

Seth D. DuCharme
Partner

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About Seth

Seth DuCharme draws on his experience serving in senior leadership positions at the Department of Justice to represent companies and individuals in the investigation and defense of a wide variety of federal and state regulatory, criminal and civil matters, including cryptocurrency enforcement, national security, cross border regulation, cyber security and data breach response, Foreign Corrupt Practices Act (FCPA) diligence and litigation, Foreign Agents Registration Act (FARA), export controls, sanctions compliance and anti-money laundering.

Prior to joining Bracewell, Seth served for 13 years in the US Attorney's Office for the Eastern District of New York where he held various positions, including Acting US Attorney, Chief of the Criminal Division and Chief of the National Security & Cybercrime Section. From March 2019 through July 2020, Seth served on detail to Main Justice, where he served first as the Senior Counselor to the Attorney General for criminal, national security and cyber matters before attaining the position of Principal Associate Deputy Attorney General of the United States — the highest ranking career prosecutor in the Department of Justice.

In his various leadership roles at the US Attorney's Office, Seth supervised some of the Department's most important cases, including the investigation of a global financial institution for its involvement in an international bribery scheme; the indictment of a Chinese tech conglomerate; the RICO prosecution of the leader of a sex trafficking cult; the arrest and indictment of eight individuals charged with conspiring to act as illegal agents of a foreign nation; and the conclusion of a deferred prosecution agreement over a major financial institution in connection with its potential exposure for international money laundering.

Seth is a frequent media commentator and guest lecturer. Prior to attending law school, he began his career in law enforcement as a Deputy United States Marshal in the Eastern District. After graduating from Fordham University School of Law in 2003, Seth clerked for the Honorable Richard Owen of the US District Court for the Southern District of New York and then spent several years as an associate at a prominent international law firm in New York City. In 2021, Seth was appointed to serve on the Criminal Justice Act Panel in the Eastern District of New York.

Recent Notable Matters

DOJ, SEC, CFTC and State Attorney General's Office investigations — represent clients in connection with investigations by federal criminal and civil regulators as well as state and local investigative agencies

Cryptocurrency investigations — represent significant industry companies in connection with federal and state regulatory and enforcement investigations

Private equity — represent client in connection with losses it sustained through an alleged pattern of deceptive practices by a counterparty

Cyber security, data breach and incident response — advised multiple corporations on best practices, policies and preparedness in securing information and coordinated responses with federal, state and local agencies in connection with computer network intrusions

International financial institutions — advising multiple clients on issues relating to compliance with US law in banking US dollar transactions and cross border transactions specifically related to sensitive and evolving regulatory matters affecting their operations

National security investigation — successfully guided client through a highly sensitive national security investigation

Individual federal innocence defense — obtained a declination from a US Attorney's Office on behalf of an individual with respect to the federal criminal investigation

Individual state investigation — obtained a dismissal of charges by a District Attorney's Office as the result of a defense investigation and innocence presentation

Death row pro bono client — representing a young man on death row in Alabama and recently argued procedural matters before the Alabama Court of Criminal Appeals

Bank Integrity Task Force — created team to focus on efficient strategies to combat money laundering, sanctions, bribery and cryptocurrency violations*

Computer Fraud and Abuse and Theft of Intellectual Property — resolved matter in which a former employee of a competitor used log in credentials to unlawfully access prior employee's computer system in an effort to benefit current employer*

FCPA — resolved Foreign Corrupt Practices Act violations through negotiation of Deferred Prosecution Agreement*

RICO — conducted investigation and tried case to verdict under the Racketeer Influenced Corrupt Organizations act, which resulted in neutralization of international criminal enterprise*

Investigation of International Telecom Entity — oversaw large-scale investigation and prosecution relating to alleged bank fraud, trade sanctions and theft of intellectual property*

Hacking — investigated and resolved hacking and business email compromise scheme that was used to unlawfully prejudice adverse stakeholders*

Fraud — conducted investigation into conversion of funds from US government agency*

Counterfeit goods — investigated contract fraud in US supply chain and oversaw large scale seizure of counterfeit goods*

International Counterterrorism Investigations — conducted investigations in Europe, Africa, the Middle East and the Balkans related to terrorism financing and material support to designated foreign terrorist organizations, including conducting overseas depositions in high risk environments; obtained multiple guilty pleas and tried case to verdict*

