



**DAVID
ISAAK**
PARTNER

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BIOGRAPHY

Described by Chambers USA as a “smart lawyer” “known for his intelligent handling of cases,” David Isaak represents companies and executives in their most serious legal matters: government and internal investigations, white collar criminal cases, and high-stakes civil litigation. Equally at home in civil or criminal court, David is adept at protecting his clients’ interests in parallel civil, criminal, and administrative proceedings – a rare talent among even the most seasoned trial lawyers.

David’s practice centers on representing clients in legally and factually complex investigations and white collar criminal cases involving, among other things, health care fraud, tax fraud, securities fraud (including insider trading), antitrust, commodities manipulation, trademark infringement, theft of trade secrets, environmental crimes, and violations of the Foreign Corrupt Practices Act (FCPA). Often his victories are private, such as when he persuades prosecutors or regulators not to bring criminal charges or civil enforcement claims. For example, an extensive FBI investigation for alleged theft of trade secrets ended with no charges filed against his clients. David was also instrumental in convincing the Department of Justice Civil Division not to intervene in a False Claims Act qui tam case against David’s client in which the government had previously demanded over \$20 million to settle. This led to dismissal of the case against David’s client. In addition to these private victories, David has had many public successes for his clients. For example, he was a key member of the team that obtained a not guilty verdict on Clean Water Act charges against BP’s well site leader on the Deepwater Horizon after first securing dismissal of manslaughter charges.

PRACTICE AREAS

appeals
commercial disputes
energy and oil & gas
healthcare
securities
white collar

EDUCATION

j.d., with highest honors,
university of texas school of
law (1999)
m.a., with honors, university of
illinois (1996)
b.a., *summa cum laude*,
university of north dakota
(1994)
law clerk to the hon. thomas r
phillips, chief justice, supreme
court of texas, 1999-2000



Additionally, David is frequently called upon to represent clients in high-stakes civil matters and internal investigations. Recently, David—along with Craig Smyser, Crystal Robles, and other SKV lawyers—represented McKesson Corporation in the Texas state multidistrict opioids litigation. David also recently completed an internal investigation for a Fortune 1000 oil services company. The investigation revealed fraud and kickbacks by key employees.

David’s analytical skills, work ethic, and attention to detail gained him recognition at the University of Texas School of Law, where he was named Grand Chancellor—the Law School’s most prestigious honor awarded to the student with the highest grade point average after the second year of law school. He was also selected to the editorial board for the Texas Law Review. After law school, David honed his skills in civil litigation: clerking for the Chief Justice of the Texas Supreme Court and developing a commercial litigation, antitrust, and securities litigation practice before branching into white-collar criminal defense and government investigations. David has taught a course on public corruption offenses and the FCPA at the University of Houston Law Center and speaks frequently on a wide range of white collar criminal defense and litigation issues. David has been a partner at SKV since 2015 and is currently a member of the Firm’s Executive Committee.

REPRESENTATIVE MATTERS

WHITE COLLAR CRIMINAL DEFENSE AND GOVERNMENT INVESTIGATIONS

- Not Guilty Verdict for Deepwater Horizon Well Site Leader. David was a key member of the defense team that secured a not guilty verdict for Robert Kaluza, a “well site leader” on the Deepwater Horizon on Clean Water Act charges following dismissal of manslaughter charges with the Court of Appeals affirming the dismissal.
- SEC Investigation (Securities Fraud): David successfully represented a publicly traded company targeted by short sellers into investigation of spurious allegations. The SEC took no action against his client.
- Representation of CEO and Company in DOJ Antitrust Investigation: David represented the CEO and the company in a high-profile price fixing matter. David was lead counsel for the Company and CEO in all criminal proceedings and in class-action civil litigation against both the CEO and the Company.
- Confidential representation of individuals and companies in criminal and civil investigations by federal agencies, including the Department of Justice and United States Attorney’s Offices, Federal Bureau of Investigation, Internal Revenue Service, Securities Exchange Commission, Commodity



Futures Trading Commission, Postal Inspection Service, United States Small Business Administration, and numerous other federal agencies.

- Representation of physicians and other healthcare professionals in federal healthcare fraud and FDA investigations.

CIVIL LITIGATION AND INTERNAL INVESTIGATIONS

- Qui Tam False Claims Act Case: David, along with co-counsel, successfully persuaded the Department of Justice's Civil Division not to intervene in a qui tam False Claims Act action where the DOJ had previously demanded over \$20 million to settle with Mr. Isaak's client. The DOJ's decision not to intervene led the relator to voluntarily dismiss the claims against his client.
- High-Stakes Trade Secret Case: David—along with SKV partners Lee Kaplan, Justin Waggoner, and Razvan Ungureanu—recently defeated a request for a preliminary injunction by an international oilfield pipe manufacturer against SKV's client, another international pipe manufacturer, in the United States District Court for the Southern District of Texas. This was a major victory for SKV's client, as the requested preliminary injunction would have shut down an entire product line.
- McKesson Opioids Litigation: David, along with Craig Smyser and several other SKV lawyers, represented pharmaceutical distributor McKesson in multidistrict litigation filed in Texas state court by various government entities alleging that McKesson had contributed to the opioid crisis.
- Internal Investigation for Oilfield Services Company: David recently headed up an extensive internal investigation for a Fortune 1000 oilfield services company. The investigation revealed fraud and corruption by company employees and outsiders. David and Jackie Rex ultimately prepared a comprehensive report for the company's Audit Committee.
- Other internal investigations: David has conducted confidential internal investigations involving a wide range of subject and in a broad variety of industries. These investigations have involved everything from trade secret misappropriation to wage and hour policies to university admissions.

ASSOCIATIONS

- Federal Bar Association, Southern District of Texas
 - President, 2019
 - Board of Directors, 2011-2020
- Houston Bar Association
- National Association of Criminal Defense Lawyers
- Criminal Justice Act Panel, Southern District of Texas 2014-Present



ADMISSIONS

- Texas
- United States Fifth Circuit Court of Appeals
- United States District Courts for the Southern, Eastern, and Northern District of Texas