



Scott M Flicker

Partner, Litigation Department
scottflicker@paulhastings.com

Scott Flicker is the Chair of the Paul Hastings Washington D.C. office and leader of the firm's Global Trade Controls practice. Mr. Flicker advises clients in matters arising from cross-border mergers and acquisitions, financings and operations, including foreign investment reviews, export controls and trade sanctions, competition law, and trade agreements. He has been recognized as a leading practitioner before the Committee on Foreign Investment in the United States (CFIUS), having represented both U.S. and non-U.S. companies in connection with some of the most reported cross-border investment transactions of the past decade.

Recent Representations

Global Compliance and International Trade. Mr. Flicker has:

- represented both acquiring and acquired interests in foreign investment/national security reviews before the Committee on Foreign Investment in the United States ("CFIUS") under the Exon-Florio statute;
- conducted and supervised corporate internal investigations of reported economic sanctions or export control law violations;
- led and addressed compliance due diligence in the context of mergers and acquisitions and financings;
- negotiated and prepared international trade compliance terms, representations and warranties in acquisition, international distributor, sales and joint venture agreements;
- advised issuers and underwriters on global trade controls aspects of cross-border financings;
- designed and conducted in-house training programs on issues of international trade compliance for domestic and overseas personnel of multinational corporations;
- counseled clients on various aspects of U.S. export control and trade embargo laws administered by the U.S. State Department, U.S. Commerce Department and U.S. Treasury Department, including enforcement matters;

Washington, D.C.

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Practice Areas

Artificial Intelligence
Life Sciences and Healthcare
Investigations and White
Collar Defense
Complex Litigation and
Arbitration
Trade Secrets
Oil and Gas
Technology
ITC Section 337
Investigations
Patent Litigation
Class Actions
Global Compensation,
Benefits, and ERISA
Global Trade Controls
Patent Office
Securities Litigation
National Security Regulation
and Investigations
Intellectual Property
Energy
Litigation
Privacy and Cybersecurity
Data Centers
Government Contracts
Litigation

Admissions

Scott M Flicker (Continued)

District of Columbia Bar
California Bar

Education

UCLA School of Law, J.D.
1988

University of California,
Berkeley, B.A. 1985

- advised and represented clients with respect to Section 337 actions in numerous industries, including semiconductor technology, pharmaceuticals and chemicals;
- represented foreign exporters and foreign governments in U.S. antidumping and countervailing duty proceedings;
- represented Chinese government and industry clients in proceedings before the International Trade Commission and the U.S. Trade Representative; and
- counseled clients in cases brought under Title III of the Trade Act of 1974 in the automotive, financial services and electronics industries.

Administrative Law and Appellate Practice. As a Washington, D.C.-based practitioner, Mr. Flicker has extensive administrative law experience, including District Court challenges under the Administrative Procedure Act, petitions for review in the U.S. Court of Appeals for the D.C. Circuit, and proceedings before the United States Supreme Court. Prior to graduating from the UCLA School of Law, Mr. Flicker served as an extern clerk in the Chambers of Hon. William A. Norris, U.S. Court of Appeals for the Ninth Circuit.

Accolades and Recognitions

- Ranked by Chambers USA Nationwide for International Trade: CFIUS Experts; and for International Trade: Export Controls & Economic Sanctions (2018)
- Ranked by Chambers Global for International Trade: Export Controls and Economic Sanctions (2018)
- BTI Consulting Group, honored as Client Service All-Stars for 2018
- 2018 Acritas Star, honored as one of the most outstanding lawyers

Speaking Engagements and Publications

- 12th Annual Flagship Conference on Economic Sanctions Enforcement and Compliance: “How Sanctions and Export Controls are Being Used as a Major Part of the Overall U.S. Policy on China”
- British Chamber of Commerce in Hong Kong: Cyber Threats, Active Defense and the Cross Border Business
- SCCE Regional Compliance and Ethics Conference
- A One-Two Punch: The U.S. Government Hits China’s Technology Sector (May 17, 2019)
- Something Familiar, Something New: OFAC’s Compliance Program Framework (May 06, 2019)
- Sanctions Compliance Shortfalls Result in \$1B Global Enforcement Action (April 11, 2019)
- New CFIUS Law Should Quicken and Improve Reviews of Foreign Investments in the U.S. (February 11, 2019)

