

Jeffrey H. Rutherford

Partner

310.272.7923

jrutherford@kbkfirm.com



Jeffrey H. Rutherford, a Fellow of the American College of Trial Lawyers (ACTL), is recognized as one of the region's top criminal and civil defense attorneys. His practice focuses on white collar criminal defense, complex civil litigation, and civil and criminal trial work.

Mr. Rutherford has represented individuals and entities in high-profile, high-stakes political corruption/public integrity, criminal antitrust, health care fraud, money laundering (AML)/Bank Secrecy Act (BSA), and civil and criminal False Claims Act (FCA) matters. Many of his clients are law firms and lawyers, who turn to him for representation in sensitive and confidential matters.

Mr. Rutherford also has represented individuals and entities in a wide array of other complex civil and white collar criminal litigation matters, including export control, trade (anti-dumping duty), tax, securities, procurement fraud, entertainment, theft of trade secrets, campaign finance, off-label marketing, cybercrimes, and environmental crimes. In addition, he has tackled matters involving conflicts of interest (Cal. Gov't Code § 1090), the Foreign Corrupt Practices Act (FCPA), Occupational Safety and Health Administration (OSHA) violations and international extradition and Financial Institutions Reform, and Reform, Recovery, and Enforcement Act (FIRREA) proceedings.

Mr. Rutherford was the lead trial lawyer in United States *ex. rel. Hooper v. Lockheed Martin Corp.* The complete defense verdict in that case – against potential damages of \$1.2 billion – was recognized by the *Daily Journal* as one of the Top Verdicts of 2014. Mr. Rutherford also ranks among the region's top attorneys in white collar defense and government investigations in the prestigious Chambers & Partners attorney rankings. Clients praised his trial skills, with one telling Chambers that Mr. Rutherford is “able to distill a complex case and make it understandable for the jury. He communicates effortlessly with jurors and establishes an excellent rapport. He zealously prepares for trials and knows more about the case than anyone in the courtroom.” Another attorney described Mr. Rutherford as an “excellent trial attorney who can try any type of case, no matter how big or small.”

Education

University of Minnesota Law School, J.D., 1995

- Graduated with honors
- Articles Editor, *Minnesota Law Review*

University of Michigan, B.A., 1989

Clerkship

**U.S. District Court, Central District of California,
1996-1997**

- Hon. Consuelo B. Marshall

Representative Matters

- Represented a law firm and certain of its partners in connection with a potential advice of counsel defense by former executives of a firm client.
- Represented an individual accused of a conspiracy to distributed misbranded drugs.
- Represented a former hospital owner in a long-running federal criminal prosecution involving allegations of kickbacks to physicians in exchange for surgeries, as well as payments to politicians in connection with the same scheme.
- Represented an international aerospace corporation at trial in connection with a federal *qui tam* action. Obtained a complete defense verdict against a claim for damages in excess of \$1 billion for alleged fraudulent billing and retaliatory discharge.
- Represented an international seafood company executive at trial against criminal charges of importing and distributing mislabeled seafood products.
- Represented the regulatory affairs director of a medical device company in connection with an off-label marketing investigation.
- Represented and continues to represent various law firms and lawyers in connection with criminal grand jury investigations.
- Represented and continues to represent various contracted city attorneys in connection with criminal grand jury and civil conflict of interest investigations.
- Represented the founder and executive director of a high-performing charter school at trial and on appeal in a prosecution concerning charges of misappropriation of public funds, embezzlement, tax fraud, and conflict of interest.
- Represented a bank director in connection with a civil Federal Deposit Insurance Corporation (FDIC) investigation of alleged Bank Secrecy Act and money laundering violations.
- Represented at trial a bank manager against allegations of money laundering and bank fraud.
- Represented a former KPMG partner in connection with various civil litigation matters regarding tax shelters.
- Represented individuals and other entities in connection with investigations involving money laundering and violations of the Bank Secrecy Act.
- Represented a tax preparer in a trial concerning charges of aiding and abetting tax fraud.
- Represented the executive of an investment firm in connection with an investigation into the alleged of theft of trade secrets.
- Represented a movie producer in connection with the prosecution of an investment fraud scheme.
- Represented a high-profile public official and health care executive at trial against charges of bribery, conflict of interest, embezzlement, and tax fraud.
- Represented an executive in connection with a Department of Justice (DOJ) and Securities and Exchange Commission (SEC) investigation of a medical device company for alleged Foreign Corrupt Practices Act (FCPA) violations.
- Represented the vice president of an investment advisory firm who was facing allegations of antitrust bid-rigging and fraud in connection with their bond investment work.
- Represented multiple individuals in connection with a criminal antitrust investigation of price-fixing in the airline industry.
- Represented a recycling company in connection with a criminal OSHA prosecution of a workplace fatality. Obtained a non-criminal disposition.
- Represented a production manager in connection with a criminal OSHA prosecution of a workplace fatality. Obtained a misdemeanor disposition.
- Represented a senior executive in a global criminal investigation regarding alleged collusion among Japanese auto parts manufacturers.
- Represented a Mexican federal law enforcement officer in connection with a money laundering prosecution.
- Represented a U.S. citizen in extradition proceedings involving allegations of attempted murder and assault charges in the Netherlands.
- Represented a government contractor in False Claims Act litigation pertaining to a Veterans Affairs (VA) contract.
- Represented multiple physicians in connection with DOJ investigations and prosecutions of health care fraud and violations of the False Claims Act and Anti-Kickback Statute.
- Represented a physician in a prosecution for allegedly illegally prescribing medications.
- Represented a health care executive in connection with litigation regarding allegations of federal health care fraud and public corruption investigations.
- Represented an oil company and oil company executives in connection with a matter concerning allegations of environmental crimes.
- Represented multiple other individuals against allegations of bank fraud, wire fraud, passing counterfeit instruments, money laundering, and narcotics distribution.

Recognition and Affiliations

- American College of Trial Lawyers, Fellow
- *Chambers USA*, Leading Lawyer in California Litigation: White Collar Crime & Government Investigations
- *The Best Lawyers in America*, White Collar Criminal Defense
- *Southern California Super Lawyer*
- *Daily Journal*, Top 20 Under 40, 2007
- *Pro Bono Advocacy Award*, ACLU Foundation of Southern California, 1999
- The President's *Pro Bono Service Award*, State Bar of California, 1999
- Cutthroat Lawyers Bar Association, President
- National Association of Criminal Defense Lawyers (NACDL)
- Board of Directors and Past President, Federal Bar Association, Los Angeles Executive Committee, Member
- Board of Directors, ABA White Collar Crime Committee, West Coast Regional Subcommittee

Publications and Appearances

- "Federal Criminal Practice," Co-Author, James Publishing

Prior to Kendall Brill & Kelly

- **Crowell & Moring, LLP, 2008–2018**
Partner
- **Lightfoot Vandavelde Sadowsky Crouchley Rutherford & Levine, LLP, 2004–2008**
Partner
- **Office of the Federal Public Defender, Central District of California, 1999–2004**
Deputy Federal Public Defender
- **Kaye Scholer, LLP, 1997–1999**
Litigation Associate

Bar and Court Admissions

- **California, 1996**
- **U.S. Supreme Court**
- **U.S. Court of Appeals for the Ninth Circuit**
- **U.S. District Courts**
Central District of California, Eastern District of California, Northern District of California, Southern District of California, Western District of Michigan

Kendall Brill & Kelly LLP

10100 Santa Monica Blvd.
Suite 1725
Los Angeles, CA 90067

310.556.2700 Telephone
310.556.2705 Fax