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**Areas of Practice**

Litigation

Commercial Litigation,  
 Insolvency & Creditors'  
 Rights

White-Collar Criminal  
 Defense

FCPA/Anti-Corruption

Securities Litigation &  
 Enforcement

Trade Secrets

Antitrust & Competition

Intellectual Property

**Education**

Georgetown University  
 Law Center, J.D., 1974

University of Notre Dame,  
 B.S., Engineering Science,  
*magna cum laude*, 1971

**Bar & Court Admissions**

District of Columbia

US Supreme Court

US Court of Appeals:  
 District of Columbia, First,  
 Second, Third, Fourth,  
 Sixth, Tenth, and Eleventh  
 Circuits

United States Court of  
 Federal Claims

**James F. Hibey**

James F. Hibey is a partner in the Washington office of Steptoe & Johnson LLP, where he is a member of the Litigation Department. Mr. Hibey is a former federal prosecutor with over 25 years of experience in private practice and more than 120 jury and non-jury trials to his credit. Mr. Hibey has experience in a variety of civil litigation, including antitrust and state franchise law claims, intellectual property, trade secret, RICO, qui tam, lender liability, attorney liability, bankruptcy proceedings, and constitutional law claims.

Mr. Hibey also has significant experience representing corporations and individuals in grand jury proceedings and white-collar criminal matters involving fraud, federal elections laws, espionage and security matters, criminal tax law, environmental law, and violations of the FCPA and the False Claims Act. He has handled internal investigations for companies in response to government inquiries and whistleblower claims, or as a prophylactic measure. In addition, he has represented various government contractors in connection with allegations of fraud, waste, and abuse.

**Representative Matters**

- *National Basketball Players Association*. Represented the Union in connection with the 2011 lockout by the NBA. Managed various assignments and served as co-counsel in the antitrust lawsuit brought by the NBA against the Union.
- *Danvers Motor Company, et al. v. Ford Motor Company*. Represented Ford in a civil class action involving the Robinson-Patman Act, the Automobile Dealers' Day in Court Act, and various state franchise law claims.
- *Hurricane Katrina-related Insurance Litigation*. Represents an insurance-adjusting firm in over 100 cases related to claims made in connection with Hurricane Katrina. The cases include allegations of RICO violations, fraud, breach of contract, and negligence.
- *American Maritime Officers Union v. Jerome E. Joseph*. Secured a multimillion-dollar verdict in favor of a labor union, the American Maritime Officers Union, in a jury trial involving allegations of theft of trade secrets and breaches of fiduciary duties.
- *7-Eleven, Inc. v. Philip Morris USA, Inc.* Represented plaintiff 7-Eleven in a Robinson-Patman Act and breach of contract case, which was settled approximately 10 days before trial.

## James F. Hibey

US District Court for the  
District of Columbia

US District Court for the  
Eastern District of Michigan

US District Court for the  
District of Delaware

- *Advanced Neuromodulation Systems, Inc. v. Advanced Bionics Corporation*. Represented defendant as co-counsel at summary judgment phase and as co-trial counsel in a patent infringement case that settled shortly before trial on terms favorable to our client.
- *Toomey et al. v. Wachovia Insurance Services, Inc. et al.* Obtained a multimillion-dollar verdict for a client in an insurance recovery case alleging breach of fiduciary duties by a broker.
- *In the Matter of the Licensing of Ford Motor Company before the Texas Department of Transportation - Motor Vehicle Board*. Served as national coordination and trial counsel for Ford in defending nationwide customer incentive programs instituted in 2000. This particular case involved alleged violations of state franchise and antitrust statutes. The case was resolved after a jury trial and months of post-trial briefing in 2005, after the program at issue had run its scheduled five-year course.
- *Pedro J. Rossello-Gonzalez, et al. v. Sila M. Calderon Serra, et al.* Led a team of 10 lawyers from Puerto Rico and the US, representing the statehood party candidate in a federal court challenge to the procedures and vote counting in the 2004 Puerto Rico gubernatorial election.
- *Navajo Nation et al. v. Peabody Holding Co. et al.* Represented Salt River Project, one of several defendants in a federal court case alleging fraud in the negotiation and payment of royalties by certain coal and utility companies to the Navajo Nation. Obtained dismissal of Salt River Project on immunity grounds.
- *United Way of America*. Led one of the first-ever investigations into the financial reporting and accounting of a major national nonprofit, which ultimately resulted in the revision of the policies and procedure of the organization.
- *Blue Cross/Blue Shield of the National Capital Area ("BC/BS")*. On behalf of an independent committee of the Board of Directors, investigated allegations of fraud, waste, and abuse by the then-current officers of BC/BS. Also defended BC/BS in related litigation.
- *WorldCom Securities Litigation*. Defended an outside member of the Board of Directors of WorldCom in a lawsuit alleging violations of the securities laws.

### Professional Affiliations

Fellow, American College of Trial Lawyers

**James F. Hibey**

Member, International Society of Barristers

Member, District of Columbia Barristers

Member, American Bar Association, Litigation, Criminal Law and Individual Rights Sections

Member, District of Columbia Bar Association