

Byung J. “BJay” Pak

Partner

+1 404 881 7816

bjay.pak@alston.com

Atlanta | One Atlantic Center, 1201 West Peachtree Street, Suite 4900 | Atlanta, GA 30309-3424



As a former Senate-confirmed U.S. Attorney and legislator, BJay Pak has significant experience making high-stakes decisions. From 2017 to 2021, BJay served as U.S. Attorney for the Northern District of Georgia, overseeing all federal criminal prosecutions and federal government civil litigation in his district. As chief executive of one of the largest U.S. Attorney's Offices, he led 100+ assistant U.S. attorneys, 120+ legal professionals, partnered with approximately 300 law enforcement agencies, and was responsible for a district with nearly seven million people and a GDP of \$370+ billion.

BJay previously worked as an assistant U.S. attorney, prosecuting white collar crimes, including securities and health care fraud, AML/KYC matters, intellectual property crimes, export control violations. BJay also served three terms in the Georgia General Assembly as a state representative, where he was involved in criminal justice reform efforts, and shaping the state's health care and tax laws.

BJay uses his experience to assist corporations and individual clients in navigating sensitive legal, regulatory, and public relations issues, including government investigations, prosecutions, regulatory compliance, complex civil litigation, False Claims Act, and crisis management.

A summa cum laude graduate from University of Illinois School of Law, BJay is listed in *Chambers*, named in *Georgia Trend Magazine* as one of the "100 Most Influential Georgians," and "Atlanta's 500 Most Powerful Leaders" by *Atlanta Magazine*. He is a Registered C.P.A. in Illinois.

Representative Experience

- Served as lead trial and appellate counsel to the CEO of a technology company who was indicted by the grand jury and accused by the state attorney general's office of committing a multimillion-dollar criminal tax fraud. After a vigorous pretrial litigation, obtained a dismissal with prejudice for all charges from the trial court. On appeal by the government, obtained the affirmance of the dismissal in a published opinion by the state Court of Appeals.
- Served as regulatory counsel to numerous blockchain (crypto, NFTs and crypto-adjacent) companies with respect to compliance with securities, Bank Secrecy Act, and other state and federal laws.
- Served as co-lead attorney for a special litigation committee of a Fortune 500 company and conducted an internal investigation regarding a shareholder derivative suit alleging accounting malfeasance by the company's officers and directors.
- Served as lead trial counsel, representing the senior director in charge of global marketing of a multibillion-dollar pharmaceutical company in a parallel criminal and civil investigation conducted by the U.S. Department of Justice and Department of Health and Human Services into the company's off-label marketing practices. Obtained a result of no criminal charges being filed, nor civil judgments entered, against the client.

- Served as co-lead trial attorney for a publicly traded asset management company in pursuing a \$122 million fraudulent transfer suit against a major real estate developer. Negotiated a very favorable settlement for the client.
- Served as lead trial attorney for an international money remitter company related to an Anti-money Laundering/Bank Secrecy Act compliance investigation conducted by The U.S. Department of Justice's Money Laundering and Asset Recovery Section, and the U.S. Attorney's Office. Through his advocacy, the government declined to bring any charges.
- Served as lead investigative attorney for a special task force of a national organization of mayors and conducted an internal investigation into misconduct of the organization's former executive director.
- Served as lead trial attorney for a multimillion-dollar medical practice in a criminal and civil health care fraud investigation by the U.S. Attorney's Office, the Internal Revenue Service, the Department of Health and Human Services, and the Office of the Inspector General.
- Served as lead trial lawyer for the CEO of wealth management company through a joint criminal and civil fraud investigation conducted by the U.S. Department of Justice and the Securities and Exchange Commission into allegations of a \$25+ million fraud. Through his advocacy, the client received favorable plea terms, and the court imposed a sentence less than 75 percent from the government's recommendation.
- Represented numerous C-suite and other high-ranking executives of hospitals and health care companies who the government identified as subjects or potential targets in criminal health care fraud investigations conducted by the Department of Justice, Criminal Division, and other law enforcement agencies. Through his advocacy, the government declined to bring any charges.
- Served as lead prosecutor investigating and prosecuting three individuals who conspired to commit theft of trade secrets of The Coca-Cola Company and sell them to its rival. After a trial, obtained convictions on all defendants, and obtained an imprisonment sentence for the lead defendant which is tied for the longest sentence on record.

Professional & Community Engagement

- Technology Association of Georgia, Blockchain Society, former chair
- Federal Bar Association, Qui Tam Section, co-founder and former vice chair
- National Asian Pacific American Bar Association, Government Enforcement & Compliance Committee, founding member and past co-chair
- Atlanta Bar Association, former editorial board member
- The State of Georgia's Special Council on Criminal Justice Reform, past member
- Task Force on Market Integrity and Consumer Fraud - Corporate Enforcement and Accountability Working Group, past member
- Presidential Commission on Law Enforcement and Administration of Justice, Technology Subcommittee, past member
- Presidential Commission on Safe Policing and Safe Communities, Executive Order Working Group, past member
- Attorney General's Advisory Committee Civil Rights Subcommittee, past chair; Management, People and Performance Subcommittee, past vice chair; White Collar Crime and Health Care Fraud Subcommittee, past vice chair
- U.S. Magistrate Judge Merit Selection Committee, Northern District of Georgia, past member

- Georgia Judicial Nominating Commission, past member
- State Bar of Georgia Bar Foundation, Lifetime Fellow; Clients' Security Fund, Board of Trustees past chair; Civil Legal Services Task Force, past member
- Georgia Asian Pacific American Bar Association, past board member
- National Association of Former U.S. Attorneys, lifetime member
- Anti-Defamation League (Southeast), board member
- Catholic Foundation of North Georgia, board member; Nomination and Governance Committee

Accolades

- Principles Award, Conservative Policy Leadership Institute (2021)
- Judge Alvin T. Wong Pioneer Award, Georgia Asian Pacific American Bar Association (2021)
- Daniel K. Inouye Trailblazer Award, National Asian Pacific American Bar Association (2019)
- "Prosecutor of the Year" Award, Korean Prosecutors Association (2018)
- *Super Lawyers*, White Collar Criminal Defense, Georgia (2014-2017)
- Lifetime Achievement Award by Asian Americans Advancing Justice – Atlanta (2016)
- "Most Influential Legislators," by *James Magazine* (2014)
- 25 Most Influential Asian Americans in Georgia Award, *Georgia Asian Times* (2011, 2013-2014)
- University of Illinois College of Law Distinguished Alumnus Award (2013)
- "13 Georgia Lawyers Under 40 to Watch," *Fulton County Daily Report* (2011)
- Organized Crime Drug Enforcement Task Force Case of the Year Recognition Award (2004)

Education

- University of Illinois (J.D., 1998)
- Stetson University (B.B.A., 1995)

Admitted to Practice

- Georgia

Related Services

Litigation | White Collar, Government & Internal Investigations | False Claims Act | Health Care Fraud | Health Care Litigation | State Attorneys General Practice Team | Government Ethics & Compliance | Blockchain & Digital Assets