

Rees F. Morgan

Partner

San Francisco

Details

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Rees Morgan is a trial attorney with a practice focusing on white collar criminal defense; SEC and other regulatory enforcement actions; securities, shareholder and derivative litigation, including complex Board governance issues; and the trial of business disputes in federal and state courts. His clients include individuals, directors, and companies in a variety of industries, including technology, cryptocurrency, telecommunications, health care, venture capital, financial services, and government. He has tried to verdict multiple matters, including as first chair in five federal jury trial victories. Rees has litigated more than a dozen writs and appeals, and argued before the Ninth Circuit Court of Appeals.

Prior to joining the firm, Rees served as an Assistant United States Attorney (AUSA) in the Southern District of California, where he prosecuted cases involving fraud and identity theft, organized crime and racketeering, and narcotics and firearms trafficking conspiracies. While serving as a federal prosecutor, Rees tried to verdict and won eight federal felony cases and served as lead prosecutor in a fraud investigation involving over 200 victims in three states and millions of dollars in losses. He was specially designated as an Anti-Gang and Violent Crime AUSA tasked with developing and implementing gang eradication efforts on behalf of the office and served as co-lead AUSA in a federal RICO investigation resulting in the indictment of 38 members and associates of a criminal enterprise engaged in the sex trafficking of minors. Before becoming an AUSA, Rees was a litigation associate with Latham & Watkins LLP in San Francisco, where his practice focused on securities fraud and white-collar criminal defense.

Rees earned his law degree from the University of Virginia School of Law in 2003 where he was inducted into the Raven Honor Society and served as President of the Student Bar Association. Prior to law school, he graduated with honors from the College of William & Mary (1999), where he majored in political science and history. Between undergraduate and law school, Rees served for a year as an Americorps volunteer assisting residents of federally-subsidized housing throughout the Central Valley of California.

Notable Representations

Represented or represents numerous start-up companies, and founders, executives or VC investors of start-up companies, with respect to Board governance issues and securities litigation issues.

Serves as the federal monitor of the Utah Transit Authority (UTA) in connection with UTA's non-prosecution agreement with the U.S. Attorney's Office for the District of Utah.

Successfully tried a four-week federal jury trial in Houston on behalf of a Fortune 200 company, obtaining a \$34 million verdict in favor of his client. Secured complete affirmance of judgment in published Fifth Circuit opinion. See *OneBeacon Ins. Co. v. T. Wade Welch & Assocs.*, 841 F.3d 669 (5th Cir. 2016).

Obtained complete victory in interlocutory appeal before the Eighth Circuit, resulting in published opinion. See *Stokes v. DISH Network, L.L.C.*, 838 F.3d 948 (8th Cir. 2016).

Represented two major technology trade organizations – the Internet Association and the Consumer Technology Association – as amici before the Second Circuit in a matter involving the impact of mobile technology on contract law. See *Meyer v. Uber Technologies, Inc.*, Case Nos. 16-2750, 16-2752.

Conducted internal investigation on behalf of Fortune 50 technology company regarding the largest embezzlement in the company's history.

Represents a major Clinical Research Organization with respect to several disputes with pharmaceutical companies.

Represents the former Lab Director of a health technology company in connection with investigations by the U.S. Attorney's Office and SEC.

Represents several elected officials and political campaigns in matters involving campaign finance issues.

Represents a venture capital firm in securities fraud action against former portfolio company.

Successfully defended a complex commercial arbitration, achieving a complete defense verdict and a nearly \$5 million award on his client's counter-claim.

Secured a complete defense victory by obtaining summary judgment on behalf of client in a multi-million dollar civil fraud action in California State Court.

Successfully tried two arbitrations on behalf of Fortune 200 companies, one as plaintiff resulting in an award in favor of his client exceeding \$13 million, and another as defendant in a breach of contract action that resulted in a complete defense verdict.

Secured summary judgment on behalf of a company and individual executive officers accused in a securities fraud class action of committing a nearly \$3 billion securities fraud.

Obtained favorable settlement of SEC investigation and corresponding civil litigation into financial services executive.

Represented former CFO of publicly-traded company against stock option backdating allegations.

Honors & Awards

Rees is ranked as a Leading Lawyer by Chambers USA in the California Litigation: White Collar Crime & Government Investigations category. A client notes, "Rees is one of the finest lawyers in California. He's knowledgeable, responsive, personable and candid," while another remarks, "I have nothing but positive outcomes with his involvement and I can't recommend him highly enough." Rees has been recognized annually by Super Lawyers as a Top Lawyer in the Business Litigation category and by [Benchmark Litigation](#) as a Local Litigation Star in the White Collar Crime category. As a federal prosecutor, Rees received awards from the U.S. Attorney's Office; the Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms and Explosives; and the Drug Enforcement Administration for his successful prosecution of a variety of complex crimes.

Professional Activities

Rees is a member of the California State Bar, the American Bar Association, and the Bar Association of San Francisco. Rees has been appointed to the Northern District of California's Criminal Justice Act Panel, a panel of attorneys serving indigent defendants charged with federal crimes, and was named by the City Council of Lafayette, California to Lafayette's Crime Prevention Commission. He serves on the Pro Bono Advisory Board of Swords To Plowshares, an organization dedicated to assisting military veterans, and serves on the management committee of the Firm.

Publications & Speaking Engagements

- Co-Author, "[Landmark Second Circuit Ruling Clarifies the Standards for Mobile Contracts](#)" (August 2017)
- Co-Author, "[The Education of Judge Rakoff: Insider Trading Liability After Newman](#)," The Daily Journal (July 2015)

Education

- J.D., University of Virginia School of Law (2003)
- B.A., College of William & Mary (1999)