Scott M Flicker (Continued)

- DOJ Voluntary Disclosure Guidance Signals Expanded Role in Export Control & Sanctions Investigations
- United States of America v. Reza Zarrab: The Long Reach of U.S. Sanctions May Have Just Gotten Longer
- "CFIUS and China: Is This the Year of the Big Showdown?," Paul Hastings Publication, March 2016
- "Ready Or Not, Implementation Day Is Here At Last," Law360, January 2016
- "U.S. Secretary of State John Kerry Reopens American Embassy in Cuba," Washington Perspectives Blog, August 2015
- "UN Passes Resolution Endorsing Joint Comprehensive Plan of Action," Washington Perspectives Blog, July 2015
- "United States and Cuba Formally Restore Diplomatic Ties," Washington Perspectives Blog, July 2015
- "P5+1 and Iran Reach Nuclear Agreement in Vienna," Washington Perspectives Blog, July 2015
- "P5+1 Negotiations With Iran - June 16 - July 10 Updates," Washington Perspectives Blog, June and July 2015
- "'New Chapter' Begins as U.S. and Cuba Agree to Reopen Embassies," Washington Perspectives Blog, July 2015
- "The Business Bottom Line on the Iran Agreement," Washington Perspectives Blog, July 2015
- "U.S. State Department Removes Cuba from State-Sponsored Terrorism List, Paving the Way for Complete Normalization," Washington Perspectives Blog, June 2015
- "Welcome To Washington Perspectives," Washington Perspectives Blog, June 2015
- "Submission Deadline for First Time Filers of the BE-10 Benchmark Survey Extended," Paul Hastings Publication, May 2015
- "Recent Developments in U.S. Investigations and Litigation," Paul Hastings Publication, May 2015
- "White House Notifies Congress of Intent to Rescind Cuba's Status as State Sponsor of Terrorism – But Significant Roadblocks Remain," Paul Hastings Publication, April 2015
- "The Iran Accord—What It Means for Our Clients," Paul Hastings Publication, April 2015
- "Commerzbank, Schlumberger Settlements Mark Acceleration of Sanctions-Related Enforcement Activities," Paul Hastings Publication, March 2015
- "Proposed Rulemaking by the Bureau of Economic Analysis Could Result in Mandatory Reporting Obligations for Large Swath of U.S. Financial Services Providers," Paul Hastings Publication, February 2015

Scott M Flicker (Continued)

- "Acting on the President's December Announcement, OFAC Implements Changes to Cuba Sanctions Policy," Paul Hastings Publication, January 2015
- "The Cuba Embargo: What Now?," Paul Hastings Client Alert, December 2014 (with the Paul Hastings Global Trade Controls Team)
- "High Stakes in Ukraine: U.S. and EU Ratchet Up Sanctions Against Russia as Fragile Peace Process Gets Underway," Paul Hastings Client Alert, September 2014
- "Washington Perspectives," Paul Hastings Publication, August 2014
- "New Restrictions Curtail Use of U.S. Equipment or Technology for Oil & Gas Exploration and Production in Russia," Paul Hastings Client Alert, August 2014
- "New Coordinated U.S. and EU Sanctions Target Russian Banks, Oil Industry," Paul Hastings Client Alert, July 2014
- "U.S. Issues Significant, Targeted Sanctions Against Designated Firms in Russian Financial and Energy Sectors," Paul Hastings Client Alert, July 2014
- "A Look Behind the Curtain: D.C. Circuit Orders Obama Administration to Provide Chinese Company with Explanation for CFIUS Challenge to Wind Farm Investment," Paul Hastings Client Alert, July 2014 (with Dana Stepnowsky)
- "U.S. Treasury Makes More Ukraine-Related Designations, Focuses on Separatist Leaders," Paul Hastings Client Alert, June 2014
- "U.S. Intensifies Sanctions Against Russian Individuals and Entities," Paul Hastings Client Alert April 2014
- "More Fallout from Crimea: Commerce and State Departments Announce Holds on New Licenses for Exports to Russia," Paul Hastings Client Alert, March 2014
- "U.S. Targets Russian Insiders President Obama Imposes Additional Sanctions in Response to Ukraine Crisis," Paul Hastings Client Alert, March 2014
- "President Obama Imposes Broad Sanctions Framework in Response to Ukraine Crisis: Prepare for an Uncertain Future," Paul Hastings Client Alert, February 2014
- "Review of China Deals in the U.S.: More, Broader, Stricter," Paul Hastings Publication, January 2014 (with Hamilton Loeb)
- "The U.S. Follows Through on Temporary Suspension of Sanctions, as Parties Continue to Negotiate Over Iran's Nuclear Program," Client Alert, January 2014
- "Caution Here: The New Iran Nuclear Accord and the Temporary Easing of Sanctions Do Not (Yet) Mean that Sunny Relations Lie Ahead," Paul Hastings Client Alert, November 2013
- "How the U.S. Government Shutdown and Debt Ceiling Could Affect Korean Companies," Paul Hastings Client Alert, October 2013 (with Behnam Dayanim, Hamilton Loeb and Devon Winkles)

