

Emily Ludmir Aviad

Skadden

Counsel, Los Angeles

Litigation; Government Enforcement and White Collar Crime



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Education

J.D., University of California, Berkeley School of Law, 2007 (Articles Editor, *Berkeley La Raza Law Journal*; Member, *California Law Review*)

M.Phil., University of Cambridge, 2004

B.A., Harvard University, 2003

Bar Admissions

California

Associations

Member, YMCA of Metropolitan Los Angeles Board of Directors

Member, Mental Health Advocacy Services Board of Directors

Co-Chair, Western Center on Law and Poverty Advisory Board (2016-17); Secretary (2015-16); Member (2012-15)

Associate Member, Edward J. McFetridge American Inn of Court (2009-11)

Languages

Spanish (native fluency)

Emily Ludmir Aviad focuses her practice on white collar criminal defense, U.S. and multinational investigations, and related complex civil litigation. Ms. Aviad has experience representing corporate and individual clients from around the world in a variety of matters, including:

- Agility Logistics, a Kuwaiti logistics company that was the prime vendor for all food supplied to the U.S. military in Iraq during the second Iraq War, in one of the largest government contracting fraud prosecutions in U.S. history. Ms. Aviad was a senior member of the team that represented the company in the criminal and False Claims Act cases. To settle the criminal case, a multiple-count felony indictment alleging that Agility defrauded the government in connection with its nearly \$9 billion prime vendor contract, the government accepted a plea to a single misdemeanor count for overcharges in the amount of \$551. As part of the global settlement, suspensions were immediately lifted for all Agility companies so they could promptly begin pursuing new contracting opportunities with the U.S. government;
- an international investment firm involved in the retail market in Spain and Latin America in criminal investigations and related civil proceedings in the Spanish courts;
- William J. Ruehle, the former CFO of Broadcom Corporation, in the largest stock options backdating case brought by the federal government. Ms. Aviad was a member of the trial team that defended Mr. Ruehle. After a jury trial lasting nearly two months, Judge Cormac J. Carney of the Central District of California dismissed all charges, including the indictment and an SEC complaint, against Mr. Ruehle and the other defendants;
- a social media company in parallel DOJ and SEC investigations that concluded with the government dropping both investigations; and
- the special litigation committee of the KLA-Tencor board of directors in connection with shareholder derivative litigation related to an investigation of the company's past stock option granting practices.

A native Spanish speaker, Ms. Aviad often works closely with local counsel, co-counsel and experts, contributing to a wide array of complex Spanish-language legal and financial documents, and helping to guide a coordinated cross-case strategy.

Ms. Aviad also serves as the coordinator of Skadden's *pro bono* efforts in Los Angeles and has personally handled a variety of *pro bono* matters, with a focus on fair housing and defending immigrant clients against deportation. In this capacity, Ms. Aviad has, among other matters:

- led a team that successfully represented Spanish-speaking families and persons with disabilities in six related federal lawsuits aimed at counteracting housing discrimination in Los Angeles. Skadden received the 2018 William O. Douglas Law Firm Pro Bono Award from Public Counsel based primarily on this case; and
- successfully petitioned for extraordinary relief from the California Court of Appeal to reverse a probate judge's decision that it lacked jurisdiction to make factual findings that would make a Guatemalan minor eligible for immigration relief. The case is cited in Special Immigrant Juvenile Status cases across California.

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Representative Publications

Co-Author, “Landmark Insider Trading Case Vacated in Light of Bridgegate Ruling,” *Daily Journal*, February 24, 2021

Co-Author, “Not Every Abuse of Power Is A Federal Crime,” *Daily Journal*, May 18, 2020

Co-Author, “2nd Circuit Abandons Insider Trading ‘Personal Benefit’ Test,” *Daily Journal*, February 12, 2020

Contributor, “Recent Trends in Government Enforcement in White Collar Defense Cases,” *Managing White Collar Legal Issues*, 2014 ed.

Representative Speaking Engagements

“Recent DOJ and SEC Actions: A California Focus,” Skadden’s Ninth Annual Pharmaceutical, Medical Device and Biotechnology Seminar (March 2019)

“FCPA Investigations: A Live Tabletop Exercise,” presentation for prospective clients (April 2018)

Panelist at the National Association of Criminal Defense Lawyers’ Seventh Annual West Coast White Collar Crime Conference, on a panel entitled “3-D Chess: Protecting Your Client in Parallel Proceedings” (June 2017)