

Bradley L. Henry | Partner
White Collar Defense &
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VICE CHAIR, WHITE COLLAR DEFENSE & INVESTIGATIONS PRACTICE GROUP

Companies around the world turn to Brad Henry when they need a forward-thinking and tactical lawyer who can help them address U.S. economic sanctions, anti-money laundering regulations, anti-bribery and anti-corruption issues, and criminal trials. Brad represents clients in criminal defense and government investigation, internal investigation, and compliance matters. He has tried more than 30 federal criminal jury trials in courts across the United States. Brad works extensively for companies and individuals in the United States, Türkiye, Latin America, Central and Eastern Europe, the Balkans, and Ukraine.

In his government investigations practice, Brad has defended entities and individuals in investigations and prosecutions involving financial crime, Foreign Corrupt Practices Act (“FCPA”) violations, economic sanctions violations, export violations, bank secrecy and anti-money laundering (“AML”), public corruption, corporate financial fraud, cryptocurrency fraud, economic espionage, and theft of trade secrets. He also represents clients in complex commercial litigation and international arbitration matters. He has handled cases investigated or prosecuted by the Department of Justice (“DOJ”) (National Security Division, Computer Crime and Intellectual Property Section, Environment and Natural Resources Division), Securities and Exchange Commission (“SEC”), Commodity Futures Trading Commission, Office of Foreign Assets Control (“OFAC”), Bureau of Industry and Security (“BIS”), New York Department of Financial Services (“NYDFS”) and other federal, state, and local agencies.

In his internal investigations practice, Brad has conducted internal investigations on

behalf of audit committees and special committees concerning potential violations of U.S. economic sanctions under the International Emergency Economic Powers Act (“IEEPA”), the FCPA, and AML and Bank Secrecy Act (“BSA”) regulations.

In his compliance program practice, Brad has counseled clients with regard to civil, criminal, and regulatory issues arising in their international operations, including designing, implementing, and testing compliance programs to mitigate potential risk to handling regulatory and criminal document requests, subpoenas, and investigations.

In his complex litigation practice, Brad has represented clients in commercial and financial disputes including cross-jurisdictional litigation, multi-party actions, appellate proceedings, and follow-on actions arising from regulatory investigations.

In his international arbitration practice, Brad has arbitrated cases before the International Chamber of Commerce (“ICC”) and the International Centre for Settlement of Investment Disputes (“ICSID”). His experience ranges from disputes between sovereign nations to bilateral investment treaties related to construction, manufacturing, real estate development, ports, and oil and gas.

Brad serves as the Co-Chair of the Anti-Money Laundering and Sanctions Expert Subcommittee of the International Bar Association. He is a frequent legal commentator and speaker, providing his view on a range of white-collar and compliance topics, as well as international litigation and arbitration, U.S. economic sanctions, AML/TF, the FCPA, and cross-border investigations.

Select Engagements

Corporate Fraud

- The former president of the nation’s largest diesel fuel retailer. Brad was engaged after the client was convicted at trial and successfully had the conviction overturned and convinced the DOJ to drop all charges.
- An executive of a nuclear remediation company in an investigation into violations of the False Claims Act. No charges were filed.
- A chief of general surgery of a regional university medical center in an investigation into Medicare/Medicaid fraud. No charges were filed.
- An executive of an ivy league university in a federal jury trial for allegations of bribery and visa fraud.
- An individual in nationwide fraud scheme related to civil war collectibles. Brad convinced the government to drop all charges in the indictment prior to trial.

U.S. Economic Sanctions

- A state-owned foreign bank in a sanctions and BSA/AML investigation by the DOJ and the OFAC.
- An international tobacco company in connection with an investigation by the

DOJ National Security Division and OFAC for alleged violations of U.S. economic sanctions against North Korea.

- Conducted an internal investigation of a European payment services company related to possible violations of U.S. economic sanctions against Iran.
- A foreign corporation in an investigation by the DOJ National Security Division for alleged violations of North Korean sanctions regulations.
- A foreign individual in having their name removed from the prohibited persons list administered by OFAC.
- Foreign entities in applications for special licenses before OFAC.
- Conducted a comprehensive risk assessment and internal investigation for a foreign agricultural product manufacturing company related to U.S. economic sanctions on Iran in response to a joint inquiry from OFAC and the U.S. State Department.
- Counseled a U.S.- based international restaurant franchisor on issues with franchisee operations in Latin America involving OFAC and State Department Magnitsky sanctions.

Economic Espionage and Theft of Trade Secrets

- A construction company in a federal lawsuit alleging theft of trade secrets and fraud.
- A medical device engineer in an investigation by the DOJ for theft of trade secrets.
- A senior engineer in a DOJ investigation for economic espionage and theft of trade secrets related to turbine technology.
- A senior engineer in a DOJ investigation for theft of trade secrets and International Emergency Economic Powers Act violations related to laser fiber technology.

Computer Fraud and Abuse Act

- A foreign individual in an investigation for alleged violations of the Computer Fraud and Abuse Act (“CFAA”) related to the creation of an internationally distributed malware.
- An executive in investigation for violations of the CFAA.

International Arbitration

- A foreign state in a billion-dollar claim in an oil and gas pipeline dispute.
- A foreign investor in investment treaty arbitration related to the expropriation of a manufacturing facility.
- A foreign investor in an investment treaty arbitration related to the expropriation of real estate assets.
- A foreign investor in an investment treaty arbitration related to the expropriation of a construction project.

Admissions

- New Jersey
- Supreme Court of the United States
- United States Court of Appeals for the Eleventh Circuit
- New York
- Texas
- U.S. District Court - Eastern District of New York
- U.S. District Court - Northern District of New York
- U.S. District Court - Southern District of New York
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Sixth Circuit
- Tennessee
- U.S. District Court - Eastern District of Tennessee

Memberships

- International Bar Association
- New York Council of Criminal Defense Lawyers

Education

- The University of Tennessee at Chattanooga, BS
- Florida Coastal School of Law, JD

Professional Activities

Brad serves as a member of the Federal Bar Council, the National Association of Criminal Defense Lawyers, and the International Bar Association. He also serves as vice chair of the Anti-Money Laundering and Sanctions Experts Subcommittee of the International Bar Association.