Scott M Flicker (Continued)

- International Trade Policy in President Obama's Second Term – A Conversation with Scott M. Flicker of Paul Hastings' Global Trade Controls Practice, Paul Hastings Podcast, November 2012
- No More Safe Harbors: New Statute Expands Iran Sanctions Liability for U.S. Parent Companies, Paul Hastings Client Alert, October 2012 (with Devon Winkles)
- U.S. Announces "Conditional Suspension" of Sanctions Against Burma – With Strings, Paul Hastings Client Alert, July 2012 (with Devon Winkles)
- OFAC Settlement Highlights Importance of Proactive Compliance Monitoring, Paul Hastings Client Alert, June 2012 (with Kevin Petrasic and Amanda Jabour)

Professional and Community Involvement

- Mr. Flicker has served as an adjunct professor of law at George Washington University School of Law, and as a guest lecturer on international trade at the George Washington University.

Education

Mr. Flicker received his B.A. degree in Philosophy in 1985 from the University of California at Berkeley. He received his J.D. degree in 1988 from the University of California at Los Angeles, where he was a member of the Order of the Coif. Mr. Flicker awarded Best Third Year Advocate in UCLA School of Law Moot Court Honors Program.

Bar Admissions

Mr. Flicker is a member of the bars of the District of Columbia and California. He has also been admitted to practice before the United States Supreme Court, the United States Court of Appeals for the District of Columbia, Ninth and Federal Circuits, as well as numerous Federal district courts throughout the United States.

News

August 20, 2019

Jacobs to Acquire Wood's Nuclear Business

May 01, 2019

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2019

Scott M Flicker (Continued)

March 11, 2019

CDH Investments Clears CFIUS Review for \$1.4 Billion Acquisition of Sirtex

December 14, 2018

Fosun Tourism Group Completes US\$428 Million Hong Kong IPO

August 17, 2018

14 Paul Hastings Lawyers Named 2018 Acritas Stars

June 15, 2018

Novacap Completes Acquisition of Horizon Telecom

June 14, 2018

Teleperformance Announces Acquisition of Intelenet from Blackstone

June 14, 2018

CDH Investments to Acquire Sirtex for US\$1.4 Billion

June 13, 2018

Kratos Defense Completes Sale of its Public Safety & Security System
Integration Business

June 11, 2018

CJ Logistics to Acquire Majority Ownership of DCS Logistics

May 11, 2018

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2018

July 10, 2017

COSCO SHIPPING Holdings' Proposed Acquisition of Orient Overseas

June 05, 2017

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2017

May 30, 2017

Vector Capital to Acquire Sandvine Corporation

May 24, 2017

China Life Forms Strategic Partnership with ElmTree Funds for Acquisition of

Scott M Flicker (Continued)

US\$950 Million U.S. Commercial Real Estate Net Lease Portfolio

March 31, 2017

Harbour Group Acquires Industrial Lighting Products from Pfingsten Partners

March 27, 2017

Zhonghong Group Acquires Significant Stake in SeaWorld Entertainment

February 03, 2017

MSC Software To Be Acquired by Hexagon for \$834 Million

November 15, 2016

Samsung Electronics Acquires HARMAN for US\$8 Billion

August 22, 2016

Teleperformance to Acquire LanguageLine Solutions for \$1.5 Billion

May 25, 2016

Fujian Grand Chip Investment Fund Acquires Germany's Aixtron for €670 Million

November 19, 2015

Paul Hastings Hosts First Time Ever Seminar by U.S. Law Firm in Cuba

July 29, 2015

France's Nexter Systems Merges with Germany's KMW

February 23, 2015

Paul Hastings Continues White Collar Expansion with Addition of High-Profile Washington, D.C. Partner Group

