




Krystal B. Swendsboe

Of Counsel



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Krystal represents and advises clients in a variety of complex litigation and appellate matters in state and federal courts. She has served in legal capacities in both public and private entities, including the U.S. Department of Justice and federal trial and appellate courts, and has extensive litigation experience ranging from pre-complaint investigations and discovery disputes to critical motions practice, trial preparation, and appeals. Krystal specializes in providing creative litigation solutions to give her clients a strategic advantage, both in and out of the courtroom.

Her experience spans a wide variety of practice areas, including government contracts, intellectual property, products liability, antitrust, environment and product regulation, telecommunications, health care, as well as election law and government ethics. Krystal's appellate work, including before the U.S. Supreme Court, has focused on significant individual rights and First Amendment issues. Krystal also maintains an active pro bono practice.

Krystal served as a law clerk for the Honorable Mark S. Davis on the U.S. District Court for the Eastern District of Virginia (the "Rocket Docket"). In addition, she served as a law clerk for the Honorable Alice M. Batchelder on the U.S. Court of Appeals for the Sixth Circuit.

Representative Matters



- Defend ship-builder in putative class action regarding no-poach antitrust conspiracy in the Rocket Docket.
- Defend global defense contractor in government contracts action in the Rocket Docket.

Practice Areas



Commercial Litigation
Eastern District of Virginia: The Rocket Docket
Election Law & First Amendment Litigation
Issues and Appeals
Litigation

Credentials



Education

J.D., *magna cum laude*, Washington and Lee University School of Law; Order of the Coif

B.A., *summa cum laude*, Patrick Henry College

Law Journals

Managing Online Editor, *Washington and Lee Law Review*

Lead Articles Editor, *German Law Review*

Clerkships

Law Clerk for the Honorable Mark S. Davis, U.S. District Court for the Eastern District of Virginia (2015-2016)

Law Clerk for the Honorable Alice M. Batchelder, U.S. Court of Appeals for the Sixth Circuit (2016-2017)

Bar and Court Memberships

District of Columbia Bar

Virginia Bar

Supreme Court of the United States

U.S. Courts of Appeals for the Third, Fourth, Fifth, Sixth, Seventh, Ninth, Eleventh, and District of Columbia Circuits

- Represent renewable energy company in products liability suit against solar panel manufacturer.
- Represent lobbying firm in high-profile, international CFAA, trade secret, and civil RICO case.
- Represent telecommunications company in multi-billion dollar FCA litigation.
- Successfully represented DNA analysis company in dismissal of patent infringement suit in the Rocket Docket.
- Successfully represented campaign committee in obtaining preliminary injunction against enforcement of state campaign finance rule that violated the First Amendment.
- Successfully represented nonprofit in dismissal of citizen-suit brought under the Federal Election Campaign Act, including protection of First Amendment and privileged materials in discovery.
- Represent nonprofit organization in amicus filings regarding the Indian Child Welfare Act (ICWA) before the Fifth Circuit and the U.S. Supreme Court.
- Defended government contractor against improper and abusive arbitration claim, including assertion of arbitration waiver and civil contempt charges.
- Successfully represented restaurateur in suit against former partner for fraud and conspiracy that caused the shutdown of award-winning restaurants.
- Represented nonprofit think tank in amicus filings in the Ninth Circuit and the Supreme Court opposing California's A.B.5 legislation regarding independent contractors.
- Successfully represented luxury car manufacturer against patent infringement claims and in bringing offensive counterclaim for inequitable conduct.
- Successfully defended nonprofits', political organizations', and individuals' First Amendment rights and related privileges in response to litigation subpoenas.
- Successfully represented and defended government contractor in dual-track misappropriation and computer fraud litigation in state and federal court.

U.S. District Courts for the District of Columbia, District of Maryland, Eastern District of Virginia, and Western District of Virginia

- Successfully represented corporations in responding to FTC and DOJ business-competition investigations.
- Successfully represented prominent medical practice in trademark infringement and unfair competition suit.

Professional Experience

- Legal Intern, U.S. Department of Justice, Civil Rights Division (2015)
- Judicial Intern, U.S. District Court for the District of Columbia (2013 and 2014)
- Research Assistant to Professor A. Benjamin Spencer, Washington and Lee University School of Law (2013-2014)

Recognitions

- Included in *The Best Lawyers in America* directory of "Ones to Watch" for Appellate Practice and Commercial Litigation (2022-2024)
- Named one of DC's "Rising Stars" in Constitutional Law by *Super Lawyers* magazine (2023)