

Adam J. Bookbinder

Co-Chair, Government
Enforcement & Compliance



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Practice Areas

Government Enforcement and
Investigations
Complex Trial and Appellate

Education

Harvard Law School,
JD, *cum laude*

Dartmouth College
BA, Government, *magna cum laude*

Clerkship

Honorable Stephen Trott, U.S. Court of
Appeals, Ninth Circuit

Admissions

Massachusetts
U.S. Court of Appeals for the First and
Ninth Circuit
U.S. District Court for the District of
Massachusetts

“Adam understands what clients need, whether that’s resolving business disputes, dealing effectively with the government, reducing cybersecurity risk, or managing cyber incidents. Because he knows his way around these issues, he offers effective advice for avoiding the risks altogether. He’s a trusted advisor.” - Doug Onsi, CEO, Leap Therapeutics

Adam Bookbinder, co-chair of Choate’s Government Enforcement & Compliance Group, is an experienced trial attorney and former Assistant U.S. Attorney who helps clients effectively address and mitigate a wide range of high-level enterprise risks. Having tried more than 25 jury trials to verdict, he is equally comfortable litigating in federal and state court, guiding clients through government investigations, and advising on cybersecurity, data privacy and cyber incident response.

In white collar defense and internal and government investigations, Adam represents institutional clients, charged defendants, potential criminal targets and witnesses in federal and state investigations and prosecutions around the country. He represents corporations and individuals in wire fraud, securities fraud, money laundering, healthcare, theft of trade secret, computer network intrusion, environmental crime, and criminal tax prosecutions and investigations. He has also briefed and argued dozens of appeals in state and federal courts of appeal.

Adam advises clients on a wide range of cybersecurity and data privacy issues. He counsels clients on responding to cybersecurity incidents, conducting internal investigations and cybersecurity reviews, preparing incident response plans, complying with data privacy laws, interfacing with law enforcement agencies and increasing preparedness. He also defends clients in class action data privacy and data misuse litigation.

Adam served 18 years as an Assistant U.S. Attorney for the District of Massachusetts. He was chief of the U.S. Attorney’s Office’s Cybercrime Unit, where he supervised a unit responsible for the investigation and prosecution of computer and intellectual property crime, including computer intrusions, data breaches, network attacks, theft of trade secrets, copyright and trademark infringement, and online fraud. In this role, Adam worked with the FBI, Secret Service and the U.S. Department of Homeland Security to identify and respond to priority cybercrime threats. He was also chosen as the U.S. Attorney’s Office’s National Security Cyber Specialist, investigating cybercrime committed by nation-states and hackers affiliated with foreign terrorist organizations, and serving as the U.S. Attorney’s Office liaison to the U.S. Department of Justice’s National Security Division for cyber matters.

Adam also served in the office's Economic Crimes Unit, and he led financial fraud, securities fraud and healthcare fraud investigations, prosecutions and trials throughout his tenure in the office. Before joining the U.S. Attorney's Office, Adam was an Assistant District Attorney in the Essex County District Attorney's Office in Massachusetts and a law clerk for the Honorable Stephen Trott, U.S. Court of Appeals, Ninth Circuit.

Representative Engagements

- Defend global pharmaceutical company in Department of Justice False Claims Act investigation.
- Represent global transportation company in response to U.S. Attorney's Office investigation into potential employee misconduct.
- Defend global software company in two civil theft of trade secret jury trials.
- Advise global life sciences company and state-wide health-care institution on mitigating and preparing for risk of ransomware incidents.
- Defense of major research hospitals in data privacy and data misuse class action suit.
- Defense of global laboratory services company in theft of trade secret, breach of contract and negligence suit.
- Represent global software company in response to federal and state government investigations and government legal process.
- Advise a series of clients on investigations and responses to cybersecurity incidents, including network intrusions, thefts of customer data, and attacks by international advanced persistent threat actors.
- Defense of financial services firm employee charged with fraud by Massachusetts U.S. Attorney's Office. Persuade government to dismiss charges and enter non-prosecution agreement with employee.
- Draft cybersecurity incident response plans for financial services and biotech companies.
- Defense of manager at global eCommerce company charged with conspiracy by U.S. Attorney's Office.
- Internal investigation and defense of Massachusetts company in environmental crime investigation by Massachusetts Attorney General's Office.
- Represent witnesses in investigations by U.S. Attorney's Offices around the country and the Massachusetts State Ethics Commission.
- Advise college and university clients on cybersecurity incident response and address risk stemming from foreign nation-state actors.

Publications and Presentations

- "Bias and Ethics Issues for Tech Companies," moderator, BBA Privacy, Cybersecurity and Digital Law Conference, January 2024
- "You can go to jail for that? Cybersecurity. Data Breaches & Potential Personal Liability of In-House Counsel," panelist, New England Corporate Counsel Association's June Seminar, June 2023