June 18, 2014

Paul Hastings Represents H.I.G. Capital, LLC in the Sale of Vaupell Holdings

March 26, 2014

Paul Hastings Wins Global Competition Review's "Matter of the Year" for its Representation of American Airlines in its Merger with US Airways

January 30, 2014

Paul Hastings Advises Accelrys in its \$750 Million Sale to Dassault Systèmes

November 16, 2013

Scott M Flicker (Continued)

Paul Hastings secures Antitrust Settlement on behalf of American Airlines.

June 05, 2013

Paul Hastings Extensive Practice Strength Highlighted in The Legal 500 United States 2013

May 29, 2013

Paul Hastings Represents Shuanghui International Holdings Limited in US \$7.1 Billion Acquisition of Smithfield Foods

May 03, 2013

Paul Hastings Advises Wells Fargo Bank in \$500 Million Financing for Erickson Air-Crane

October 18, 2012

Paul Hastings Advises MISUMI Group on Acquisition of Largest Die Components Maker in the U.S

November 03, 2008

Paul Hastings Successfully Defends Leading Korean Pharmaceutical Company in International Arbitration Dispute

December 14, 2007

Paul Hastings Advises Iomega Corporation in Agreement to Acquire ExcelStor Group

Insights

February 05, 2020

Harvard Professor Arrested for Allegedly Hiding Ties to China: What Universities Can Do to Protect National Security While Promoting an Open Academic Environment

January 13, 2020

U.S. Increases Sanctions on Iran as Tensions Escalate

January 08, 2020

New Export Regulations on AI Software Could Signal Narrow Approach to Pending “Emerging Technology” Controls

Scott M Flicker (Continued)

January 08, 2020

New Export Regulations on AI Software Could Signal Narrow Approach to Pending “Emerging Technology” Controls

December 23, 2019

DOJ National Security Division Updates Its Enforcement Policy

May 17, 2019

A One-Two Punch: The U.S. Government Hits China’s Technology Sector

May 06, 2019

Something Familiar, Something New: OFAC’s Compliance Program Framework

April 11, 2019

Sanctions Compliance Shortfalls Result in \$1B Global Enforcement Action

March 26, 2019

Containing Risk and Seizing Opportunity: The In-house Lawyer’s Guide to Artificial Intelligence

February 11, 2019

New CFIUS Law Should Quicken and Improve Reviews of Foreign Investments in the U.S.

October 16, 2018

CFIUS’s New Pilot Program Signals an Expansive Approach to Its Jurisdiction Under FIRRMA

September 17, 2018

Can the U.S.-Mexico Trade Agreement Replace NAFTA?

August 13, 2018

The “Transformative” CFIUS Bill: Not So Fast.

May 29, 2018

The EU Commission Aims Its “Blocking Statute” at Renewed U.S. Sanctions Against Iran: What Will This Mean for EU Companies?

May 09, 2018

President Trump Withdraws From JCPOA; Reimposes Iran Sanctions—Six Key Takeaways

Scott M Flicker (Continued)

May 07, 2018

Mandatory BE-12 Benchmark Survey of Foreign Direct Investment in the U.S.

Due May 31, 2018

November 13, 2017

Trade, Regulations, and Investment: Navigating at the Speed of Light

October 02, 2017

CFIUS, China Deals and the Trump Administration: Five Things to Know

January 13, 2017

OFAC Takes Steps to Conditionally Lift 20-Year Embargo Against Sudan

October 26, 2016

United States of America v. Reza Zarrab: The Long Reach of U.S. Sanctions

May Have Just Gotten Longer

October 24, 2016

DOJ Voluntary Disclosure Guidance Signals Expanded Role in Export Control & Sanctions Investigations

March 04, 2016

CFIUS and China: Is This The Year of The Big Showdown?

January 18, 2016

Implementation Day: Ready? Or Not?

