The Penal System Is Broken, Beyond a Reasonable Doubt, Phoenix Books, Dec. 2006
- Overseeing Oversight, *National Law Journal* (reprinted in the *New Jersey Law Journal*), Nov. 2006
- Independent Positions: Joe Stands on Principles, *The Hartford Courant*, Oct. 29, 2006
- The Presumption of Innocence Should Not Be Taken Lightly, *Roll Call*, July 19, 2006
- Real Reform Must Scrutinize Lobbying and Lawmakers, *USA Today*, June 21, 2006
- Whose Truth Is It, Anyway? Commentary: A Case for Judicial Grants of Defense Witness Immunity, Law.com, Co-author, April 19, 2006
- Memorandum of Law in Support of Defendants Steven J. Rosen's and Keith Weissman's Motion to Dismiss the Superseding Indictment, Feb. 2006



- Don't Scapegoat My Client, *USA Today*, May 23, 2005
- Don't Release [Rwandan] Killers, *National Law Journal*, April 12, 2004
- Corporate Crime After 2000: A New Law Enforcement Challenge or Déjà Vu?, *American Criminal Law Review*, April 2003
- Conscious Avoidance: A Head in the Sand Puts a Target on Your Back, *Business Crimes Bulletin*, Oct. 2002
- Impeachment Was Never the Objective, *National Law Journal*, Jan. 17, 2000
- A Permanent Special Prosecutor, *Legal Times*, Feb. 23, 1998
- The First Lady's Privilege, *National Law Journal*, May 19, 1997
- Starr Flap Shows Need for Reform, *National Law Journal*, May 13, 1996
- The O.J. Case—Post Verdict Lessons, *Legal Times*, Oct. 16, 1995
- Congress Robs Its Own of Due Process, *National Law Journal*, Oct. 9, 1995
- UN Human Rights Getting Lost In Peacekeeping Debate, June 6, 1995
- International War Crimes Tribunals: A Good Start, But Not Enough, *Legal Times*, April 3, 1995
- Presumption of Innocence [More Than a Catchy Phrase], *Legal Times*, Feb. 21, 1994
- Bush's Violent Crime Policy is Soft on Sense, *The Wall Street Journal*, Oct. 1, 1992
- When Barks Exceeds Bites [Prosecutors Seeking Publicity], *National Law Journal*, Sept. 16, 1991
- The Sting That Got Away [Entrapment], *The Washington Post*, Aug. 24, 1990
- The Barry Jury [Mayor Barry's Trial], *The Washington Post*, June 29, 1990
- Setting the Trap [Mayor Barry's Arrest], *National Law Journal*, Feb. 26, 1990
- Ed Meese's Revenge [Special Prosecutors for Congress], *National Law Journal*, April 3, 1989
- Choosing the Next Attorney General, *National Law Journal*, July 11, 1988
- Prosecutors Targeting Black Officials, *The Sun* and other newspapers including *Legal Times*, March 28, 1988
- Politicians' Ethics No Worse Than Before, *Legal Times*, July 27, 1987
- The FHLBB's Smokescreen Of Congressional Interference, *National Thrift News*, July 13, 1987
- Money Laundering Legislation, *American Banker*, Oct. 6, 1986
- Privacy, Tough Money Laws Do Mix, *National Law Journal*, Sept. 15, 1986
- The Administration That Cried Wolf [Executive Privilege], *Legal Times*, Aug.. 11, 1986
- Real Story: Oversight by Congress [of FHLBB] Works, *Dallas Times Herald*, Aug. 5, 1986
- Bhopal Tragedy Breeds Legal Disaster, [Legal Ethics], *Legal Times*, Dec. 24, 1984
- Safeguards Offered for Officials Under Probe, *New York Law Journal*, Sept. 8, 1983
- The Birth of Electronic Publishing, Chapters on First Amendment and Defamation (Knowledge Ind. 1982)
- The Mandate, *The New York Times*, Sept. 25, 1981