FISA Amendments Act of 2008 — drafted appellate brief and presented oral argument relating to the constitutionality of the Act before the Second Circuit Court of Appeals*

International Emergency Economic Powers Act and the Arms Export Control Act — investigated violations and resolved multiple cases involving the unlawful export of sensitive, controlled technologies to Asia and the Middle East*

Counter Espionage — supervised long term investigation and resolution of case involving unauthorized agent of a foreign power*

Cross Border Information Sharing — worked closely with UK authorities on matters relating to cyber security, data privacy and information sharing*

Transnational Organized Crime — served alongside representatives across multiple agencies on the National Security Council to formulate and execute a coordinated effort to combat transnational organized crime*

Disruption and Early Engagement Program — created and launched an interdisciplinary initiative that aggressively responded to rising incidents of violent extremism in New York City and around the nation*

* Work completed prior to Bracewell

Publications and Speeches

"Ransomware Prevention, Detection, and Preparation Best Practices," Cybersecurity Essentials for In-House Counsel, March 30, 2022.

"Effective Tools for Responding to Governmental and Regulatory Investigations: Finding Alignment Early to Set the Table for Success," General Counsel Conference East, NY, September 22, 2021.

"Equality Under the Law and Rule of Law," Rule of Law Symposium, May 7, 2021.

Program on Extremism, George Washington University, October 20, 2020.

Annual Conference of United States Attorneys, September 23, 2020.

Department of Justice National Opioid Summit, March 4, 2020.

"Building a Cyber Practice: Lessons Learned," *Journal of Federal Law and Practice*, February 2019.

Lures and Strikes: Strategies and Tactics for Investigations of Foreign Nationals, USABook.

"Counterterrorism in an Age of Extremism," AJC Council, November 29, 2017.

"Disruption and Early Engagement Program for National Security Threats," Naval Post Graduate School, November 16, 2017.

"New Tools for Risk Management in Counterterrorism," Batten School of Leadership and Public Policy, University of Virginia, November 9, 2017.

"International Cybercrime: Navigating the Law of the Web," French-American Foundation, November 8, 2017.

"Terrorism Prevention," National Counterterrorism Center, November 1, 2017.

"Mitigating the Risks of the Financing of Proliferation," The Center on Law and Security, New York University School of Law, July 13, 2017.

"Preventing the Next Tsarnaev: Cutting Edge Tools for Law Enforcement," NYPD Cyber Intelligence & Counterterrorism Conference, February 2, 2017.

"Evolving Trends in Cybersecurity Personal Privacy, Immigration, iPhone Confidentiality vs. National Security: Where Do We Stand on the Issues Today?" New York County Lawyers Association, June 2016.

Annual Anti-Terrorism Advisory Council Conference, National Geo-spatial Intelligence Agency, April 2016.

Education

Fordham University School of Law, J.D.
2003 – *cum laude, Order of the Coif*

Hamilton College, B.A.
1992 – *with honors*

Noteworthy

The Legal 500 United States, Dispute Resolution - Corporate Investigations and White Collar Criminal Defense, 2022 - 2023

Lawdragon Inc., *Lawdragon 500 Leading Litigators in America*, White Collar and Investigations, Including Cryptocurrency, 2024

Thomson Reuters, *New York Metro Super Lawyers*, 2022 - 2023

Government Media Executive Group LLC, *City & State New York*, Law Power 100, 2021

Executive Office of the US Attorneys, Director's Award, 2018

Stein Scholars, In the Interest of Others Award, 2015

Federal Law Enforcement Officers Association, Team Achievement Award, 2013

Federal Bureau of Investigations, "Eagle" Award for Counterterrorism, 2013

Federal Law Enforcement Foundation, Prosecutor of the Year, 2012

US District Court for the Southern District of New York, Judicial Law Clerk

Fordham Law Review, Notes and Articles Editor

Affiliations

Law360, White Collar Editorial Advisory Board, 2022

Disruption and Early Engagement Program, Founder and Law Enforcement Liaison

The Learning Clinic School, Board of Directors

American Women's Self Defense Association, Instructor

Bar Admissions

New York