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Scott Maberry is an international trade partner in the Government Contracts, Investigations and International Trade Practice Group in the firm's Washington, D.C. office. Scott is chair of the Washington, D.C. office's Diversity and Inclusion Working Group. He is also the office's representative for the firm's pro bono committee. He is a member of the World Economic Forum Expert Network, where he advises the WEF community in the areas of global risk, international trade, artificial intelligence and values. Scott is a founding member of the Sheppard Mullin Organizational Integrity Group.

Areas of Practice

Scott counsels clients and litigates disputes in the areas of export controls, the Foreign Corrupt Practices Act (FCPA), anti-terrorism, national security, economic sanctions, anti-boycott controls, anti-money laundering (AML), the Foreign Agents Registration Act (FARA), trade remedies (including anti-dumping and countervailing duty (AD/CVD) matters), foreign direct investment and Customs. He also represents clients in negotiations and dispute resolution under the World Trade Organization (WTO), North American Free Trade Agreement (NAFTA) and other multilateral and bilateral agreements.

Scott's practice includes representing clients before the U.S. Department of Treasury Office of Foreign Assets Control (OFAC), the Department of Commerce Bureau of Industry & Security (BIS), the Department of Commerce Import Administration, the Department of Homeland Security (DHS), the Department of State Directorate of Defense Trade Controls (DDTC), the U.S. Department of Justice (DOJ), the International Trade Commission (ITC), the Committee on Foreign Investment in the U.S. (CFIUS), federal courts and grand jury proceedings and WTO and NAFTA dispute resolution panels.

Honors

Best Lawyer in America, *Best Lawyers*, 2018-2022

Chambers Global, 2008-2021

Washington, D.C. Super Lawyer, *Super Lawyers*, 2007-2017

Chambers USA, 2007-2021

Articles

- The Long Reach Of Section 889 (aka the Anti-Huawei Rule)
The Coalition for Government Procurement; Friday Flash, 12.06.2019

- Co-Author with C.M. Dombek, R.S. Whitten, F.K. Merchant, and L.C. Mays, "U.S. Export Controls and the Cloud," *Cloud Computing Legal Deskbook*, 2016 and forthcoming 2019 Editions, Thomson Reuters Westlaw
- "5 Steps to Obtaining an Exemption under President Trump's Steel and Aluminum Tariffs," *Lexology*, March 14, 2018
- "Importers Beware: 10 Things You Must Know About the Emergence of High-Stakes Customs Audits," *Lexology*, March 8, 2018
- "Seeking Foreign Investors for Your Tech Startup? Congress Says, 'Not So Fast,'" *Lexology*, January 10, 2018
- "Close, But No Cigar? Trump, Cuba and the Way Forward..." *WorldECR*, March 6, 2017
- "Those Three Little Words: OFAC's Subtle Language Shift Could Create Sweeping Change on Iran Investment," *National Law Review*, October 11, 2016
- Co-Author with M.E. Sagrans, R.S. Whitten, F.K. Merchant and L.C. Mays, "Export Administration Regulations," *Handbook of Export Controls and Economic Sanctions*, American Bar Association Section on International Law, 2016
- Co-Author with R.S. Whitten, "Layover in Tehran: United States Authorizes Carriers to Land Civil Aircraft in Iran," *Lexology*, August 17, 2016
- "The Revival of the Age of Antidumping and Countervailing Duty Cases," *Lexology*, August 17, 2016 (With Lisa C. Mays)
- Co-Author with P. Briggs, B. Mulier and R.S. Whitten, "US and EU Iran Sanctions Lifted: How to Proceed in the Aviation Sector?" January 20, 2016
- Co-Author with M. Dee, L.C. Mays, "When Voluntary Self-Disclosure Isn't so Voluntary: SEC Says Self-Disclose or Forfeit Non-Prosecution and Deferred Prosecution," *Lexology*, January 6, 2016
- "Shedding Light on CFIUS: Appeals Court Holds That CFIUS Review Lacks Constitutional Due Process," *Chinese Outbound Newsletter*, September 17, 2014
- Co-Author with M.L. Jensen, "A Rising Voice on FCPA Compliance - the Court," *Law360*, June 24, 2013
- Co-Author with B.J. Casino, "FCPA, Due Process, and Jurisdictional Overreach by the DOJ and SEC," *American Bar Association Criminal Litigation E-Newsletter*, June 12, 2013
- "FCPA Overreach? Courts Address Personal Jurisdiction In Cases Against Foreign Defendants," *The Metropolitan Corporate Counsel*, May 2013
- "Q&A With Sheppard Mullin's Scott Maberry," *Law360*, April 1, 2013
- Co-Author with B.J. Casino, "What's in the New FCPA Guide," *American Bar Association Criminal Litigation E-Newsletter*, March 13, 2013
- "Paying Attention During ICE 'Outreach' Visits," *Law360*, April 17, 2012

