





Kevin B. Muhlendorf

Partner



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Kevin leads Wiley's Securities Enforcement Practice where he advises individuals and entities in securities fraud, commodities fraud and anti-corruption matters. As a former Assistant Chief in the U.S. Department of Justice (DOJ) Fraud Section and Senior Counsel in the Enforcement Division of the U.S. Securities and Exchange Commission (SEC), Kevin brings a unique experience to defending complex, and often overlapping, civil and criminal enforcement investigations. He is frequently called upon to lead time-sensitive internal investigations involving domestic and foreign entities. In 2024, Kevin returned to Wiley after serving as the Acting Inspector General for the Washington Metropolitan Transit Authority (WMATA), where he supervised a staff of auditors and special agents conducting civil, criminal and administrative procurement related investigations, and performing financial and performance audits.

Kevin is frequently retained to help individuals through sensitive, complex matters. Clients and colleagues describe him as a "subject matter expert within the enforcement and criminal space," "better than I could have hoped for in every area," "serious but thoughtful, while having integrity which clients can rely on," and an advocate who is "very tenacious, technically knowledgeable, and takes a practical approach" (Chambers 2023).

Representative Matters



- Led internal investigations for global telecommunications provider.
- Obtained declination from DOJ Fraud Section in construction industry-related accounting fraud investigation.

Practice Areas



Securities Enforcement and Litigation
White Collar Defense & Government Investigations
Internal Investigations and Compliance Programs
FCPA and Anti-Corruption
Cyber and Privacy Investigations, Incidents & Enforcement
Environmental, Social & Governance (ESG)

Credentials



Education

J.D., William & Mary Law School
B.A., University of Virginia

Clerkships

Law Clerk for the Honorable John M. Facciola, U.S. Magistrate Judge, U.S. District Court for the District of Columbia (1999-2000)

Bar and Court Memberships

District of Columbia Bar
New York Bar
Virginia Bar
Supreme Court of the United States
U.S. Court of Appeals for the Fourth and Tenth Circuits
U.S. District Courts for the District of Columbia, District of Vermont, Eastern District of Virginia, Southern District of New York, and Western District of Virginia

- Obtained post-Wells Notice declination for executive in SEC accounting fraud investigation.
- Obtained declination for executive from DOJ Fraud Section in insider trading investigation related to public company acquisition.
- Obtained post-Wells Notice declination for individual in SEC insider trading investigation related to automotive industry.
- Representing multiple SEC whistleblowers in complaints alleging Investment Advisers Act fraud and fraud in the municipal bond market.
- Represented former General Counsel of large marketing firm in DOJ Consumer Protection Branch criminal matter.
- Obtained declination for financial services industry employees in SEC insider trading investigation.
- Represented large infrastructure products manufacturer in DOJ Antitrust Division investigation.
- Represented multiple executives in consumer products related criminal investigations by DOJ Consumer Protection Branch and DOJ Fraud Section.
- Represented bitcoin-based trading platform in SEC/CFTC suits and related DOJ forfeiture action.
- Represented individuals in SEC GameStop Corporation investigation.
- Represented United States Senator in insider trading investigations by DOJ, SEC, and Senate Ethics Committee.
- Represented individuals in DOJ and SEC FCPA investigations involving Latin American entities.
- Represented executive in insider trading investigation by New York Attorney General's Office.
- Representing physician in DOJ and U.S. Department of Health & Human Services (HHS) Office of Inspector General health care fraud and off label marketing investigation.
- Defending executive in DOJ and SEC pharmaceuticals industry insider trading investigation.
- Advising cryptocurrency-based securities and commodities trading platforms on Anti-Money Laundering "Know Your Customer" rules.
- Represented executive of large contracting firm in union embezzlement prosecution.
- Defended Political Action Committee (PAC) founder in Southern District of New York criminal investigation.
- Defended CFO of large government contractor in DOJ, U.S. Department of Transportation, U.S. Department of Labor, and U.S. Postal Service criminal investigation.
- Routinely investigated and prosecuted cases at DOJ and SEC involving securities fraud, bribery and public corruption, accounting fraud, benchmark rate fixing, insider trading, bank fraud, procurement fraud, compliance with grant rules and regulations, the FCPA, and money laundering.
- Coordinated national and international fraud investigations and prosecutions with domestic and international regulators, U.S. Attorney's Offices, the Federal Bureau of Investigation, the U.S. Postal Inspection Service, and various Inspectors General.

Professional Experience

- Acting Inspector General, Washington Metropolitan Transit Authority (WMATA) (2023-2024)
- Adjunct Professor, Complex Securities Investigations, Georgetown University Law Center (2015-Present)
- S. Department of Justice, Criminal Division, Fraud Section, Securities and Financial Fraud Unit
 - Assistant Chief (2013-2016)
 - Trial Attorney (2010-2013)
- Special Assistant United States Attorney, U.S. Attorney's Office for the Eastern District of Virginia (2010-2013)
- Senior Counsel, U.S. Securities and Exchange Commission, Enforcement Division (2004-2010)
- Litigation Associate, DC and London offices of large DC-based law firm (2000-2004)

Affiliations

- United States Coast Guard Auxiliary
- American Bar Association, Criminal Justice Section, White Collar Crime Committee
- District of Columbia Bar (D.C. Bar)
 - Steering Committee, Criminal Law and Individual Rights Community (elected 2022-2025)
- International Association of Independent Corporate Monitors
- Edward Bennett Williams Inn of Court
- The Virginia Bar Association (VBA)
 - Criminal Law Section

Recognitions

- Listed by *Chambers USA* as one of "America's Leading Lawyers for Business" in Litigation: White-Collar Crime & Government Investigations (2019-2024)
- Named to *Law360's* Securities Editorial Advisory Board (2018, 2019, 2020)
- Named to *Law360's* White Collar Advisory Board (2020)
- Recognized in *The Legal 500 US* in Corporate Investigations and White-Collar Criminal Defense (2020-2024)
- Named one of DC's "Super Lawyers" for Criminal Defense: White Collar by *Super Lawyers* magazine (2020, 2022-2024)