



## Meghan E. Flinn

### Associate

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## OVERVIEW

Meghan Flinn is an associate in the investigations, enforcement, and white collar group in the Washington, D.C. office. She focuses her practice on government investigations, regulatory enforcement actions, internal investigations, and complex civil litigation matters at the trial and appellate level.

Meghan represents individuals, investment advisers, broker-dealers, public companies, banks, and other financial institutions before various state and federal regulators and enforcement authorities. These include the Securities and Exchange Commission (SEC), the Consumer Financial Protection Bureau (CFPB), the U.S. Department of Justice (DOJ), and the Financial Industry Regulatory Authority (FINRA). Meghan has experience defending and counseling clients at each juncture of a government investigation, including with respect to subpoena responses, investigative testimony, and Wells submissions. She also represents clients in connection with actions brought in federal and state court with a concentration on securities litigation.

Her experience extends to matters concerning, among other things:

- Section 36(b) of the Investment Company Act of 1940
- Foreign Corrupt Practices Act (FCPA) and other anti-corruption and anti-bribery laws
- Insider trading and other securities fraud allegations
- Gatekeeper or secondary liability under the securities laws
- Compliance and supervisory issues
- DOJ and qui tam claims asserted under the False Claims Act (FCA)
- Fair Housing Act (FHA) claims relating to mortgage and foreclosure practices
- Receiverships in SEC enforcement cases
- Regulatory disclosure requirements
- Mutual fund board policies and procedures

Additionally, Meghan assists clients with internal investigations to assess potential civil or criminal exposure in these and other areas.

Meghan dedicates meaningful time to various pro bono matters at K&L Gates. Some of this work includes representing a client in federal habeas proceedings, and assisting a nonprofit organization with an internal investigation concerning an employment matter.

Meghan has been selected to the 2020 Washington, D.C. Rising Star list by Super Lawyers in the area of White Collar Defense. She is an active member of the Women in White Collar Defense Association, the Women's Bar Association of the District of Columbia, and the Washington, D.C. office's Women in the Profession Committee.

## PROFESSIONAL BACKGROUND

Prior to joining the firm, Meghan had the privilege of serving as a law clerk for the Honorable Joseph R. Goodwin for the U.S. District Court for the Southern District of West Virginia, where she assisted in managing the civil docket and the multidistrict (MDL) docket that contained over 70,000 product liability actions. In addition, she worked as a judicial extern for the Honorable Robert B. King for the U.S. Court of Appeals for the Fourth Circuit.

## PROFESSIONAL / CIVIC ACTIVITIES

- Women in Law Empowerment Forum (WILEF), Washington, DC Chapter, Young Lawyers Committee Member (2019-present)
- Women in White Collar Defense Association (2019-present)
- Women's Bar Association of the District of Columbia (2018-present)

## SPEAKING ENGAGEMENTS

- Panelist, "Attorney-Client Privilege for Financial Institutions in Internal Investigations, Audits, and Bank Regulatory Exams: Confidential Information and Work Product; Bank Examination Privilege; Section 1828 Selective Waiver," Strafford Publications CLE Webinar (January 2019)

## EDUCATION

- J.D., Washington and Lee University School of Law, 2014 (*magna cum laude*; *Executive Editor*, *Washington and Lee Law Review*; *Order of the Coif*)
- B.A., West Virginia University, 2011 (*summa cum laude*, *Phi Beta Kappa*)

## ADMISSIONS

- Bar of District of Columbia
- Bar of Maryland

- Bar of West Virginia
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Second Circuit
- United States District Court for the District of Maryland
- United States District Court for the Southern District of West Virginia

