



Michael F. Buchanan

Partner

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Michael F. Buchanan is a litigation partner focusing his practice on white collar defense and investigations, cybersecurity, and patent litigation. He has tried several complex civil and criminal cases to verdict and argued multiple appeals. He has counseled public and private companies on issues relating to data breaches. His white collar representations have involved allegations of securities fraud, insider trading, tax fraud, accounting fraud, health care and Medicare/Medicaid fraud, and theft of trade secrets. He served on the Monitoring Team for the Newark Police Department, responsible for overseeing the NPD's compliance with a Consent Decree issued by the U.S. Department of Justice.

Mr. Buchanan represents clients in a wide range of cybersecurity and litigation matters. He regularly represents companies in the financial services, healthcare, and e-commerce industries in responding to and investigating data breaches and complying with federal and state regulatory requirements. Mr. Buchanan writes frequently on privacy and data security issues, and is a founding contributor to the firm's blog, www.DataSecurityLaw.com. He has participated in a number of seminars, including the Rutgers Institution for Professional Education's "Data Breach: Legal Responsibilities and Ramifications," and The Law Firm Cyber Risk Conference, regarding data breaches, notification issues, and incident response strategies.

A skilled trial lawyer, Mr. Buchanan has served as one of the lead attorneys in several complex federal patent trials and international arbitrations on behalf of major pharmaceutical companies. He served as first-chair in a patent trials conducted in the Southern District of New York and in the Southern District of Indiana.

Mr. Buchanan spent over nine years at the U.S. Attorney's Office for the District of New Jersey where he investigated and prosecuted matters involving the Computer Fraud and Abuse Act, insider trading, the Foreign Corrupt Practices Act, health care kickbacks, off-label marketing, and Medicare/Medicaid and private insurance fraud. He was involved in some of the Office's most significant and high-profile prosecutions. During his tenure, Mr. Buchanan served as Chief of the Securities and Health Care Fraud Unit, Deputy Chief of the Criminal Division, and Chief of the Terrorism Unit.

Before becoming a federal prosecutor, Mr. Buchanan practiced at one of New York City's top white collar criminal defense law firms and served as a Law Clerk to the Hon. Franklin S. Van Antwerpen, U.S. District Court for the Eastern District of Pennsylvania. Mr. Buchanan also served as a law clerk at a premier intellectual property law firm where he participated in all aspects of the firm's patent litigation and prosecution practice. Mr. Buchanan is a registered patent agent. Prior to practicing law, Mr. Buchanan worked as a structural engineer at Grumman Aerospace.

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Mr. Buchanan has spoken before various professional organizations on topics including criminal investigations in securities fraud, as well as the Foreign Intelligence Surveillance Act. He has published articles on white collar and intellectual property issues and recently submitted an *amicus curiae* brief to the United States Supreme Court on behalf of the New York Intellectual Property Law Association (NYIPLA).

Education

- Brooklyn Law School (J.D., *cum laude*, 1992)
- Columbia University (B.S., 1984)

Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Second Circuit; Third Circuit; Federal Circuit
- U.S. District Court, Southern and Eastern Districts of New York; District of New Jersey
- New York
- New Jersey

Professional Activities

MEMBERSHIPS: Member, Federal Bar Council (Vice-Chair, Intellectual Property Law Committee; Member, Program Committee)

SPEAKING ENGAGEMENTS: Presenter, "A Question of Damages: Lost Profits, Reasonable Royalties and Exceptional Findings," ACI Paragraph IV Disputes Conference (April 24, 2018); "Changing Norms in Global Privacy: Emerging Issues & Law Firm Risks," SCG Legal Annual Meeting (September 15, 2016); "Risky Business: Examining New Guidance for Calculating Damages in the Aftermath of an At-Risk Launch," ACI Paragraph IV Disputes Conference (April 26, 2016); "Assessing the True Measure of Damages in At Risk Launch Scenario," ACI Paragraph IV Disputes Conference (April 28, 2015); "Advanced Strategies for Drafting and Perfecting Pleadings and Effectively Using Dispositive Motions in Paragraph IV Disputes," ACI Paragraph IV Disputes Conference (April 28, 2014); "Patent Litigation for the Non-Specialist," Association of Corporate Counsel Webcast (April 11, 2013)