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TOP WHITE COLLAR LAWYERS 2020

Leslie R. Caldwell

Caldwell, a Latham & Watkins partner, specializes in white collar defense and investigations, complex commercial litigation, securities litigation and professional liability cases. She joined the firm in 2017 after a distinguished career at the U.S. Department of Justice as the assistant attorney general for the criminal division under President Barack Obama.

Caldwell serves on President-elect Joe Biden's transition team.

Earlier, she was a partner at Morgan, Lewis & Bockius in New York following her work leading the DoJ's Enron Task Force. At the beginning of her career, as an assistant U.S. attorney for the Eastern District of New York, she secured the conviction of the notorious organized crime figure Howard "Pappy" Mason for the murder of a New York police officer, a significant win credited for launching the reversal of a violent drug crime wave in the city. The case led to Caldwell's receiving the Attorney General's John Marshall Award, the department's highest honor for trial performance.

Currently, Caldwell represents a Taiwan tech company accused in a criminal indictment of economic espionage and stealing Idaho-based Miron Technology Inc.'s trade secret information. *U.S. v. United Microelectronics Corp.*, 3:18-cr-00465 (N.D. Cal., filed Sept. 27, 2018).

She successfully achieved dismissal of

criminal conspiracy charges against her client and narrowed the case to possession of a single trade secret. In October 2020 United Microelectronics pleaded guilty and agreed to pay a \$60 million fine in exchange for its agreement to cooperate with the government in the prosecution of its co-defendant, a Chinese state-owned enterprise.

Adding to the difficulty of the case was the geopolitical background. The indictment was an opening salvo by the Trump administration in its "China Initiative" trade war against intellectual property theft, and Caldwell said the case presented significant challenges. "Jeff Sessions brought the matter up at his last press conference as the flagship case for this new anti-China initiative, and the president mentioned the case in a subsequent speech. So there were a lot of external factors to deal with."

Also, Caldwell pointed out, Latham came late to the litigation. "UMC had not been a firm client and we weren't involved until after the indictment was unsealed—and that's never a good place to be." All the participants were in Taiwan and the documents were in Chinese.

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Caldwell called the case "interesting." "I feel very happy for our client. It was the right outcome, but it was tough to get there."

— John Roemer

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