Global Trade Law Blog Posts

- "Does Your Trade Policy Support Your Company's Values?," October 8, 2021
- "Exclusions 2.0. The USTR Announces a New Section 301 Exclusion Process for Chinese Products," October 8, 2021
- "Anti-Forced Labor Measures Turn Up the Heat on Chinese Solar Equipment Suppliers," June 25, 2021
- "Counterpunch: China Adopts Landmark Anti-Sanctions Statute to Stop U.S. Sanctions Effects Overseas," June 23, 2021

- "Forced Labor and Supply Chains: A Complete Ban on Goods from Xinjiang or Additional WROs on the Horizon?" March 19, 2021
- "Friend or Foe? The DOC Issues New Interim Rule on Transactions Involving Information and Communication Technology or Services ("ICTS") and Foreign Adversaries," January 27, 2021
- "CBP Stops More Imports Under Forced Labor Rules (Cotton a Jam, Part II)," January 27, 2021
- "Knock knock: Section 301 Tariffs on Vietnamese Products Could Soon be at Your Front Door," January 11, 2021
- "USTR Grants New Section 301 Exclusions and Extends Existing Exclusions for Certain Chinese Medical Products," January 8, 2020
- "Don't Pop the Bubbly Just Yet: Potential Duty Increases for Importers Starting January 1," December 23, 2020
- "The Next Four Years in International Business," December 16, 2020
- "Cotton a Jam: CBP Withholds Cotton Product Shipments Under Forced Labor Rules," December 16, 2020
- "The Next Four Years of FCPA Enforcement: What to Expect From the Biden Administration," November 19, 2020
- "Four Ways the Biden Presidency Could Impact Imports, Tariffs, and Trade Agreements," November 16, 2020
- "The Professional Services Firm as Foreign Agent: Notable FARA Advisory Opinions," August 17, 2020
- "Incoterms 2020: Our Handy Chart of Responsibilities of Parties," July 2, 2020
- "Huawei Whack-A-Mole: The U.S. Takes Another Swing at the Chinese Semiconductor Industry," May 19, 2020
- "Securing the U.S. Bulk Power System: An Assessment of Executive Order 13920," May 12, 2020
- "Sick without Symptoms: How Multi-Million Dollar Customs Issues are Ailing U.S. Companies Without Warning," May 6, 2020
- "Refresher: How to Comply With U.S. Export Controls and Anti-Discrimination Laws When Recruiting and Hiring Foreign Nationals," April 8, 2020
- "From CFIUS, With Love: The FIRRMA Regulations" January 28, 2020
- "Modernizing NAFTA: The United States-Mexico-Canada Trade Agreement," January 17, 2020
- "One Higher Ed Requirement To Know Now," October 18, 2019
- "A Low-Key Way to Eliminate Thousands in Import Duties: Miscellaneous Tariff Bill (MTB) Duty Suspension," October 18, 2019
- "Hua-Wait a Minute: Entity Designation Affects Non-U.S. Manufacturers' Exports to China Tech Giant," May 21, 2019
- "Threats to Technology Investment from Global Politics: How to Succeed as Borders Tighten," International Tech Investment Issue, April 10, 2019
- "Tariffs Will Not Increase March 2*" rel="noopener noreferrer" href="https://www.globaltradelawblog.com/2019/03/01/trump-trade-war-tariffs-likely-increase-ustr/">"Update from the Trump Trade War Front: *Tariffs Will Not Increase March 2*," March 1, 2019
- "Comment Deadline Extended: Export Controls on Emerging Technologies," December 11, 2018

