

## Jose F. Sanchez

### Partner

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Jose Sanchez is a litigation partner in the Los Angeles office of Foley & Lardner LLP. His practice focuses on government enforcement actions, regulatory and internal investigations, accountants' liability defense, and securities and other complex business litigation. Jose comes to Foley after nearly six years in the Office of General Counsel of Deloitte Touche Tohmatsu Limited (Deloitte Global), where he served as lead counsel and senior managing director for the Americas. His professional experiences also include senior trial counsel at the U.S. Securities and Exchange Commission (SEC) and partner in a multinational law firm.

As a senior in-house advisor in the largest professional services network in the world, government enforcement investigator and trial attorney, and experienced outside counsel, Jose has over 25 years of experience navigating high-stakes litigation and government investigations, crisis management, and compliance challenges. Clients turn to Jose for his substantive knowledge, strategic advice, and effective advocacy. Jose gets results because he has been on the inside and understands his clients' business, regulatory, and legal environment as well as regulators' processes, motivations, and expectations. He identifies and addresses issues early in an investigation or litigation while building respected relationships with clients, regulators, and adversaries alike. Jose has persuaded the government to close high-profile investigations and worked to settle enforcement charges or private litigation when appropriate. He also stands ready to defend his clients vigorously in court.

Jose counsels and defends U.S. and international accounting firms and their audit professionals as well as public companies, investment firms, and other regulated entities and their senior executives during enforcement and regulatory investigations before the SEC, the Public Company Accounting Oversight Board (PCAOB), the U.S. Department of Justice (DOJ), the New York State Attorney General (NYAG), state boards of accountancy, and other U.S. and foreign regulators. Jose has successfully litigated securities fraud class actions, shareholder derivative suits, professional malpractice claims, and other commercial disputes through all phases of litigation in federal, state, and administrative courts, as well as in arbitration. His experience

covers a range of industries, including accounting, banking, finance, health care, technology, and manufacturing.

At Deloitte Global, Jose led and supported cross-functional and cross-border teams working on complex regulatory, enforcement, and civil litigation matters, as well as on internal investigations, technology implementation, and business reorganizations and transactions. He was a trusted advisor to senior business, risk and legal leaders, and other stakeholders of both Deloitte Global and its independent member firms throughout the world related to regulatory and legal compliance, crisis management, professional practice issues, and corporate governance. Additionally, Jose developed standard dispute resolution provisions for client contracts globally and contributed to implementing ethics and anti-corruption policies across Deloitte firms in Latin America.

Before his tenure at Deloitte, Jose spent twelve years as a litigation partner and practice group leader at a multinational law firm in Los Angeles, where he defended a wide range of clients in regulatory and enforcement investigations, white collar matters, and civil litigation involving securities and financial reporting, whistleblower allegations, insider trading, anticorruption, and professional malpractice. He also conducted independent investigations and anticorruption risk assessments across the United States, Latin America, and Europe. Jose is fluent in Spanish.

Earlier in his career, Jose served as senior trial counsel in the SEC's Enforcement Division for the Pacific Regional Office, where he led and supervised a wide range of complex and high-profile enforcement investigations and litigations involving accounting restatements, disclosure fraud, unregistered securities offerings, insider trading, broker-dealers, and investment advisers. His litigation victories include numerous preliminary injunctions and receiver appointments to stop Ponzi schemes and other offering frauds, a jury conviction in the Southern District of New York connected to the mutual fund market timing and late trading scandal, and the imposition of one of the largest fines at the time against a corporate officer following a financial fraud trial in the Central District of California.

Following law school, Jose served as federal judicial law clerk to the Honorable Richard A. Paez, then of the United States District Court for the Central District of California, and then to the Honorable Harry Pregerson of the Ninth Circuit Court of Appeals. Jose received a two-year Skadden Public Interest Law Fellowship and worked at the Employment Law Center – Legal Aid Society of San Francisco. While a litigation associate, Jose participated in the Los Angeles County Bar Trial Advocacy Program and tried cases as a Pro Bono Deputy City Attorney for the City of Anaheim.

## **Representative Experience**

- Represented Big-Four accounting firm in a high-profile financial fraud investigation and related securities litigation involving a bankrupt mortgage company during the credit crisis. The SEC and other regulators closed investigations without taking any enforcement action.\*

