

Brendan P. Gaffney

Partner

Dallas

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Brendan helps clients navigate complex and sensitive internal investigations and white-collar criminal cases, representing Fortune 500 companies, financial institutions, and more in antitrust, securities fraud, and federal criminal defense.

OVERVIEW

Brendan focuses his practice on white collar criminal defense and internal investigations, representing a diverse range of clients, including *Fortune* 500 companies, financial institutions, small privately held companies, partnerships, nonprofit organizations, and governmental entities. Brendan has extensive experience guiding clients through government investigations involving allegations of financial fraud, mail/wire fraud, antitrust violations, health care fraud, bribery (including FCPA), theft of company funds, and securities violations.

Brendan handles civil, criminal, and regulatory investigations conducted by state, federal, and international agencies, such as the FBI, DOJ, FTC, SEC, IRS, and HHS. In that capacity, Brendan has guided clients through the initial response to an FBI search warrant or other contact from law enforcement, pre-indictment investigations, and plea negotiations. He also represents individuals under federal criminal indictment, negotiates plea agreements, and provides representation through criminal sentencing. Brendan assists clients with compliance issues and allegations of employer policy violations, including discrimination, harassment, and misuse of funds.

Brendan handles complex and sensitive internal investigations, identifying the issues facing the company, determining their scale, and developing comprehensive strategies for responding to and remediating various challenges, while minimizing legal and reputational exposure. He guides clients through self-disclosure processes, criminal referrals to law enforcement, and helps them bolster their compliance programs and company policies.

Brendan also frequently represents clients in civil litigation involving various forms of fraud and antitrust matters. He often manages high-stakes antitrust class actions and bet-the-company False Claims Act litigation.

REPRESENTATIVE MATTERS

- Represent the founder and former CEO of Varsity Brands, and current president of the International Cheer Union in class action lawsuits alleging monopolization and group boycotts in the competitive cheer industry.
- Represented an individual in the first-ever Sherman Antitrust Act criminal prosecution for alleged wage-fixing.
- Represent a company in the food production industry in connection with a criminal investigation by the U.S.

Attorney's Office into alleged violations of environmental laws.

- On behalf of a nonprofit organization, led an internal investigation into an employee's fraud perpetrated on the organization's clients, culminating in a criminal conviction after referral to the U.S. Attorney's Office.
- Defended a former bank officer under indictment for making false statements to a bank, resulting in a plea to a lesser offense with a sentence of probation.
- Defended a public ambulance authority in a False Claims Act case, in which the U.S. and the state of Oklahoma intervened, involving allegations of violations of the federal and Oklahoma versions of the Anti-Kickback Statute, resulting in a settlement far below the expense of a trial.
- On behalf of a large accounting firm, conducted an internal investigation into a principal's financial fraud, culminating in a criminal conviction of the principal after referral to the U.S. Attorney's Office.
- Representing an individual in connection with a criminal investigation by the Department of Justice into allegations of violations of the Sherman Antitrust Act.
- Conducted an internal investigation on behalf of a public health care company upon the executive's indictment for criminal securities fraud.
- Guided a large nonprofit health care provider through the HHS-OIG Self-Disclosure Protocol and achieved a settlement in favor of the client for potential violations of the Civil Monetary Penalties Law.
- Defended a former bank officer under indictment for making false statements to a bank, resulting in a plea to a lesser offense with a sentence of probation.
- On behalf of a major international technology company, conducted an internal investigation following the execution of an FBI search warrant on the company's premises and an employee.
- On behalf of a large accounting firm, conducted an internal investigation into a principal's financial fraud, culminating in a criminal conviction of the principal after referral to the U.S. Attorney's Office.
- On behalf of a transportation company, conducted an internal investigation into an officer's embezzlement of company funds, culminating in a criminal conviction of the officer after referral to the U.S. Attorney's Office.
- Conducted an internal investigation into a wide array of allegations of discrimination and harassment on behalf of a public school district and police department.
- Represented individuals and corporations in connection with federal investigations into political contributions and potential campaign finance violations.
- Represented multiple individuals as witnesses in investigations by federal law enforcement.
- Represented multiple individuals and entities as subjects and targets in federal criminal investigations, including at the post-indictment stage.

AWARDS

- *The Best Lawyers in America*®, Criminal Defense: White-Collar (2024-2026)

TOP AREAS OF FOCUS

- Antitrust
- Health Care Litigation
- Securities Investigations + Enforcement
- White Collar Litigation + Investigations

ALL AREAS OF FOCUS

- Antitrust
- Corporate Governance

- Due Diligence + Corporate Compliance
- Employment Counseling
- False Claims Act + Other Whistleblower Actions
- Financial Services Litigation
- Fraud + Abuse Litigation + Investigations
- Government Claims + Investigations
- Health Care Litigation
- Litigation + Trial
- Regulatory Investigations, Strategy + Enforcement
- Securities Investigations + Enforcement
- White Collar Litigation + Investigations

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, Dallas Bar Association
- Member, Dallas Association of Young Lawyers
- Member, American Bar Association

PROFESSIONAL EXPERIENCE

- Teacher, Osbourn Park High School, Manassas, Virginia (2004-2007)

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Iowa College of Law, J.D., *high distinction*, *Order of the Coif*, 2010, Senior note and comment editor, *Iowa Law Review*, Vol. 95
- The College of William & Mary, B.A., *cum laude*, 2004, History

BAR ADMISSIONS

- Texas

COURT ADMISSIONS

- U.S. Court of Appeals, Fifth Circuit
- U.S. District Court, Western District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Southern District of Texas

SPEAKING ENGAGEMENTS

- Speaker, “Internal Investigations in the ERA of Whistleblower Awards and M&A Safe Harbor,” Association of Corporate Counsel – DFW Chapter, December 11, 2025.

- Panelist, “Navigating the DOJ’s ‘Corporate Whistleblower Awards Pilot Program’,” SMU Dedman School of Law 2024 Corporate Counsel Symposium, October 11, 2024.
- Speaker, “Three Decades On: Impact of the US Sentencing Guidelines on Compliance and Ethics,” Society of Corporate Compliance and Ethics, October 5, 2023.
- Speaker, “Emerging Criminal Antitrust Enforcement: What Do the First Prosecutions of Employee Wage-Fixing and Non-Solicitation Agreements Mean for Compliance Professionals?,” Society of Corporate Compliance and Ethics, October 16-19, 2022.
- Speaker, “Heightened Antitrust Enforcement During Year 1 of Biden Administration,” Locke Lord, March 9, 2022.

PUBLICATIONS

- Co-author, “Tariff Evasion Enforcement Heats Up: DOJ’s Latest Action,” *Troutman Pepper Locke*, November 20, 2025.
- Co-author, “DOJ and DHS Launch Cross-Agency Trade Fraud Task Force,” *Troutman Pepper Locke*, September 3, 2025.
- Co-author, “With New Tariffs, Recent Settlements May Foreshadow Future DOJ Enforcement,” *Troutman Pepper Locke*, August 8, 2025.
- Co-author, “Recent DOJ Intervention Highlights FCA Use Against Customs Fraud,” *Troutman Pepper Locke*, April 22, 2025.
- Author, “Recent DOJ Intervention Highlights FCA Use Against Customs Fraud,” *Troutman Pepper Locke*, April 22, 2025.
- Co-author, “DOJ Updates Guidance for Evaluation of Corporate Compliance Programs,” *Locke Lord QuickStudy*, June 4, 2020.