- "The Little Regulation That Will Make a Big Change in How You Do Business: Department of Commerce to Establish New Export Controls on Emerging Technologies," November 19, 2018
- "Of Course You Know, This Means War. A Strategic Update on the Trump Trade War," August 7, 2018
- "5 Weird Things About the Trump Trade Agenda: Disruptive Innovation On a Global Scale," June 28, 2018
- "Another Day Another Tariff... and Other Recent Restrictions on China," June 7, 2018
- "Client Alert: Iran Sanctions Return," May 11, 2018
- "Five Things You Must Know About Trade Wars," April 12, 2018
- "5 Steps to Obtaining an Exemption under President Trump's Steel and Aluminum Tariffs," March 14, 2018
- "Importers Beware: 10 Things You Must Know About the Emergence of High-Stakes Customs Audits," March 8, 2018
- "Seeking foreign investors for your tech startup? Congress says, 'not so fast.'" January 10, 2018
- "The Waiting Game: When, Why, and How to File with CFIUS in a New Era of Investment Scrutiny," December 12, 2017
- "FARA and the First Amendment: How will the United States Calibrate its Response to Foreign Propaganda?" November 17, 2017
- "News Flash: Kleptocrats Still Taking Bribe Money With One Hand and Laundering it With the Other," November 17, 2017
- "Today, President Trump Decertified the Iran Deal and Announced Tougher Sanctions on Iran," October 13, 2017
- "Growing Pains for Expanding Tech Companies: Uber Investigated for FCPA Violations," September 14, 2017
- "North Korea Sanctions Continue to Intensify," September 14, 2017
- "Our Cuba Sanctions Predictions: How Did We Do?" June 22, 2017
- "Our Armchair Santería on Cuba Policy: What Will President Trump do on Cuba?" May 31, 2017
- "Predicting the Unpredictable: Will President Trump Tear Up the Iran Nuclear Deal?" March 15, 2017
- "Predicting the Unpredictable: Will Tariffs Under President Trump Cause a Trade War With China?" March 15, 2017
- "Negotiation By Tweet: The Uncertain Future of U.S.-Cuba Relations," December 7, 2016
- "The Future of the U.S.-Canada Trade Relationship in Light of the Election," November 22, 2016
- "Those Three Little Words: OFAC's Subtle Language Shift Could Create Sweeping Change on Iran Investment," October 10, 2016
- "The Revival of the Age of Antidumping and Countervailing Duty Cases," August 17, 2016
- "Layover in Tehran: United States Authorizes Carriers to Land Civil Aircraft in Iran," August 17, 2016
- "Flying the Too-Friendly Skies? Europe Opens Routes for Sanctioned Iran Airline," June 9, 2016
- "New Business Opportunities in Iran! But Who Will Be Your Banker? Non-U.S. Banks Hesitant to Process Lawful Iran Transactions...and for Good Reason," April 20, 2016
- "The Day of North Korea Sanctions: the UN Imposes the Toughest North Korea Sanctions Yet While OFAC and State Designate More North Korean Entities," March 3, 2016

- "US and EU Iran Sanctions Lifted: How to Proceed in the Aviation Sector?" January 20, 2016
- "When Voluntary Self-Disclosure Isn't so Voluntary: SEC Says Self-Disclose or Forfeit Non-Prosecution and Deferred Prosecution," January 6, 2016
- "Selling Aircraft to Iran: Are Clear Skies or Turbulence Ahead for Exporters," January 6, 2016
- "The Schrems Decision: How the End of Safe Harbor Affects Your FCPA Compliance Plan," November 12, 2015
- "Iran Nuclear Deal Clears Senate Obstacle, But Will "Snap-Back" Bite?" September 17, 2015
- "Implementation Day: Do the Rules Let You Play in the New Ballgame for Business in Iran?" July 16, 2015
- "A Break From the Past: Historic Deal with Iran Marks A New Day in U.S.-Iran Relations," July 14, 2015
- "America Turns A Page: Cuba Removed From U.S. List of State Sponsors of Terrorism," May 29, 2015
- "A Carriage of Justice: Obama to Remove Cuba from Terrorist Sponsor List," April 15, 2015
- "UPDATE: Iran Nuclear Deal," April 3, 2015

Organizational Integrity Group Blog Posts

- "Five Keys to a Successful Compliance Risk Assessment," April 12, 2021

Books

The CFIUS Book: Second Edition
05.2020

Media Mentions

Global oil industry braces for turmoil from U.S. crackdown on Venezuela
Euro News, 01.30.2019

Global Oil Industry Braces for Turmoil from U.S. Crackdown on Venezuela
CNBC, 01.29.2019