July 15, 2015

The Business Bottom Line on the Iran Agreement

June 01, 2015

U.S. State Department Removes Cuba from State-Sponsored Terrorism List, Paving the Way for Complete Normalization

May 29, 2015

Submission Deadline for First Time Filers of the BE-10 Benchmark Survey Extended

May 07, 2015

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Scott M Flicker (Continued)

April 15, 2015

White House Notifies Congress of Intent to Rescind Cuba's Status as State Sponsor of Terrorism – But Significant Roadblocks Remain

April 08, 2015

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February 12, 2015

Proposed Rulemaking by the Bureau of Economic Analysis Could Result in Mandatory Reporting Obligations for Large Swath of U.S. Financial Services Providers

January 16, 2015

Acting on the President's December Announcement, OFAC Implements Changes to Cuba Sanctions Policy

October 10, 2014

U.S. Government Revives "New Foreign Direct Investment" Reporting Requirement: Questions and Answers on Completing the BE-13 Survey

September 15, 2014

High Stakes in Ukraine: U.S. and EU Ratchet Up Sanctions Against Russia as Fragile Peace Process Gets Underway

August 05, 2014

New Restrictions Curtail Use of U.S. Equipment or Technology for Oil & Gas Exploration and Production in Russia

August 01, 2014

Washington Perspectives

July 30, 2014

New Coordinated U.S. and EU Sanctions Target Russian Banks, Oil Industry

July 25, 2014

Global M&A 2014 Mid-Year Report

Scott M Flicker (Continued)

July 18, 2014

A Look Behind the Curtain: D.C. Circuit Orders Obama Administration to Provide Chinese Company with Explanation for CFIUS Challenge to Wind Farm Investment

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April 28, 2014

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March 28, 2014

More Fallout from Crimea: Commerce and State Departments Announce Holds on New Licenses for Exports to Russia

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March 10, 2014

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January 21, 2014

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November 25, 2013

Caution Here: The New Iran Nuclear Accord and the Temporary Easing of Sanctions Do Not (Yet) Mean that Sunny Relations Lie Ahead

October 15, 2013

How the U.S. Government Shutdown and Debt Ceiling Could Affect Korean

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Companies

November 26, 2012

International Trade Policy in President Obama's Second Term - A Conversation with Scott M. Flicker of the Global Trade Controls Practice

October 11, 2012

No More Safe Harbors: New Statute Expands Iran Sanctions Liability for U.S. Parent Companies

July 16, 2012

U.S. Announces Conditional Suspension of Sanctions Against Burma With Strings

June 27, 2012

OFAC Settlement Highlights Importance of Proactive Compliance Monitoring

August 09, 2011

Proposed Rule May Add Confusion to Already Complex Export Control Regulations

March 31, 2011

Huawei CFIUS Redux: Now It Gets Interesting

January 27, 2011

U.S. Government Set to Impose Export Control Certification for Foreign Worker Visa Program Are You Ready?

March 10, 2010

Obama Administration Relaxes Access to U.S. Social Networking Technology Exports to Iran, Sudan and Cuba Authorized

May 13, 2008

The U.S.-Korea Free Trade Agreement: Will It Happen? Will It Matter?

April 29, 2008

New U.S. Foreign Investment Rules Endorse Broad Restrictions

November 09, 2006

2006 Mid-Term Elections Analysis: Impact on U.S.-Asia Trade

Scott M Flicker (Continued)

September 22, 2006

China Matters: Opening the Door to Freer Trade with China

May 09, 2005

National Law Journal - China has stepped up IP Enforcement Recently

June 01, 2001

Supreme Court Rules in Favor of Freelance Writers in Closely-Watched Copyright Case

November 01, 2000

Export Control Update

July 01, 2000

Exporter Update: Court Rules Export Application Information Subject To Disclosure Under Foia

May 26, 2000

House Of Representatives Approves China PNTR Bill

Rankings & Awards

April 26, 2019

Recognized by Chambers USA 2019

February 14, 2019

Recognized by Chambers Global 2019

August 23, 2018

Recognized as Acritas Stars by Sharplegal

May 15, 2018

Recognized by Chambers USA 2018

April 01, 2018

Recognized as a Client Service All-Star

June 05, 2017

Recognized by Chambers USA 2017