

Partner, Palo Alto and Los Angeles

Litigation; Securities and Commodities Enforcement;
White Collar Defense and Investigations



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Bar Admissions

California

Education

J.D., Boston College Law School, 1988
B.A., University of Notre Dame, 1985

Experience

Deputy Chief, Assistant U.S. Attorney
for the Central District of California,
General Crimes Section (1994-2000)

Jack DiCanio is the head of litigation in Skadden's Palo Alto office and co-head of the firm's West Coast litigation practice. His distinguished career, which began in the United States Attorney's Office for the Central District of California, encompasses a diverse trial practice focusing on complex, high-stakes federal and state court litigation, as well as white collar defense. Mr. DiCanio has extensive experience defending government inquiries and conducting internal investigations related to anti-corruption, money laundering and tax fraud, accounting fraud, health care fraud, securities fraud and related matters.

Mr. DiCanio is ranked annually in *Chambers USA's* prestigious Band 1 for White Collar Crime and Government Investigations, where he is described as "very smart and thoughtful, with good judgment; aggressive and yet extremely professional." On the strength of his career-long achievements and recent high-profile cases, the *Daily Journal* named him one of California's Top White Collar Lawyers in 2023, 2021 and 2020. He has received three California Lawyer Attorney of the Year (CLAY) awards from the *Daily Journal*, including one for his successful defense of FedEx in connection with a federal criminal indictment (2017). In 2018, the *Los Angeles Business Journal* recognized him as one of its Top Litigators.

Mr. DiCanio also is recognized in numerous other publications for his successes on behalf of his clients, including Lawdragon's 500 Leading Global Litigators, 500 Leading Litigators in America and 500 Leading Lawyers in America, as well as *The Legal 500* and *The Best Lawyers in America*. He was named *Best Lawyers' San Jose Area Litigation - Securities Lawyer of the Year* in 2023 and San Jose Area Criminal Defense: White-Collar Lawyer of the Year in 2024, 2022, 2018 and 2017. He also has repeatedly been named by *Who's Who Legal* and *Global Investigations Review* as one of the country's leading investigations attorneys.

Some of Mr. DiCanio's matters include representing:

- Fujian Jinhua, a China-based manufacturer of DRAM memory devices, in obtaining the acquittal of all charges in a high-profile, eight-week criminal trade secrets trial brought by the U.S. Attorney's Office for the Northern District of California and the DOJ's National Security Division
- Snap Inc. in obtaining a declination in a DOJ and SEC investigation relating to its IPO disclosures
- Chipotle Mexican Grill Inc. in connection with a DOJ and FDA investigation relating to the 2015-16 norovirus outbreaks
- The National Football League in connection with securing dismissal on summary judgment of a class action filed by retired players alleging that the players suffer from injuries resulting from the alleged improper administration of prescription drugs and painkillers during their playing days. This case was recognized as one of the *Daily Journal's* Top Verdicts for 2017
- Marc L. Abramowitz, the Marc Abramowitz Charitable Trust No. 2 and KT4 Partners LLC in securing the dismissal of RICO, breach-of-contract and trade secret misappropriation claims brought by Palantir Technologies Inc.
- The National Hockey League in a concussion-related action filed by the estate of a former player
- one of the largest state-owned enterprises in Asia in obtaining a declination in an SEC FCPA investigation
- Marci Palatella, the CEO of International Beverage, as a defendant in the U.S. Department of Justice's college admissions case

- the chairwoman, president and CEO of Sempra Energy, as well as current and former members of Sempra's board of directors, in securing a dismissal of separate securities class actions and shareholder derivative action arising out of a natural gas leak at a Southern California underground natural gas storage facility
- Liberty Mutual Insurance Company and Liberty International Underwriters in securing a unanimous Ninth Circuit affirmance of the dismissal of a \$45 million insurance coverage action
- Woori Bank of South Korea in securing the dismissal of an action in the Southern District of New York
- The Walt Disney Company and certain of its current and former directors and executive officers in a derivative action arising from an alleged conspiracy to reduce labor competition and depress employee wages in the animation industry. The United States District Court for the Northern District of California dismissed the action with prejudice
- TTX Co., Greenbriar Cos. and the Pacer International Unit of XPO Logistics Inc. in connection with the successful resolution, following a government investigation, of their dispute with United Industries LLC, a unit of Caterpillar
- KPMG in numerous matters, including in connection with civil litigation filed against the firm seeking \$100 million in damages relating to tax advice provided by the firm. Mr. DiCanio achieved victories in both state and federal court actions
- William J. Ruehle, the former CFO of Broadcom, in the largest stock options backdating case brought by the federal government. After an eight-week trial, the U.S. District Court for the Central District of California dismissed all charges, including the entire SEC complaint against all the defendants, including Mr. Ruehle
- Oaks Christian School in a successful arbitration against the California Interscholastic Federation-Southern Section (CIF-SS), arising from CIF-SS's decision to move Oaks Christian and three other private, religious schools into a new athletic area, which would have had a detrimental impact on the school and its students. The arbitrator's decision returned all of the schools to their original athletic areas

Mr. DiCanio's other clients have included: American Apparel; the cities of Burbank and Glendale in California; Highland Fairview Properties; Hyundai Motor Company; Intel Corporation; Intuitive Surgical, Inc.; NetApp, Inc.; Occidental Petroleum; Questcor Pharmaceuticals, Inc.; Samsung Electronics America, Inc.; ServiceNow, Inc.; Sony Computer Entertainment; Tessera Technologies, Inc.; Visa International; and Zurich Insurance Group.

Mr. DiCanio served as an assistant United States attorney for the Central District of California. As the deputy chief of the General Crimes Section, he was responsible for training and supervising assistant United States attorneys in federal criminal practice and trial advocacy. During his tenure with the Department of Justice, Mr. DiCanio received the Attorney General's Distinguished Service Award (the second-highest award within the Department of Justice).

Mr. DiCanio served on the Rampart Independent Review Panel, responsible for reviewing the policies, tactics and disciplinary procedures of the Los Angeles Police Department. He also served as counsel to the Blue Ribbon Committee on Child Protection.

Selected Publications

"Seven Myths About the US Law Banning Imports Made With Forced Labor," *Skadden Publication / The Informed Board*, Winter 2024

"SEC Enforcement Division Director Clarifies Approach to Compliance Officer Liability," *Skadden Publication*, October 30, 2023

"Ten Key Factors for Boards To Consider When Weighing an Internal Investigation," *Skadden Publication / The Informed Board*, Summer 2023, and *Westlaw Today*, September 25, 2023

"US Authorities Hammer Home the Importance of Self-Disclosing Sanctions and Export Control Violations," *Skadden Publication*, July 31, 2023

"Supreme Court Clarifies False Claims Act Scienter Element in *Schutte*," *Skadden Publication*, June 5, 2023

"New US Efforts To Prosecute Sanctions Evasion and Export Control Violations May Require Compliance Programs To Be Updated," *Skadden Publication*, March 16, 2023

"DOJ Focus on Corporate Enforcement Continues With Updated Policies Related to Corporate Crime and Compliance Programs," *Skadden Publication*, March 10, 2023

"DOJ Implements Voluntary Self-Disclosure Policy for US Attorneys' Offices," *Skadden Publication*, March 3, 2023

"DOJ Doubles Down on Efforts To Incentivize Early Self-Reporting and Cooperation," *Skadden Publication*, January 19, 2023

"One Step Ahead in Cross-Border Investigations With Targeted Privacy Planning," *Daily Journal*, December 7, 2022