



Martin De Luca

Lawyer

SÃO PAULO

Av. Presidente Juscelino Kubitschek 1600 Conjunto 112,
Itaim Bibi
São Paulo-SP, 04552-080
Brazil
+55 (11) 4949 5918

martin.deluca@kobrekim.com

Martin De Luca advises high-net-worth individuals and corporations in multi-jurisdictional government enforcement actions and related cross-border litigation. Mr. De Luca works closely with clients to develop strategies for managing the criminal and civil litigation often associated with high profile government investigations, such as asset forfeiture, fraud, sanctions and insolvency litigation.

A former U.S. Department of Justice (DOJ) prosecutor, Mr. De Luca advises clients in Latin America and globally on enforcement actions brought by U.S. and international authorities including, but not limited to, the Foreign Corrupt Practices Act (FCPA), the Racketeer Influenced and Corrupt Organizations (RICO) Act as well as money laundering and wire fraud violations.

During his tenure with the U.S. government, he prosecuted cases involving public corruption, fraud, money laundering and tax evasion, often in partnership with the Federal Bureau of Investigation, the U.S. Securities and Exchange Commission, the U.S. Department of Homeland Security, U.S. intelligence agencies, and foreign law enforcement partners.

Before joining Kobre & Kim, Mr. De Luca practiced at a major international law firm where he handled Latin America-focused litigation and government enforcement. Prior to that he was a prosecutor at the DOJ (as a Special Assistant U.S. Attorney in the U.S. Attorney's Office for the Southern District of New York). He was a New York County prosecutor (as an Assistant District Attorney) earlier in his career.

Admissions

- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- Foreign Legal Consultant, Brazil

Education

- Fordham University School of Law, JD
(*Fordham Moot Court Board*, Associate Editor)
- Rutgers University, BA, *high honors*

Languages

- Portuguese
- Spanish

KOBRE & KIM

Select Engagements

Government Enforcement Defense

- Representation of multinational companies in the pharmaceutical, medical device, aerospace, defense, and oil and gas sectors in connection with joint DOJ/SEC investigations of Foreign Corrupt Practices Act (FCPA) violations in Brazil. These investigations often involved close cooperation between U.S. and Brazilian authorities.
- Representation of an individual from Brazil in connection with a DOJ/SEC investigation of money laundering in the Brazilian banking sector.
- Representation of an individual from Argentina in connection with a DOJ investigation of corruption and money laundering involving FIFA.
- Representation of an individual from Chile in connection with a DOJ/SEC investigation of FCPA violations across Latin America.
- Representation of senior U.S.-based executives in connection with a DOJ/SEC investigation of FCPA violations across Latin America.
- Representation of an individual from Venezuela in connection with an investigation by U.S. and European authorities involving fraud, bribery and money laundering.
- Representation of a U.S. asset manager in connection with U.S. economic sanctions on Venezuela.

Investigations, Examinations & Monitorships

- Served on the monitorship team for an FCPA compliance monitorship of a Brazilian company.
- Representation of a U.S. investment fund in conducting an anti-corruption risk assessment across 11 countries in Latin America.

Claim Monetization & Dilution

- Representation of a European company in developing and executing a cross-border asset-recovery strategy against assets and targets located in Europe, the Middle East and the U.S., among other jurisdictions to recover US \$300 million+ taken by fraud.
- Representation of Brazilian ultra high-net-worth individual engaged in a commercial dispute in designing an asset-recovery strategy to monetize claims in the U.S., Europe and offshore jurisdictions.

International Judgment Enforcement & Offshore Asset Recovery

- Representation of an energy company in the enforcement of a U.S. multibillion-dollar arbitration award against an African state.

Professional & Community Involvement

KOBRE & KIM

- Hispanic National Bar Association, Member

Publications & Presentations

- Speaker, "Plea bargain and cooperation: challenges in importing the system to Brazil," (OAB/SP Subseção Pinheiros, São Paulo, Brazil, June 2017)
- Co-author, "Argentine Corporate Criminal Liability Law Opens the Door to New Enforcement Risks" (*Securities Regulation Daily*, November 2017)
- Co-author, "U.S. expands efforts to target corrupt foreign officials" (*Westlaw Journal White-Collar Crime*, August 2017)
- Presenter, "FCPA Trends in Latin America for Pharmaceutical Companies" (Cámara Argentina de Especialidades Medicinales, Buenos Aires, Argentina, May 2016)
- Presenter, "Designing an Effective and Efficient Anti-Corruption Compliance Program" (Brazilian Institute of Petroleum, Rio de Janeiro, Brazil, May 2016)
- Presenter, "Cooperation Agreements in the United States and Brazil" (KLA Roundtable, São Paulo, Brazil, May 2016)
- Co-author, "DOJ Puts Companies With Venezuelan Ties In Its Crosshairs" (*Law360*, March 2016)