Corporate Political Activity and Government Affairs Compliance Seminar

THURSDAY, FEBRUARY 8, 2024 | WASHINGTON



Speaker Biographies



<u>Doug Gibson</u>
Partner and Chair of Management Committee, Washington dgibson@cov.com

Session: Welcome and Introduction

Doug Gibson is Chair of Covington's Management Committee, and is responsible for the overall direction of Covington's strategy and operations. In addition to his leadership and management roles, Doug has continued an active corporate practice, with a particular focus on clients in the sports and consumer products industries. His practice emphasizes strategic counseling; mergers, acquisitions, divestitures and joint ventures; debt financings; and sports media transactions. Doug also has significant expertise in cross-border transactions gained both during his tenure at Covington and through his prior experience as General Counsel of Bacardi Limited. In addition to negotiating and structuring transactions, he advises clients on general corporate and strategic matters, including corporate governance issues and senior executive employment and incentive arrangements.



Rob Kelner
Partner, Washington
rkelner@cov.com

Sessions:

An Update on Political Law Enforcement Trends Fireside Chat: Political Risk and Crisis Management for Corporations (Moderator)

Rob Kelner is the chair of Covington's nationally recognized Election and Political Law Practice Group. He counsels clients on the full range of political law compliance matters, and defends clients in civil and criminal law enforcement investigations concerning political activity. He also leads the firm's prominent congressional investigations practice. Rob's political law compliance practice covers federal and state campaign finance, lobbying disclosure, pay-to-play, and government ethics laws. His expertise includes the Federal Election Campaign Act, Lobbying Disclosure Act, Ethics in Government Act, and Foreign Agents Registration Act. Rob regularly defends clients in congressional investigations before virtually every major congressional investigation committee. He also defends corporations and others in investigations by the Federal Election Commission, the Public Integrity Section of the U.S. Department of Justice, federal Offices of Inspector General, state Attorneys General, and the House & Senate Ethics Committees. He has prepared many CEOs and corporate executives for testimony before congressional investigation panels. In addition, he is frequently retained to lead internal investigations and compliance reviews for major corporate clients concerning lobbying and campaign finance law issues.

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THURSDAY, FEBRUARY 8, 2024 | WASHINGTON





Peter Koski
Partner, Washington
pkoski@cov.com

Session:

An Update on Political Law Enforcement Trends

Drawing on his experience as a senior DOJ official and leading international anti-corruption practitioner, Peter Koski represents companies and individuals in sensitive, high-stakes government and regulatory enforcement matters and internal investigations. Peter has a depth of experience investigating, bringing to trial, and handling on appeal complex white collar matters involving the public and private sectors. He has handled an array of matters relating to foreign and domestic corruption, business and human rights, supply chain sourcing, cyber security, and violations of the federal laws governing elected and appointed officials. Prior to joining the firm, Peter served as Deputy Chief of the U.S. Department of Justice's Public Integrity Section, where he helped manage a team of over 30 attorneys responsible for investigating and prosecuting corruption across the country. In over a decade of service in the Justice Department, Peter partnered with numerous U.S. Attorney's Offices and worked closely with senior officials at over 25 federal agencies. Peter has tried over two dozen bench and jury trials, appeared in court in over a dozen districts across the country, and has handled corruption matters on five continents.



<u>Derek Lawlor</u>
Of Counsel, Washington <u>dlawlor@cov.com</u>

Sessions:

A Crash Course on the Lobbying Disclosure Act Federal PACs

Derek Lawlor advises corporations, nonprofit organizations, and trade associations on compliance with federal and state lobbying, campaign finance, and government ethics laws. Clients regularly rely on Derek to assist with their complex questions related to activities and projects that implicate all of these laws. Derek advises federal and state candidates and super PACs on campaign finance and disclosure issues. Derek also represents clients in government investigations and inquiries conducted by the Federal Election Commission, Office of Congressional Ethics, and Congressional Committees and Commissions. Derek's representation of clients covers the full range of important political law issues that they face, including: advising clients on their registration and reporting obligations under the federal Lobbying Disclosure Act, as well as state and local lobbying laws; and assisting corporations and trade associations with the establishment and operation of connected PACs.

Corporate Political Activity and Government Affairs Compliance Seminar

THURSDAY, FEBRUARY 8, 2024 | WASHINGTON





Elizabeth Upton
Associate, Washington
eupton@cov.com

Sessions:

A Crash Course on the Lobbying Disclosure Act State Campaign Finance and Lobbying Laws

Elizabeth Upton represents and counsels corporate, political, and individual clients in matters before government agencies and Congress. Elizabeth also advises companies, PACs, nonprofits, and individuals on the full range of political law compliance and enforcement matters involving federal election, campaign finance, lobbying, and government ethics laws, as well as the election and political laws of states and municipalities across the country. Elizabeth also defends clients in high-profile congressional investigations before House and Senate Committees, as well as in criminal and civil government investigations before the Public Integrity Section of the Department of Justice and the Federal Election Commission. She has experience assisting companies in responding to formal and informal inquiries, requests, and subpoenas for documents, information, and testimony, and has experience preparing senior executives to testify before congressional committees. Prior to joining Covington, Elizabeth served as a Law Clerk to the U.S. Senate Permanent Subcommittee on Investigations (PSI).



