

Michael Attanasio

Partner and Litigation Department Chair



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San Diego

Global Cartel Defense
Antitrust Litigation and Enforcement
Class Action Litigation
Commercial Litigation
False Claims Act/Qui Tam/FIRREA
International Anti-Corruption/FCPA
Arbitration
Securities Litigation + Enforcement
Sports and Entertainment
Trials
White Collar Defense and Investigations
Antitrust and Competition
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Mike Attanasio is chair of Cooley's global Litigation Department, overseeing the business litigation, intellectual property, and employment groups. He also leads the Department's lateral recruiting efforts and growth strategy. With more than 25 years of first-chair trial experience, Mike has been recognized dozens of times for his representation of clients in commercial litigation, antitrust, and white collar matters. A fellow in the American College of Trial Lawyers, Mike has been called one of the Top 100 Lawyers in California by the Daily Journal, a "Game Changer" by The Recorder, and a "White Collar MVP" by Law360. Beyond his courtroom advocacy, Mike serves on Cooley's Compensation Committee and is Partner-in-Charge of the San Diego office. He is also the Chair of the Standing Committee on Attorney Discipline for the Southern District of California, a position to which he was appointed by the District Court.

Mike's trial skills, his dedication to understanding his clients' businesses, and his leadership presence are the traits that have led to Mike being one of the most sought-out trial lawyers in the United States. With numerous high-profile and complex trials under his belt, he has represented companies in complex business disputes, and individuals in investigations and prosecutions that threaten their personal liberty and financial future.

One of the defining moments in Mike's career was acting as co-trial counsel for baseball legend Roger Clemens in the obstruction of Congress and perjury prosecution brought against Clemens by the U.S. Attorney's Office for the District of Columbia. After a nine-week trial, the jury returned not guilty verdicts on all six counts. Mike's cross-examination of prosecution witness Andy Pettitte, a former teammate of Clemens, was called a key turning point in the trial by several observers. Throughout the trial and in his closing argument, Mike also took the lead in debunking DNA evidence that prosecutors claimed linked Clemens to the use of performance-enhancing drugs.

Other notable representations include:

- Lead trial counsel for a publicly traded financial services company in a breach of contract trial in the Southern District of California concerning alleged improper disclosures made by the company in an SEC filing regarding the termination of its former Vice President and General Counsel. The trial victory was described by one media outlet as one of the top defense verdicts in California for 2014.
- Lead trial counsel for a worldwide electronics company defending against fraud and breach of contract claims in California Superior Court. After a lengthy trial, the jury ruled in favor of Cooley's client on most claims and awarded damages to the client that exceeded plaintiff's recovery. The case subsequently

settled on favorable terms.

- Lead trial counsel for a former Arthur Andersen partner accused by the Justice Department with conspiracy, securities fraud, and wire fraud in connection with the financial reporting of Peregrine Systems, a worldwide software company. The U.S. Attorney described the case as the largest fraud in the history of the Southern District of California. After two trials lasting nearly six months, both juries declined to convict Mike's client on a single count and all charges were dismissed.
- Lead counsel for a dual Canadian-Israeli citizen who, while represented by prior counsel, pled guilty to a felony charge of money laundering based on his connection to a payment processing company that serviced an allegedly illegal online pharmacy. After voluminous briefing and an evidentiary hearing in which prior counsel testified for the government, the court granted the motion to withdraw the guilty plea, finding that there were "fair and just reasons" to do so.

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From 1991 through 1999, Mike was a federal prosecutor in Washington, D.C., for the Public Integrity Section of the United States Department of Justice. During his eight-year tenure, Mike tried cases in federal courts around the country, including Texas, Ohio, Kentucky, Washington, D.C., and New York. He received the Department's most prestigious trial honor, the John Marshall Award for Trial of Litigation, along with several other commendations from federal law enforcement agencies. Mike's notable trials as a federal prosecutor include the following:

- The conviction of a former United States Congressman for racketeering, bribery and illegal gratuities after a trial in the Western District of Texas. Mike also argued the appeal before the Fifth Circuit, and the conviction and sentence were affirmed.
- The conviction of a prominent Cleveland defense attorney for mail fraud and tax evasion after a trial in the Northern District of Ohio involving the attorney's solicitation of substantial amounts of money from a criminal defendant based on his promise use the money to bribe a federal judge. Mike also argued the appeal before the Sixth Circuit, and the conviction and sentence were affirmed.
- The conviction of a senior Defense Intelligence Agency official for mail fraud after a trial in the District Court for the District of Columbia involving payments by a defense contractor to a third party with whom the official was involved in a romantic relationship.
- The conviction of a coal mining company and its owner for mail fraud after a trial in the Western District of Kentucky involving bid rigging on coal supply contracts at a public utility.
- The conviction of a City Councilman and a Port Commissioner for bribery and mail fraud after a trial in the Southern District of Texas.

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Mike speaks and publishes frequently about trial practice and white collar criminal issues, and he is routinely named among the best in his fields of practice by various publications. He graduated from Stanford Law School in 1990 and thereafter served as a law clerk to the Honorable Rudi M. Brewster, United States District Judge for the Southern District of California. He received his BA from Princeton University, Princeton School of Public and International Affairs.

Education

Stanford Law School
JD, 1990

Princeton University

BA, 1987

Admissions & Credentials

California

Court Admissions

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Sixth Circuit

US Court of Appeals for the District of Columbia Circuit

US District Court for the Central District of California

US District Court for the Northern District of California

US District Court for the Southern District of California

US District Court for the Southern District of Texas

US District Court for the District of Columbia

Rankings & Accolades

American College of Trial Lawyers: Fellow

Attorney General's John Marshall Award for Legal Achievement (Trial)

Law360: White Collar MVP

The Daily Journal: Top 100 Attorneys in California

The Daily Journal: Top Defense Verdicts (*Moser v. Encore Capital et al.*)

Recorder: Game Changer award (*US v. Jacobson*)

Best Lawyers: Bet-the-Company Litigation, Commercial Litigation, White Collar Defense

Benchmark Litigation: Litigation, White Collar

Chambers USA: Band 1 for Litigation: General Commercial – California: San Diego (2020 – 2024)

Super Lawyers: Top 10 Lawyer in San Diego

Super Lawyers: White Collar Defense, Securities Litigation

San Diego Daily Transcript: Top San Diego County Attorneys (Criminal Law)

Legal 500: Dispute Resolution – General Commercial Disputes; Trade Secrets (Litigation and Non-Contentious Matters)

Memberships & Affiliations

American College of Trial Lawyers