

Eric D. Vandavelde

Partner

evandavelde@gibsondunn.com

T: +1 213.229.7186

Los Angeles

Eric Vandavelde is a litigation partner in Gibson Dunn's Los Angeles office. He is co-chair of the Artificial Intelligence practice group and a member of the firm's White Collar, Privacy & Cybersecurity, and Intellectual Property practice groups. As a former federal prosecutor who previously supervised the Cyber & IP Crimes section of the U.S. Attorney's Office in the Central District of California, Eric has significant first-chair trial experience, both while at the DOJ and in the private sector. He has a deep technical background, with a degree in computer science from Stanford and having worked as a software engineer in Silicon Valley and Latin America. He has repeatedly been ranked by *Chambers* and recognized by *Super Lawyers*, *The Best Lawyers in America*®, and the *Daily Journal*, including as one of the Top 20 Cyber/Artificial Intelligence lawyers in California. Eric was recognized as a Key Lawyer in the areas of Corporate Investigations and White-Collar Criminal Defense by *The Legal 500 US* in their 2024 edition. *Lawdragon* also named Eric to its 2024 100 Leading AI & Legal Tech Advisors list and its 2024 500 Leading Global Cyber Lawyers.

Eric has a broad practice—handling criminal and civil trials, internal investigations, enforcement matters, advisory work for boards and management, and product counseling—but nearly all of his matters lie at the intersection of technology and the law, and involve cutting edge issues in AI, cryptocurrency, data privacy, cybersecurity, biotech, fintech, gaming, and software. He has also represented clients in some of the highest profile, highest stakes cases in the country concerning government demands for personal data and technical assistance in connection with criminal and national security-related investigations.

Representative criminal and regulatory investigations matters:

- Representing major technology company in regulatory investigation regarding AI-based platform.
- Representing **cryptocurrency platform** in investigations by the Securities and Exchange Commission (SEC), Financial Crime Enforcement Network (FinCEN), and Office of Foreign Assets Control (OFAC).
- Obtained formal declination for **mobile gaming company** in coordinated consumer protection investigations by multiple state regulators relating to in-app purchases.
- Obtained successful resolution for **leading technology company** in investigation by 30+ state Attorneys General and multiple District Attorneys' offices, alongside parallel investigations by DOJ, SEC, and the Federal Trade Commission (FTC).
- Obtained formal declinations for **financial services executives** in connection with "Varsity Blues" college admissions scandal.
- Obtained successful resolution for **online gaming and fantasy sports company** in wide-ranging criminal and regulatory investigations.



Capabilities

White Collar Defense and Investigations
Anti-Money Laundering
Artificial Intelligence
Crisis Management
Fintech and Digital Assets
Intellectual Property
Litigation
National Security
Privacy, Cybersecurity, and Data
Innovation
Securities Enforcement
Tech and Innovation
Technology Litigation
Trade Secrets
Trials

Credentials

Education

University of California - Los Angeles -
2005 Juris Doctor

Stanford University - 1998 Bachelor of
Science

Admissions

California Bar

Clerkships

USDC, Central District of California, Hon.
A. Howard Matz, 2005 - 2006

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- Obtained successful resolution for **healthcare services provider** in nationwide False Claims Act (FCA) investigation by DOJ and the Department of Health & Human Services (DHHS).
- Obtained successful resolution, with no admission of wrongdoing, for **CFO of publicly traded company** in parallel SEC and DOJ investigations.
- Led internal investigation for **nutraceutical company**, uncovering evidence of fraud through digital forensics and recovering \$20+ million within days of confronting perpetrators.

Representative litigation matters:

- Representing **Rimini Street**, a leading provider of support services for enterprise resource planning software, in litigations involving claims under the Copyright Act, Computer Fraud and Abuse Act (CFAA), Digital Millennium Copyright Act (DMCA), and unfair competition laws.
- Represented **Amazon Web Services** in bid protest regarding the U.S. Department of Defense's \$10 billion JEDI cloud contract.
- Represented **AT&T Mobility** in lawsuit arising out of alleged theft of cryptocurrency and related cybersecurity issues.
- Represented **Machine Zone**, a leading mobile game developer, in complex commercial litigation against former datacenter services provider involving allegations of theft of trade secrets, breach of contract, and fraud.
- Represented **Amgen** in lawsuit involving patent licensing dispute.
- Represented **AddOn Networks** in copyright infringement, DMCA, and CFAA lawsuit.
- Represented **St. Jude Medical** in trade secret case involving theft and misuse of confidential information by former employee in company's research and development arm.

AI / Cybersecurity / Privacy matters:

Across a wide range of industries, including software, hardware, social media, cloud and other online services, retail and luxury goods, health care, biotech and other life sciences, telecom, transportation, and private equity, Eric has helped numerous clients identify and manage AI, cybersecurity, and privacy risks:

- **AI** – Represented and advised technology companies, including social media and gaming companies, regarding compliance and risk mitigation with respect to AI, dark patterns, and other algorithmic decision-making issues.
- **Data Breach / Incident Response** – Represented victim companies in crisis management and remediation efforts (including managing forensics, consumer notification and regulatory reporting requirements, law enforcement interactions, and public relations) in connection with some of the largest and most sophisticated cyberattacks and data breaches.
- **Cybersecurity** – Advised C-suite, boards, and audit or special committees on cybersecurity risk and best practices, and compliance with applicable cybersecurity laws and regulations.
- **Privacy** – Advised and proactively managed compliance efforts with respect to various privacy laws and regulations, including the California Consumer Privacy Act (CCPA), California Privacy Rights Act (CPRA), and General Data Protection Regulation (GDPR).
- **Government Demands for Data and Assistance** – Handled complex, high-profile, or contentious demands for data and technical assistance by government agencies and law enforcement via subpoenas, search warrants, pen registers, wiretaps, national security letters (NSLs), and other formal process issued under

federal and state law, including the Stored Communications Act (SCA), Electronic Communications Privacy Act (ECPA), and Wiretap Act. Successfully litigated against the government to resist overbroad and unlawful process, as well as accompanying non-disclosure (i.e., "gag") orders. Advised companies on encryption issues relating to such disputes.

From 2007 to 2014, Eric served as an Assistant U.S. Attorney in the U.S. Attorney's Office for the Central District of California. He was Deputy Chief of the Cyber & IP Crimes unit, supervising one of the nation's largest teams of federal prosecutors dedicated to investigating and prosecuting computer hacking and intellectual property offenses. He was the lead prosecutor on numerous high-profile cyber-crime investigations, including cases involving corporate espionage, theft of trade secrets, APTs, botnets, distributed denial of service (DDoS) attacks, and other sophisticated cyberattacks by nation-state actors. Eric has handled the prosecution of several infamous hacking groups that infiltrated government and corporate servers around the world. He also successfully prosecuted numerous traditional white collar cases as part of the Major Frauds Section, including healthcare fraud, mortgage fraud, investment fraud, tax fraud, and government procurement fraud cases, as well as some of the largest Ponzi scheme cases in Southern California. For his work with the government, Eric received numerous awards and commendations from federal agencies, including the FBI, Secret Service, IRS, and U.S. Postal Inspection Service.

Eric is an active member of the legal community and committed to pro bono work. He served as Co-Chair of the ABA White Collar Crime Committee for Southern California. He currently serves on the board of the [Los Angeles Center for Law and Justice](#), which provides direct representation to survivors of domestic violence and families in crises, and he was previously a board member for the Federal Bar Association of Los Angeles. Eric graduated from UCLA School of Law, Order of the Coif. After law school, he clerked for the Honorable A. Howard Matz, United States District Judge, Central District of California.

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