## THOUGHT LEADERSHIP POWERED BY HUB

- 21 December 2020, 2021: A New Year, the Same Fear - Why Companies Should Expect a Wave of PPP Investigations (*Alerts/Updates*)
- 22 October 2020, SEC Speaks 2020: Enforcement and Examination Highlights (*Alerts/Updates*)
- 3 July 2019, Court Grants Summary Judgment to Defendant Investment Adviser in Section 36(b) Excessive Fee Lawsuit (*Alerts/Updates*)
- 18 January 2019, An Update on False Claims Act Litigation: Circuit Splits and Other Developments in 2018 (*Alerts/Updates*)
- 28 February 2018, Supreme Court Resolves Debate Over the Scope of the Dodd-Frank Whistleblower Protection Provisions (*Alerts/Updates*)
- 7 December 2017, Takeaways from the 34th International Conference on the Foreign Corrupt Practices Act (*Alerts/Updates*)
- 30 May 2017, D.C. Circuit Considers Reversal of Earlier Decision and May Declare SEC Administrative Law Judges Inferior Officers Subject to Appointment (*Alerts/Updates*)
- 10 January 2017, Tenth Circuit Decision Finds Against the SEC and Creates a Circuit Split on the Constitutionality of the Commission's ALJs (*Alerts/Updates*)
- 5 July 2016, The First Ninety Days of the FCPA Unit's Pilot Program (*Alerts/Updates*)
- 30 November 2015, Second Circuit Filing Re-Ignites Debate over the Scope of the Dodd-Frank Whistleblower Protection Provisions (*Alerts/Updates*)

## OTHER PUBLICATIONS

- "Satisfying the Banking Regulator's "Right to Know" While Maintaining Confidentiality of Privileged Material: The Privileges and Protections Available to Banking Institutions," *Journal of Taxation and Regulation of Financial Institutions*, Spring 2017
- A Continuing War with Asbestos: The Stalemate Among State Courts on Liability for Take-Home Asbestos Exposure, 71 Wash. & Lee L. Rev. 707 (recipient of the 2013 Roy L. Steinheimer Award for outstanding student Note)

## AREAS OF FOCUS

- Investigations, Enforcement, and White Collar
- Anti-Bribery and Anti-Corruption
- Securities and Transactional Litigation
- Securities Enforcement / Financial Regulatory Enforcement
- U.S. Congressional Investigations

## REPRESENTATIVE EXPERIENCE

- Defended an investor relations professional at a technology company in an SEC investigation of a potential Regulation FD violation, resulting in the declination of an enforcement action.
- Defended an attorney in an SEC investigation of potential secondary fraud liability, resulting in the declination of an enforcement action.
- Advised an investment adviser in responding to a subpoena issued by the Investor Protection Bureau of the Office of the New York Attorney General relating to mutual fund disclosures.
- Assisted a large bank in responding to a CFPB investigation and civil investigative demands arising from a mortgage servicing examination.
- Defended a sales supervisor at a large broker-dealer in an investigation brought by the SEC's Public Finance Abuse Unit, resulting in the declination of an enforcement action.
- Represented an oil and gas company in responding to a grand jury subpoena relating to a potential bribery scheme.
- Obtained summary judgment on behalf of a mutual fund provider in a lawsuit brought in federal district court alleging excessive advisory fees under Section 36(b) of the Investment Company Act.
- Defended a wealth management firm in a lawsuit brought by the court-appointed receiver to a receivership organized as part of an SEC enforcement action.
- Conducted an internal investigation for an investment adviser relating to certain portfolio management policies, procedures, and practices.
- Assisted an international energy company in conducting an internal investigation of alleged employee misconduct arising from a whistleblower report.
- Pursued a habeas petition at the federal district and appellate level on behalf of a client relating to the constitutionality of his criminal conviction as a juvenile.
- Led an internal investigation of potential employee misconduct for a local non-profit organization.
- Conducted statewide research to assist lobbying efforts of a local victims' rights organization.

- Advised a mortgage lender in a False Claims Act investigation brought by the DOJ and the Department of Housing and Urban Development (“HUD”) concerning the origination of FHA loans under the Direct Endorsement Lending program.
- Represented a national bank in an FHA lawsuit filed by county governments challenging mortgage loan origination, servicing, and foreclosure practices.
- Represented a major international and publicly-traded construction company in responding to FCPA and related inquiries from the DOJ and SEC FCPA Units.