Alexandra Langton
Associate, Washington
alangton@cov.com

Sessions:

The Foreign Agents Registration Act (DOJ's Crackdown Continues) Government Ethics Rules (Including Gift Rules)

Alexandra Langton represents clients in high-profile and high-risk congressional investigations, FEC investigations, and other criminal, civil, and internal investigations that present legal, political, and public relations risks. She also advises companies, PACs, nonprofits, and individuals on compliance with federal and state campaign finance, ethics, lobbying laws, and vetting matters. Alexandra has particular expertise in FARA, and frequently interacts with the FARA Unit of the DOJ and advises clients on top-tier FARA compliance programs, including FARA policies, FARA trainings, and FARA fillings. Alexandra also represents a number of clients in high-profile civil and criminal FARA enforcement actions.

Corporate Political Activity and Government Affairs Compliance Seminar

THURSDAY, FEBRUARY 8, 2024 | WASHINGTON





Andrew Garrahan
Special Counsel, Washington
agarrahan@cov.com

Sessions:

Vetting Corporate Contributions to Political Committees and Tax-Exempt Organizations Election-Year Issues Facing Corporations

Andrew Garrahan represents and counsels clients at the intersection of law and politics. He guides them through both regulatory compliance issues and government investigations on matters including state and federal campaign finance, ethics, lobbying, and corruption, as well as in congressional investigations. Andrew's prior career in political fundraising gives him a unique perspective on the challenges faced by his clients, which include corporations, candidates, government officials, political and nonprofit organizations, and private individuals. Andrew's counseling and advisory practice includes: guiding clients on structuring of and compliance for their state and federal lobbying and grassroots advocacy campaigns; representing campaigns, Super PACs, corporations, trade associations, and individuals on the applicability of FECA and state campaign finance law; counseling on FARA registration and disclosure, and its interaction with LDA; helping companies comply with state and federal ethics laws; and auditing corporate political law compliance practices. Andrew's investigations and defense work includes: representing clients in Congressional investigations; preparing company officers and other individuals for testimony in Congressional investigative hearings; defending clients in DOJ matters related to campaign finance, lobbying, ethics, and public corruption; and representing clients before the FEC and state campaign finance, lobbying, and ethics regulators.



Susan Leahy
Of Counsel, Washington
sleahy@cov.com

Session:

Vetting Corporate Contributions to Political Committees and Tax-Exempt Organizations

Susan Leahy has advised tax-exempt, nonprofit organizations on tax and corporate governance matters for over 25 years, working with organizations that operate in the United States as well as internationally. She assists nonprofits organizations in obtaining and maintaining tax-exempt status and advises boards and senior executives on a range of governance policies and procedures. Susan also advises other organizations and individuals on the tax implications of engaging in lobbying and political activities.

Corporate Political Activity and Government Affairs Compliance Seminar

THURSDAY, FEBRUARY 8, 2024 | WASHINGTON





Eric Holder
Senior Counsel, Washington

Session:

Fireside Chat: Political Risk and Crisis Management for Corporations

Eric Holder advises clients on complex investigations and litigation matters, including those that are international in scope and involve significant regulatory enforcement issues and substantial reputational concerns. Eric, who was a partner at Covington from 2001 to 2009, rejoined the firm after serving for six years as the 82nd Attorney General of the United States. Before his service as Attorney General, Eric maintained a wide-ranging investigations and litigation practice at Covington. Among numerous significant engagements, he led the firm's representation of a major multi-national agricultural company in related civil, criminal, and investigative matters; acted as counsel to a special investigative committee of the board of directors of a Fortune 50 technology company; successfully tried a complex discrimination lawsuit on behalf of a leading financial services company; and represented several life sciences companies in litigation and investigations. Eric served as Attorney General from February 2009 to April 2015. As the third longest serving Attorney General in U.S. history and the first African American to hold that office, Eric is an internationally recognized leader across a broad range of regulatory enforcement, criminal justice, and national security issues. In 2014, Time magazine named Eric to its list of 100 Most Influential People, noting that he had "worked tirelessly to ensure equal justice." Including his tenure as Attorney General, Eric has served in government for more than thirty years, having been appointed to various positions requiring U.S. Senate confirmation by Presidents Obama, Clinton and Reagan.



Kimberly Railey
Associate, Washington krailey@cov.com

Session: Federal PACs

Kimberly Railey is an associate in the firm's Election and Political Law Practice Group, advising corporations, PACs, nonprofits, and individuals on compliance with federal and state lobbying, campaign finance, and government ethics laws. She also represents and counsels clients in matters before government agencies and Congress. Prior to law school, Kimberly was a political reporter for a nonpartisan publication in Washington, DC.

