

Kenneth G. Weigel

Senior Counsel

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Ken Weigel was a partner at Alston & Bird for almost 20 years before becoming senior counsel with the International Trade & Regulatory Group. Ken has over 40 years of experience advising companies on export controls and sanctions, customs, trade remedy proceedings (e.g., antidumping and countervailing duty), and trade policy. He counsels and represents companies before the agencies and courts in audits, and civil and criminal investigations and disclosures. He also assists clients by providing advice on, designing, and implementing import and export compliance programs.

Ken has written and spoken extensively on international trade issues. He has been recognized in *Chambers USA*, *Chambers Global*, *Who's Who in America*, *The Best Lawyers in America*[®], *Super Lawyers*, *International Who's Who of Trade & Customs Lawyers and Thought Leaders Global Elite*, and *America's Most Honored Professionals*, and is Peer Review Rated™ AV Preeminent[®] in Martindale-Hubbell[®]. According to *Chambers*, "Kenneth Weigel attracts a deluge of recommendations for his skills in trade work. Peers point to his 'highly sophisticated practice,' while clients prize his 'wealth of knowledge and experience in international trade and customs issues,' describing him as 'a walking encyclopedia.'"

He received his J.D. from George Washington University, where he was a member of the Order of the Coif, and his B.A. in economics from the University of Michigan.

Representative Experience

Export Controls and Sanctions Representations

- Represented a U.S. exporter in an investigation and settlement with the Departments of Justice and Commerce regarding unauthorized exports of items for a foreign nuclear facility.
- Represented U.S. and European companies in investigations and voluntary self-disclosures before the Office of Foreign Assets Control.
- Represented U.S. exporters in U.S. government-mandated audits of their export compliance programs.
- Represented a U.S. exporter in a disclosure to the Directorate of Defense Trade Controls arising from global information technology systems.
- Represented U.S. companies in reviews of potential acquisitions and voluntary self-disclosures to OFAC, BIS, and DDTC of violations by acquired companies.
- Created and implemented multiple global export and sanctions compliance programs.

Trade Remedies Representations

- Represented Mitsui & Co. (U.S.A.) Inc. in steel trade remedy proceedings from 1980 to date.
- Represented Usiminas S.A. in antidumping and countervailing duty proceedings on hot-rolled and cold-rolled steel sheet from Brazil.

- Represented Arlanxeo in an antidumping proceeding on emulsion styrene-butadiene rubber from Brazil.
- Represented numerous Chinese companies in antidumping proceedings.
- Represented numerous companies in scope proceedings and anti-circumvention proceedings.
- Represented Tesla Inc. in a Section 201 proceeding on crystalline silicon photovoltaic cells.
- Represented Autoliv ASP Inc. in a Section 232 proceeding.

Customs and Free Trade Agreement Representations

- Represented U.S. importers in focused assessment and other audits and free trade agreement verifications by U.S. Customs and Border Protection.
- Represented U.S. importers and exporters in free trade agreement verifications.
- Represented companies in customs penalty and liquidated damages cases before U.S. Customs and Border Protection and the courts.
- Counsel to importers in country-of-origin marking matters.
- Represented a U.S. lumber importer in an action before the Court of International Trade (CIT) and the Federal Circuit in arguing for a “treatment” in the classification of its merchandise.
- Represented an industry group in assisting governmental authorities in a General Agreement on Tariff and Trade (GATT) dispute.
- Represented a foreign government in a World Customs Organization classification proceeding.
- Represented companies in U.S. district court judicial proceedings involving the False Claims Act arising out of international trade issues.

Publications & Presentations

Publications

- “Use of the False Claims Act to Impose Penalties on US Imports,” *International Trade Law & Regulation*, Vol. 24, No. 2, 2018.
- “U.S. Sanctions,” in *Zoll- und Aussenwirtschaftsrecht*, C.H. Beck, April 2017.
- “ZTE’S Billion Dollar Plea Agreement Indicates U.S. Trend in Enforcing Export Control and Sanctions Law,” *INTELLIGEAST*, March 2017.
- “Are You Potentially Liable for U.S. Customs Civil Penalties?” *Practical Trade & Customs Strategies*, Vol. 3, No. 5, May 2014.

Professional & Community Engagement

- American Association of Exporters & Importers, board of governors, 2005–2013
- American Bar Association, Section of International Law and Practice, Customs Law Committee, chairman, 1988–August 1992; Customs Law Committee, Executive Committee, August 1992–1994
- U.S. Court of International Trade
- U.S. Court of Appeals for the Federal Circuit
- U.S. Supreme Court

Education

- The George Washington University (J.D., 1979)
- University of Michigan (B.A., 1976)

Admitted to Practice

- District of Columbia

Related Services

Litigation | International Trade & Regulatory | Health Care | International Litigation | Transfer Pricing | Legislative & Public Policy | Trade - Japanese Business Team | Corporate & Business Transactions | Export Controls | Office of Foreign Assets Control (OFAC) Embargoes and Sanctions | Customs | Trade Remedies: Antidumping, Countervailing Duty, and Other Trade Proceedings | Committee on Foreign Investment in the United States (CFIUS) | Government & Economic Incentives | International | German Business Team | Foreign Corrupt Practices Act (FCPA) Violations