

Pio S. Kim

Partner



Pio S. Kim has extensive experience in white collar crimes, regulatory enforcement, asset forfeiture, and complex business litigation. For 13 years, Mr. Kim served as an Assistant United States Attorney in the Major Fraud Section and the Asset Forfeiture Section of the United States Attorney's Office in Los Angeles, California. As a federal prosecutor, Mr. Kim prosecuted criminal cases and asset forfeiture matters arising out of investment, bank, health care, and corporate frauds, commercial smuggling, and the U.S. Customs violations. He has also conducted numerous parallel investigations with the SEC, the FTC, and the U.S. Customs and Border Protection, and handled Mutual Legal Assistance Treaty requests, including extradition requests from the Republic of Korea. Mr. Kim has extensive trial experience and handled multiple appeals before the United States Ninth Circuit Court of Appeals.

For 9 years prior to joining the U.S. Attorney's Office, Mr. Kim was an associate and later a partner at LimNexus. He specialized in complex business litigation in the areas of transnational investment, banking, and intellectual property.

Representative Matters

- In an investigation for government fraud and obstruction of justice against one of the largest suppliers of the U.S. Department of Defense and its officers, caused the U.S. government to agree to a global settlement providing for non-prosecution of officers, a dismissal of the information against the supplier with a deferred prosecution agreement, and a settlement of the False Claims Act whistle blower action.
- Defended a Korean manufacturer of fire-resistant pipes in a U.S. arbitration against a worldwide trade secret violation claim for damages more than \$20 million and settled the matter for an amount less than 3% of the claimed damages.
- On behalf of businesses and individual targets of money laundering and asset forfeiture investigations arising out of the 2014 Raid in the Los Angeles Garment District and the seizures of millions of dollars, which garnered international media attention, caused the U.S. Attorney's Office to close the investigations without any charges to the clients and return virtually all of the money seized.
- Defended a U.S. subsidiary of one of the largest plastic container manufacturers in Korea and its officers against an insurance fraud investigation and convinced the D.A.'s Office to bring no charge against the officers and agree to place the subsidiary on probation.
- Investigated and prosecuted the largest commercial smuggling case in the history of U.S. Customs, in which the documented foreign-declared value of the smuggled goods was approximately \$418 million. The U. S. government seized properties and cash with domestic value of approximately \$95.5 million.
- Investigated and prosecuted the inventor of ZICAM products for importing and distributing unapproved medicine.
- Prosecuted forfeiture proceedings relating in the law firm Milberg Weiss, in which the U. S. government forfeited approximately \$30 million.



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Practice Areas

Government Enforcement & White Collar

- Federal and State White Collar Investigation and Prosecution
- Tax and Tax-related Fines and Penalties
- Asset Forfeiture
- Civil Fines and Penalties
- Corporate Internal Investigations
- Agency Subpoena Responses
- Voluntary Disclosures/Prior Disclosures

International Trade & Regulatory Compliance

- Customs Regulations
- Anti-bribery Law

Litigation, Arbitration & Trial

- Commercial Litigation
- International Arbitration
- Domestic Arbitration
- Employment Litigation
- Cross-border Litigation

Intellectual Property

- Copyright & Trademark Litigation
- Trade Secrets & Unfair Competition

- Prosecuted an investment fraud in which the defendants fraudulently induced investors to invest more than \$60 million into a nationwide Ponzi scheme.
- Defended and achieved an exceedingly favorable settlement for a Korean conglomerate from a \$60 million breach of contract suit in the United States by a Fortune 100 financial services provider.
- Defended and achieved a very favorable settlement for a Korean joint venture partner in a suit brought by its U. S. joint venture partner, a Rhode Island chemical manufacturing company.
- Sued the US government alleging constitutional violations and caused the Department of Homeland Security and the Department of Treasury to completely stop the criminal investigation of an importer of alcoholic beverages for the alleged smuggling scheme described by the investigating TTB agents as the largest under the agency's jurisdiction in the US.
- Obtained declination from the US DoJ Criminal Division and Tax Division for an individual client investigated, in multiple countries, for fraud, money laundering and tax evasion in connection with a \$60 million commission paid by a US Fortune 500 entity through a BVI entity.
- Caused the US Attorney's Office to decline to prosecute an individual client for allegedly agreeing to accept bribe while working for the former LA City Councilman, Jose Huizar.

Labor & Employment

- Litigation, Trial, & Arbitration

Education

University of California at Los Angeles School of Law, Los Angeles, CA

- J.D. - 1991

University of California, Los Angeles

- B.A. - 1988

Foreign Languages

- Korean

Bar Admissions

- California, 1991
- U.S. District Court Central District of California
- U.S. Court of Appeals 9th Circuit

Published Works

- "Asset Forfeiture Bill will not Have a Significant Effect," Daily Journal (August 22, 2016)

Classes/Seminars

- Lecturer, "Forfeiting Proceeds of International Organized Crime," May 2009
- Speaker, "Search, Seizure and Forfeiture," September 2011

Professional Associations and Membership

- Los Angeles County Bar Association, Criminal Justice Section Executive Committee
- Los Angeles Superior Court, Judge Pro Team, 2004 to 2008
- Korean American Bar Association of Southern California, President, 1998 to 1999
- Asian Concerns Committee, predecessor to Asian Pacific American Bar Association, Co-Chair, 1994
- Asian Pacific American Bar Association, Co-Founder

Pro-bono Activities

- Public Counsel Children's Rights Project, Pro Bono Attorney