Corporate Political Activity and Government Affairs Compliance Seminar

THURSDAY, FEBRUARY 8, 2024 | WASHINGTON





Zachary Parks
Of Counsel, Washington
zparks@cov.com

Sessions: *Election-Year Issues Facing Corporations Pay-to-Play Laws and Rules*

Zachary Parks advises corporations, trade associations, campaigns, and high-net worth individuals on their most important and challenging political law problems. Zack is also a leading lawyer in the emerging corporate political disclosure field, regularly advising corporations on these issues. His expertise includes the Federal Election Campaign Act, the Lobbying Disclosure Act, the Ethics in Government Act, the Foreign Agents Registration Act, and the Securities and Exchange Commission's pay-to-play rules. He has helped clients comply with the election and political laws of all 50 states. Zack also frequently leads political law due diligence for investment firms and corporations during mergers and acquisitions. He routinely advises corporations and corporate executives on instituting political law compliance programs and conducts compliance training for senior corporate executives and lobbyists. He also has extensive experience conducting corporate internal investigations concerning campaign finance and lobbying law compliance and has defended his political law clients in investigations by the Federal Election Commission, the U.S. Department of Justice, Congressional committees, and in litigation.



<u>Channing Ruff</u> * Associate, Washington <u>jruff@cov.com</u>

Session:
State Campaign Finance and Lobbying Laws

Channing Ruff is an associate in the firm's Election and Political Law Practice Group. He advises clients responding to high-profile investigations and hearings before Congress and government agencies. He also advises corporations, PACs, nonprofits, and individuals on compliance with federal and state campaign finance, election, and lobbying laws. Prior to law school, Channing was a government affairs associate at a major Democratic lobbying firm and Senior Legislative Analyst for a financial services trade association.

*Channing is a member of the State Bar of Texas. District of Columbia bar application pending; supervised by principals of the firm.

Corporate Political Activity and Government Affairs Compliance Seminar

THURSDAY, FEBRUARY 8, 2024 | WASHINGTON





Matt Shapanka
Special Counsel, Washington
mshapanka@cov.com

Session:Government Ethics Rules (Including Gift Rules)

Matt Shapanka draws on more than 15 years of experience on Capitol Hill, private practice, state government, and political campaigns to counsel clients on significant legislative, regulatory, and enforcement matters across a range of industries, including matters involving technology, intellectual property, national security, financial services, and federal elections. He develops and executes complex, multifaceted public policy initiatives for clients seeking actions by Congress, state legislatures, and federal and state government agencies, many with significant legal and political opportunities and risks. Matt rejoined Covington after serving as Chief Counsel for the U.S. Senate Committee on Rules and Administration, where he advised Chairwoman Amy Klobuchar (D-MN) on all legal, policy, and oversight matters before the Committee, particularly federal election and campaign finance law, Federal Election Commission nominations, and oversight of the legislative branch. Both in Congress and at Covington, Matt has prepared dozens of corporate and nonprofit executives, academics, government officials, and presidential nominees for testimony at congressional committee hearings and depositions. Matt also leads the firm's state policy practice, advising clients on complex multistate legislative and regulatory policy matters and managing state advocacy efforts.



Kevin Glandon
Associate, Washington
kglandon@cov.com

Session: Pay-to-Play Laws and Rules

Kevin Glandon has experience in responding to congressional investigations and advising clients in compliance and defense matters regarding political and election law, including the Foreign Agents Registration Act, the Securities and Exchange Commission's pay-to-play rules, the Federal Election Campaign Act, Senate and House ethics rules, and numerous state and local political and election laws and regulations. Kevin's practice focuses on insurance advocacy for policyholders. He has helped policyholders recover over \$1 billion for first party losses and third-party liabilities. Kevin has extensive experience with complex, multimillion-dollar property damage and business interruption claims arising out of catastrophic events, including damage to or destruction of commercial real estate, hotels, and manufacturing plants caused by hurricanes, floods, and fires—prominent risks potentially impacted by climate change. Kevin also has significant experience litigating and advising on coverage for environmental and products liability claims.

Corporate Political Activity and Government Affairs Compliance Seminar

THURSDAY, FEBRUARY 8, 2024 | WASHINGTON





Pooja Shah Kothari
Associate, Washington
pskothari@cov.com

Session:

Vetting Corporate Contributions to Political Committees and Tax-Exempt Organizations

Pooja Shah Kothari is a member of the Tax Practice and Election and Political Law Groups. She has experience counseling clients on tax controversy matters at the Federal and state level. In addition, Pooja advises various tax-exempt and nonprofit organizations on a wide range of issues, such as federal tax exemption, unrelated business income tax, private benefit, inurement, and other tax rules, as well as entity formation and other corporate governance matters.