

Omer N. Farukhi

Staff Counsel

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With over two decades of extensive litigation and trial experience, including products liability, white collar, criminal, and securities enforcement matters, Omer Farukhi represents major global pharmaceutical companies, medical device manufacturers, agricultural companies, construction and engineering companies, and government contractors. His experience includes drafting dispositive and procedural motions, preparing expert and fact witnesses to testify in depositions and at trial, and conducting fact investigations and witness interviews for written discovery, depositions, and trial preparation.

Currently, Omer serves on the trial team for a multi-party, complex engineering and construction matter involving the representation of a major contractor in Arkansas state court for breach of contract, negligence, and fraud claims arising from the design and construction of a billion-dollar chemical plant. He also currently represents an international development contractor in arbitration before the American Arbitration Association's International Center for Dispute Resolution arising from breach of contract and fraud claims involving an overseas supply chain logistics subcontractor.

Representing clients in criminal litigation and investigations by the U.S. Department of Justice and other federal enforcement agencies, Omer has defended against various maritime and environmental criminal liabilities arising from violations of the Act to Prevent Pollution from Ships and was involved in extensive discovery and motions practice to secure the dismissal of a federal criminal indictment in the U.S. District Court for the District of Columbia. He is experienced in white collar criminal defense involving Fourth, Fifth, and Sixth Amendment issues, including matters involving habeas corpus situations, search and seizure, and *Miranda* warnings.

Omer has comprehensive experience with federal sentencing and guidelines, including deferred prosecution agreements, corporate compliance, suspension and debarment from federal programs and contracts, and enforcement of corporate integrity agreements. He has also represented companies facing parallel investigations, prosecutions, and litigation of the same fact issues by federal, state, and foreign country agencies and authorities.

Defending major pharmaceutical clients in federal and state courts, as well as in multidistrict litigation (MDL), Omer has managed the discovery process and drafted pleadings and responses to discovery requests. In addition, he has been involved in the transfer and removal of cases to and from MDLs for discovery and trial as well as with the Judicial Panel on Multidistrict Litigation.

Additionally, Omer is part of the firm's defense team representing a global agricultural company in litigation centralized in federal district court for the Northern District of California as well as in California and Missouri state courts, where he handles the retention and preparation of scientific and expert witnesses to testify at depositions and trial, along with expert witness preparation and strategy for *Daubert* hearings and trials.

Previously a Fraud Surveillance Analyst at the National Association of Securities Dealers (NASD), now part of the Financial Industry Regulatory Authority (FINRA), Omer investigated broker-dealers regarding suspicious trading patterns and activity. Moreover, having defended against SEC enforcement and investigations under the federal securities laws, including the Investment Company Act of 1940, he represented a major mutual fund in defense of the SEC's and New York Attorney General's 2003 investigation of the mutual fund scandal related to market timing and late trading.

During law school, Omer served as Vice Chancellor and as a member of the Moot Court Association's National Trials Team. He also served as a supervised prosecutor in the State's Attorney's Office for Montgomery County, Maryland, as well as a law clerk in the U.S. Attorney's Office for the District of Columbia, where he assisted with the prosecution of cases involving terrorism and national security.

An avid skier and traveler, Omer escapes the rigors of practicing law by chasing snow around the globe. He has skied on five of the seven continents, including all over North America.

Services

Complex Litigation
Environmental
Financial Institutions
Government Investigations, White Collar & Civil Defense
Pharmaceutical & Medical Device
Products Liability & Toxic Torts

Education

Catholic University, Columbus School of Law (J.D., 2003)
Lehigh University (B.S.B.E., 1999)

Admissions

District of Columbia
New Jersey

Pennsylvania
United States Supreme Court
United States District Courts for the District of Columbia, and the District of New Jersey

Memberships

- American Bar Association