- Represented Big-Four accounting firm in arbitration by bankruptcy trustee asserting professional malpractice claims.\*
- Defended Mexican accounting firm in malpractice litigation in Delaware and SEC and PCAOB investigation. Court dismissed civil case and regulatory matters were closed.\*
- Led defense of PCAOB investigation of Colombia accounting firm involving audit banking client. Matter resolved through settled order.\*
- Led defense of litigation by former audit banking client against international accounting firm affiliates.\*
- Led various internal investigations of whistleblower and other ethics allegations on behalf of international accounting firms in Mexico, Colombia, Chile, and Argentina.\*
- Counseled international accounting firms related to audit client internal investigations and respective obligations.\*
- Represented Big-Four accounting firms in PCAOB and SEC investigations of various financial institutions and public companies. Matters closed without taking enforcement action.\*
- Led various internal investigations of whistleblower and other ethics allegations on behalf of international accounting firms in Mexico, Colombia, Chile, and Argentina.\*
- Represented audit committee of publicly traded Mexican real estate development company in SEC investigation regarding revenue recognition issues. Matter resolved through settled judgment.\*
- Represented bank in SEC investigation and federal securities fraud class action and state court shareholder litigation. Court granted motions to dismiss with prejudice and SEC closed investigation without taking any enforcement action.\*
- Represented audit committee of global manufacturer in SEC inquiry involving Brazilian operations. SEC terminated investigation without taking enforcement action.\*
- Represented global public health care company in DOJ FCPA investigation. Investigation closed.\*
- Led FCPA anticorruption risk assessments in Mexico, Italy, and Czech Republic for global health care company.\*
- Conducted internal investigations in Colombia and Brazil for global pharmaceutical company related to alleged improper payments and revenue recognition issues.\*
- Defended chief compliance officer of registered investment adviser in SEC enforcement investigation following examination. No enforcement action taken against client.\*
- Represented real estate investment adviser in SEC inquiry involving valuation, conflicts of interest and principal transactions following examination. SEC terminated investigation without taking enforcement action.\*
- Represented financial institutions and broker-dealers in SEC and FINRA inquiries.\*
- Represented venture capitalist in SEC insider trading investigation. The SEC terminated investigation without taking any enforcement action.\*
- Represented investment adviser and its principals in SEC investigation involving allocation, short sale, and compliance issues. Matter was resolved through settled order without fraud charges.\*

*\*Matters handled prior to joining Foley.*

## **Presentations**

- Panelist, International Enforcement, American Law Institute (ALI) Accountants' Liability Annual Conference, May 2024
- Moderator, Empowerment Unleashed: Cultivating Your Greatest Asset, Yourself, Deloitte Global Hispanic/Latinx and Allies Educational Program Series, April 2024
- Moderator, Leadership Voices on Hispanic Latinx Heritage Month, Deloitte Global Hispanic/Latinx and Allies Educational Program Series, October 2023
- Moderator, Accelerate Equity, Deloitte Global Gender Balance Educational Program Series, December 2023
- Panelist, The Experience of Latinx/Hispanic Lawyers in Big Law, Sidley Hispanic Heritage Educational Program, October 2021
- Panelist, What the SEC expects from your internal investigation: former SEC Enforcement Attorneys share their insights, Society of Corporate Compliance and Ethics Fall 2021 National Conference, September 2021
- Panelist, Investment Adviser Disclosure of Fees and Expenses, ACA Compliance Group Fall 2017 Conference, October 2017
- Moderator, Identifying and Mitigating Conflicts of Interest, ACA Compliance Group Fall 2016 Conference, October 2016
- Panelist, SEC Compliance Year in Review, ACA Compliance Group, December 2015
- Moderator, What It Takes to be Prepared for an SEC Exam, 100 Women in Hedge Funds and Sidley Austin LLP, May 2015
- Panelist, Insider Trading and other SEC Enforcement Developments, Society of Corporate Secretaries & Governance Professionals, West Coast Regional Conference, October 2014
- Panelist, FCPA Enforcement Developments, Hispanic National Bar Association Annual Conference, September 2014
- Panelist, Compliance Roundtable Seminar, SEC Regulatory and Enforcement Developments, Sidley Austin LLP and ACA Compliance Group, May 2013
- Panelist, Internal Investigations: White Collar to Employment, MCLE Ethics Program, California Minority Counsel Program, January 2013

## **Awards and Recognition**

- *The Best Lawyers in America®* – Litigation – Regulatory Enforcement (2016-2018)
- *The Legal 500*, Private Practice Powerlist, U.S. – Mexico (2017-2018)

## **Affiliations**

- Harvard Club of Southern California, Board of Directors
  - Executive Committee; VP of Membership
- Alliance For Children's Rights of Los Angeles, Board of Directors

- Executive Committee; Chair of Development Committee; Member of Nominations and Governance Committee
- Mexican American Legal Defense and Educational Fund, National Board of Directors
  - Member of Development and Fiscal & Investment Committees
- Mexican American Bar Foundation Board of Trustees

## Languages

- Spanish

## Practice Areas

- [Government Enforcement Defense & Investigations](#)
- [Litigation](#)
- [Securities Enforcement & Litigation](#)

## Education

- Stanford Law School (J.D., 1992)
- Harvard College (A.B., magna cum laude, 1989)
- Federal Judicial Law Clerk, Honorable Richard A. Paez, U.S. District Court for the Central District of California
- Federal Judicial Law Clerk, Honorable Harry Pregerson, Ninth Circuit Court of Appeals

## Admissions

- California