Washington Hell-Bent on Strengthening CFIUS
The Deal.com, 06.22.2017

US Tees Up Final Duties On S. Korean Steel Component
Law360, 03.20.2017

Speaking Engagements

"The Trump Trade Agenda and the Future of the U.S.-India Relationship," Mumbai, April 24, 2019

"Business Insights: Trade Wars," World Economic Forum, July 24, 2018

"Winning in the United States: Key Legal Topics for 2018," Indo-American Chamber of Commerce, Mumbai, India, February

Moderator, "Global Trade Spotlight – Spotlight on Global Regulatory Initiatives Impacting on International Trade Compliance across the Globe," A.C.E.S. Compliance Summit, April 19, 2017

"International Collaborations," Association of University Export Control Officers (AUECO) Annual Meeting (with Patrick Schlesinger), Philadelphia, May 23, 2016

"U.S. and Indian Bilateral Investment Treaties: How the Models Compare," U.S.-India Business Council Webinar (with Jyoti Sagar) February 17, 2016

"Emerging Trends in International Trade Compliance," National Association of College and University Attorneys (NACUA) Annual Meeting, Washington, D.C., November 12, 2015

"Exploring US-Cuba Export Regulations," U.S.-Cuba Corporate Counsel Summit, New York, March 24, 2015

"Export Control Reform Level Set: Where Are We Now and Where Are We Headed?," Momentum Event Group webinar, July 8, 2014

"Deferred Prosecution Agreements: Outlook for the Prosecution of Complex Cases," Bird & Bird's Aerospace, Defence and Security seminar, London, England, February 12, 2014

"Preparing Your Operations for Mergers & Acquisitions – Identifying Red Flags and Effective Due Diligence Practices to Ensure a Successful Transaction," The ITAR Summit: Winter Edition, Momentum Event Group, Irving, Texas, January 27-28, 2014

Events

Third Thursday Emerging Company Webinar Series: What the Next Four Years of Trade Regulation will Bring for Emerging Companies
Webinar, 12.17.2020

The Next Four Years in International Business: The Road Ahead After the U.S. Election
Webinar, 12.03.2020

Global Compliance and Investigation Essentials
Sheppard Mullin San Francisco, 04.30.2019

Where Are We Headed? Trends and Directions in the Aerospace & Defense Market 2018
Washington, D.C.
11.01.2017

Anti-Corruption, Export Controls & Sanctions
10th ACES Compliance Summit - Washington, DC
04.18.2017

Memberships

Co-Chair, National Institute on Economic Sanctions, American Bar Association

Senior Advisor and Chair Emeritus, Export Controls & Economic Sanctions Committee, American Bar Association

Member, International Trade Steering Committee, American Bar Association

Podcasts & Webinars

Nota Bene Episode 118: Exploring the International Trade Roadmap Ahead with Scott Maberry and Reid Whitten
03.24.2021

The Next Four Years in International Business: The Road Ahead After the U.S. Election
12.03.2020

Nota Bene Episode 100: The New World Trade Order with Scott Maberry
10.07.2020

Nota Bene Episode 70: Examining the USMCA: Is it Simply a Rebranded NAFTA? with Scott Maberry
02.19.2020

Nota Bene Episode 56: Revisiting the U.S. Trade War and China's Ascent as an Economic Power with Scott Maberry [Replay]
10.30.2019

Nota Bene Episode 40: Revisiting the U.S. Trade War and China's Ascent as an Economic Power with Scott Maberry
06.19.2019

Note Bene Episode 1: How Multinational Companies are Affected by the Current Trade Wars with World Economic Forum Member Scott Maberry
September 12, 2018

Practices

Government Contracts, Investigations & International Trade

CFIUS: Foreign Investment in the U.S.

Foreign Corrupt Practices Act (FCPA)

Exports and Export-Related Controls

Public Policy and Government Affairs

Organizational Integrity Group

International Trade and Investment

International Reach

Japan

South Asia

International Arbitration

Litigation

Securities Enforcement
White Collar Defense and Corporate Investigations
ESG and Sustainability
International Arbitration

Industries

Aerospace & Defense
Cannabis
CFIUS: Foreign Investment in the U.S.
ESG and Sustainability
Food and Beverage
Transportation

Education

J.D., Georgetown University Law Center, 1993
M.S., Georgetown University, 1993
B.S., Northwestern University, 1988

Admissions

District of Columbia
New York
U.S. Court of Appeals for the Federal Circuit
U.S. District Court for the District of Columbia
U.S. Court of International Trade

Languages

Spanish