

# BIENERT, MILLER & KATZMAN

*A Professional Law Corporation*

## THOMAS H. BIENERT, JR.

Thomas H. Bienert, Jr. is a highly experienced trial attorney. His cases involve a wide variety of criminal and civil matters, including all types of fraud, civil rights violations, environmental crimes, health-care matters, public corruption, money laundering, contract disputes, copyright infringement, civil environmental matters, false advertising, trade secret violations, unfair competition and wrongful termination. He has worked on a number of high-profile matters, including the Independent Counsel investigation of President Clinton, the Orange County bankruptcy, the UCI fertility clinic matter, the Reginald Denny beating case during the 1992 Los Angeles riots, and the "Operation Big Spender" corruption investigation of L.A. Sheriff's Department deputies.

Representative cases Tom has handled in recent years include:

- A full dismissal of all claims against his client, a prominent estate planning attorney sued for breach of fiduciary duty, malpractice, fraud, and civil RICO claims. The plaintiffs were seeking nearly \$600 million in damages.
- After a four day trial obtained a ruling that his client could take steps toward collecting a multi-million dollar judgment that he obtained for his client.
- Defense of two owners of a large produce farm against forced labor charges and related felony counts. The government dismissed all charges against clients after six days of trial.
- A favorable settlement for corporate executive charged with violations of the Foreign Corrupt Practices Act (FCPA), the Travel Act and conspiracy. The client initially faced over 100 years in prison but the case was settled with no admission of intentional misconduct and a sentence of home confinement.
- Secured an acquittal for physician client after a two-month Medicare fraud trial.
- Tried the first Economic Espionage case in United States District Court for the Central District of California.
- Secured a dismissal of felony charges for client indicted for conspiracy to defraud the FDA and wire fraud. Tom's client pled to a one-count misdemeanor and was sentenced to probation.
- A mistrial for his client in the Peregrine Systems criminal financial fraud trial.

A former Chief of the Orange County Office of the United States Attorney, Tom specializes in complex civil litigation and white-collar criminal defense, representing both individuals and corporations in state and federal courts. In addition to his service with the U.S. Attorney's Office in Orange County, Tom served as Chief of Criminal Complaints in the U.S. Attorney's Los Angeles Office and as Associate Independent Counsel in Washington, D.C., and practiced in the private sector with Irell & Manella and Phelps Dunbar.

Tom is a fellow of the American College of Trial Lawyers (ACTL), a member of the Association of Business Trial Lawyers (ABTL), a current Board member of the Orange County Criminal Defense Bar Association (OCCDBA), and former President of the

Orange Bar Association (OCBA)'s Charitable Fund Board. Tom served as President of the OCBA from 2014-2015. He was named Orange County's "White-Collar Lawyer of the Year" for 2011 by Best Lawyers, the oldest and most respected peer-review publication in the legal profession. He is a former Lawyer Delegate to the Ninth Circuit Judicial Conference and has been recognized annually as one of the "Top 50 Lawyers in Orange County" by Super Lawyers.

An honors graduate of Tulane University School of Law, where he was an editor of the Law Review and a member of the Order of Barristers, Tom has been an adjunct professor at Loyola Law School and a frequent lecturer on legal issues.