

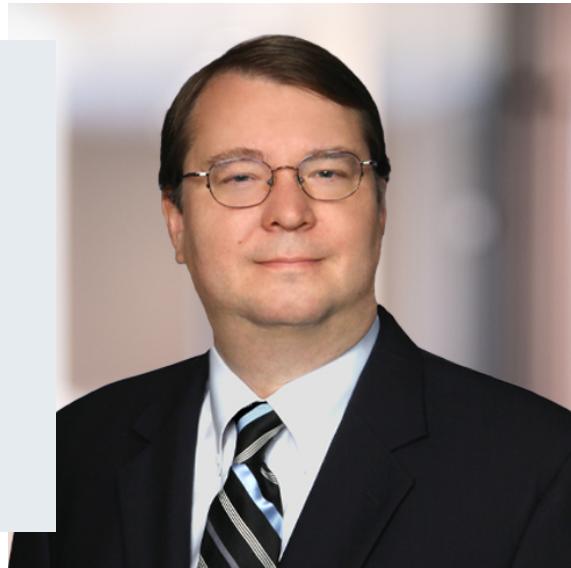
David A. Hickerson

Partner/Retired

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David A. Hickerson is a litigation attorney with more than three decades of experience representing clients before courts and federal agencies in government enforcement matters, and civil and criminal litigation. He is a member of the firm's Government Enforcement Defense & Investigations and IP Litigation Practices, as well as the Criminal Antitrust Team.

David represents clients in all phases of disputes, including trials, appeals, and international arbitrations, and has significant experience in conducting internal investigations and defending clients in government enforcement proceedings.

A primary focus of his practice is on international litigation and international arbitration matters. He is head of the firm's ITC Section 337 Practice and is a member Foley's International Arbitration Team.

Representative Experience

- Representing Hong Kong technology company in arbitration before the International Center for Dispute Resolution (ICDR).
- Represented several national retailers in consumer class actions concerning marketing of over-the-counter drugs.
- Represented company in internal investigation and DOJ proceedings in criminal antitrust matter.
- Represented complainant in ITC investigation, *Certain Interactive Fitness Products Including Stationary Exercise Bikes, Treadmills, Elliptical Machines, and Rowing Machines and Components Thereof*, 337-TA-1310.
- Represented respondent in ITC investigation, *Certain Electronic Exercise Systems, Stationary Bicycles and Components Thereof and Products Including Same*, 337-TA-1305.
- Represented complainant in ITC investigation, *Certain UMTS and LTE Cellular Communication Modules and Products Containing the Same*, 337-TA-1240.

- Represented respondent in ITC investigation, *Certain Light-Emitting Diode Products, Fixtures, and Components Thereof*, 337-TA-1213.
- Represented complainant in ITC investigation, *Certain Wearable Monitoring Devices, Systems, and Components Thereof*, 337-TA-1190.
- Represented respondent in ITC investigation, *Certain Multi-Stage Fuel Vapor Canister Systems and Activated Carbon Components Thereof*, 337-TA-1140.
- Represented pharmaceutical companies as complainants in ITC investigation, *Certain Potassium Chloride Powder Products*, 337-TA-1013.
- Represented respondent in ITC investigation, *Certain Semiconductor Devices, Semiconductor Device Packages, and Products Containing Same*, 337-TA-1010.
- Represented respondent in ITC investigation, *Certain Computing or Graphics Systems, Components Thereof, and Vehicles Containing Same*, 337-TA-984.
- Represented petitioners in ruling requests before U.S. Customs and Border Protection (CBP) regarding scope of ITC Section 337 exclusion orders.
- Represented Japanese executives in auto parts criminal antitrust investigation by the U.S. Department of Justice.
- Represented officers of a public company in breach of fiduciary duty lawsuit brought by bankruptcy trustee and parallel criminal proceedings; civil consumer MDL class action litigation; ERISA breach of fiduciary duty class action; and SEC investigations.
- Represented a company in investigation by CBP for alleged Office of Foreign Asset Controls (OFAC) violations, which was resolved with no charges brought and no penalties.
- Represented company in making voluntary disclosure to Directorate of Defense Trade Controls (DDTC) for alleged ITAR violations, which was resolved with no charges brought and no penalties.
- Represented UK company with worldwide subsidiaries in a criminal proceeding under the International Traffic in Arms Regulations (ITAR), which was resolved in favor of client with no criminal charges.
- Represented client in a high-profile international tax case, which was fully conceded by the IRS after five years of litigation.
- Represented Republic of Ecuador in an international arbitration under the Canada-Ecuador Bilateral Investment Treaty, prevailing on all claims in a US\$75 million dispute.

Sectors

- [Automotive](#)
- [Consumer Product Safety](#)
- [International Trade & National Security](#)
- [Manufacturing](#)
- [Supply Chain](#)

Practice Areas

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

- [IP Litigation](#)
- [ITC Section 337 Proceedings](#)
- [International Arbitration](#)
- [Litigation](#)

Education

- University of Michigan Law School (J.D., magna cum laude, 1987)
 - Elected to the Order of the Coif
 - Served as an editor on the *Michigan Law Review*
- Vanderbilt University (B.A., magna cum laude, 1983)

Admissions

- District of Columbia
- Virginia
- U.S. Supreme Court
- 1st U.S. Circuit Court of Appeals
- 3rd U.S. Circuit Court of Appeals
- 4th U.S. Circuit Court of Appeals
- 9th U.S. Circuit Court of Appeals
- 10th U.S. Circuit Court of Appeals
- U.S. Circuit Court of Appeals for the District of Columbia
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the District of Colorado
- U.S. Tax Court
- U.S. Court of Federal Claims