## **SPEAKING ENGAGEMENTS**

- The Mueller Investigation: What Have We Learned and What Can We Learn? National Association of Criminal Defense Lawyers White Collar Crime Conference, Santa Monica, California, June 21, 2019



- Enforcement Abroad: The Extraterritorial Jurisdiction of the United States, *The Legal 500* Middle East Dispute Resolution Summit, Dubai, United Arab Emirates, May 1, 2019
- Prosecutorial Discretion, Neutrality & Ethics in an Age of Increasing Politicization, American University Washington College of Law, March 14, 2019
- District of Columbia Court of Appeals Distinguished Speaker Series, Feb. 21, 2019
- Read the Menu Carefully—Charging Decisions & Defense Strategies in Public Corruption Cases, ABA Southeastern White Collar Crime Institute, Braselton, Georgia, Sept. 7, 2018
- The Trial of Hamlet, Shakespeare Theater Company, C-SPAN, Washington, DC., 1997, 2007, 2018
- Classified Information Litigation Course [Military Branches] – Navy Yard, Ft. Meyer, 2016–Present
- Trial of Edward Snowden, Legally Speaking, Washington, D.C. Jan. 2014
- Navigating the Storm—Crisis Management Techniques for In-House and Outside Counsel, The Voice of the Defense Bar Conference, Washington, D.C., June 27-28, 2013
- War on Whistleblowers: Free Press and the National Security State, Newseum, Washington, DC, April 16, 2013
- Recent Trials, The 27th Annual National Institute on White Collar Crime, Las Vegas, NV, March 7, 2013
- 2012 NACD Board Leadership Conference, National Harbor, MD, Oct. 14-16, 2012
- Keynote Address, The Cardozo Society, Minneapolis, MN, 2011
- 13th Annual Freedom of Information Day, Washington, DC, March 16, 2011
- WikiLeaks, the Espionage Act, and the First Amendment: The Law, Politics, and Policy of Prosecuting Julian Assange, American University Washington College of Law, Washington, D.C., Jan. 11, 2011
- House Judiciary Testimony (The Espionage Act), Washington, D.C., Dec. 16, 2010
- Criminal Law, National Security and the First Amendment, Washington, D.C., Oct. 29, 2010
- Assessing the Impact and Outcomes of Recent Insurance Investigations, 19th International Reinsurance Congress, Bermuda, Oct. 19-21, 2005

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## RECOGNITIONS

Winston Attorneys Ranked Among the Top 200 Lawyers in America by *Forbes*

MARCH 26, 2024

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## RECOGNITIONS

Abbe Lowell Named Trial Lawyer of the Year by The National Trial Lawyers

JANUARY 24, 2024

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## RECOGNITIONS

Winston & Strawn Wins Three Law360 Practice Group of the Year Awards

JANUARY 22, 2024

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## RECOGNITIONS

Winston & Strawn Named Among *Global Investigations Review's* 2023 GIR 100

DECEMBER 5, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in All Categories of *The Legal 500 Latin America* 2024

OCTOBER 26, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

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## RECOGNITIONS

Winston Partners Named to *Benchmark Litigation's* 2024 Top 100 Trial Lawyers

OCTOBER 6, 2023

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## RECOGNITIONS

Winston & Strawn Partners Recognized in 2024 *Lawdragon* 500 Leading Litigators in America

SEPTEMBER 8, 2023

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## RECOGNITIONS

Winston Attorneys Named to 2022 Capital Pro Bono Honor Roll

SEPTEMBER 6, 2023

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## RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024

AUGUST 17, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2023

JUNE 7, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in *Chambers USA* 2023

JUNE 6, 2023

# Capabilities

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Government Investigations, Enforcement & Compliance	Commercial Litigation & Disputes
Securities, M&A & Corporate Governance Litigation	Appellate & Critical Motions
Antitrust/Competition	International Trade
Government Program Fraud, False Claims Act & Qui Tam Litigation	Financial Services
Technology, Media & Telecommunications	Sports
	Health Care
	Medical Devices