- “Economic Crime and Cybercrime,” panelist, Boston Bar Association White-Collar Crime Conference, May 2023
- “Managing AdTech Risk When Capturing Sensitive Information,” co-host, Webinar presented by Choate & Secretariat, April 2023
- “You could go to jail for that? The Larger Impact of the Prosecution of Uber’s Former Chief Security Officer,” panelist, Boston Bar Association Cybersecurity & Data Privacy Conference, December 2022
- Panel on cybersecurity risks and law enforcement investigations, moderator, MIT Chief Digital Officer Program, November 2022
- “Industry and Government Responses to Increased Threats, including the Proposed SEC Reporting Obligations and DOJ Initiatives,” panelist, Key Cybersecurity Developments Webinar, September 2022
- “SEC Cybersecurity Enforcement,” moderator, Boston Bar Association Cybersecurity & Data Privacy Conference, December 2021
- “White Collar Crime,” *guest* lecturer, New England Law School, November 2021
- “Cybersecurity lawyers: ‘no good options’ for victims of ransomware attacks,” quoted, *Massachusetts Lawyers Weekly*, May 2021
- “Data Privacy and Security for Attorneys and Law Firms” panelist, Social Law Library, March 2021
- “Interactive Cyber Incident Response Simulation,” moderator, Boston Bar Association, December 2020
- “Ask the Experts – Ransomware Discussion,” speaker, National Computer Forensics Institute (NCFI) Training, June 2020
- “Introduction to Privacy and Cybersecurity,” speaker, Boston Bar Association, April 2020
- Boston Conference on Cyber Security, BC Woods College Cybersecurity Programs and the Federal Bureau of Investigation, March 2020
- “Emerging Issues in Cybercrime,” speaker, Boston Bar Association White Collar Crime Conference, January 2020
- “Privacy Litigation,” speaker, Boston Bar Association Privacy & Cybersecurity Conference, December 2019
- Privacy Law Class, guest lecturer, Boston College Law School, November 2019
- Cybersecurity Colloquium, lecturer, Northeastern University, October 2019
- “Hot Trends in DOJ and SEC Enforcement & Litigation 2019-‘20,” speaker, Sandpiper Partners, LLC, October 2019
- Cybersecurity Law & Policy Class, guest lecturer, Boston College Law School, October 2019
- “How New Consumer Privacy Laws like CCPA Will Change the Business of Online Lead Generation,” speaker, LeadsCon Connect to Convert Conference, September 2019
- “2019 Cyber Threat Landscape,” moderator, Boston Bar Privacy & Cybersecurity Conference: Managing Digital Risk, May 2019

- “Latin America Steps Up Data Privacy Legislative and Enforcement Efforts,” author, *Global Data Review*, May 2019
- “Cybersecurity,” panelist, Boston Bar Association Higher Education Legal Conference, March 2019
- Cybersecurity Law & Policy Class, guest lecturer, Boston College Cybersecurity Policy & Governance Program, January 2019
- Cyber Investigations Class, guest lecturer, Boston College Cybersecurity Policy & Governance Program, December 2018
- “Social Media, Law, Rules and Compliance,” speaker, New England Corporate Counsel Association, October 2018
- Cyber Law & Privacy Class, guest lecturer, Boston College Cybersecurity Policy & Governance Program, September 2018
- Privacy Law Class, guest lecturer, Boston College Law School, September 2018
- “Cybercrime Legal Issues,” moderator, MIT Summer Program in Applied Cybersecurity, June 2018
- “Information and Cyber Security on Campus: Meeting FERPA Obligations and Defending Against Cyber Threats,” speaker, AICUM Spring Symposium, June 2018
- “2018 Cybercrime and Cybersecurity Update,” speaker, Institute of Internal Auditors Boston Meeting, May 2018
- “Law Enforcement and Regulatory Trends,” moderator, BBA Privacy & Cybersecurity Conference, May 2018
- “Cybersecurity, Privacy and Technology,” speaker, Harvard Law School Spring Reunion Program, April 2018
- Cyber Investigations, guest lecturer, Boston College Cybersecurity Policy & Governance Program, April 2018
- “Cybercrime,” speaker, Boston Bar Association White Collar Crime Conference, January 2018
- “Crisis Communication During a Breach,” speaker, IBM Security Program
- Cybercrime Prosecutions, guest lecturer, Boston College Cybersecurity Policy & Governance Program
- “Cracking Down on Fraudulent Copyright Infringement Claims,” speaker, New York IP/Entertainment Law Conference
- “Cracking Down on Fraudulent Copyright Infringement Claims,” speaker, Los Angeles IP/Entertainment Law Conference
- National Security Cybercrime, guest lecturer, Boston College Law School
- Cybercrime Legal Issues, guest lecturer, MIT Summer Program in Applied Cybersecurity
- Trade Secret Protection and Litigation: How to Respond Effectively When a Company Becomes a Victim of Intellectual Property Theft, speaker, Sandpiper Partners Continuing Legal Education (CLE) Seminar
- “Cybercrime – How Law Enforcement and Industry Are Responding to this Growing Threat,” speaker, Institute of Internal Auditors Annual Conference

- “Cybersecurity – What Lawyers Need to Know,” speaker, Boston Bar Association Privacy and Cybersecurity Conference
- “The Digital Criminal: Cyber Crime Trends and Enforcement,” speaker, Boston College Cybersecurity Policy & Governance Program

Professional and Community Involvement

- Co-chair, Boston Bar Association’s Privacy, Cybersecurity and Digital Law Section Steering Committee
- Former Co-chair, Boston Bar Association, Privacy & Cybersecurity Conference Advisory Committee
- Former Member, U.S. Department of Justice Computer Hacking and Intellectual Property Working Group
- Former Member, Boston Bar Association’s *Boston Bar Journal* Board of Editors
- Former Member, Boston Bar Association Criminal Law Section Steering Committee

Recognition

- *The Best Lawyers in America*, Privacy and Data Security Law (2021-2024)
- “Go To Lawyer in Cybersecurity & Data Privacy” by *Massachusetts Lawyers Weekly* (2022)
- Director's Award for Superior Performance, Executive Office of U.S. Attorneys
- *The Legal 500* (2021-2022)