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TOP WHITE COLLAR LAWYERS 2021



Before he became a Mintz member, Jones served for almost 30 years as an assistant U.S. attorney in the Southern District of California, where he handled the investigation, management and prosecution of many cases of complex white collar fraud schemes and criminal conspiracies involving financial, immigration, illegal narcotics and violent crimes.

His service in the U.S. Navy's Judge Advocate General's Corps brought him to San Diego following his upbringing in the South. "I traded the mosquitoes and humidity of North Carolina for the wonderful climate here," he said. Transitioning from prosecutor to defense was equally smooth.

"I did 28 years as an AUSA and, to be honest, I never thought I'd leave that office. But it wasn't really a big jolt to change sides. It took me a minute or two to realize that now I can relay to my clients what the prosecution realistically is thinking. That can scare them for a little while, but they soon come to see that this is a major advantage."

Jones represents an employee of a global digital advertising firm, one of four defendants named in a 10-count federal indictment in the Southern District on charges of conspiracy, wire fraud and electronic mail fraud. The defendants are employees of

Adconion Direct Inc., an email advertising firm. They are alleged to have unlawfully taken large blocks of internet protocol addresses known as "IP netblocks" that were registered to others, claiming that they were authorized by the registrants to use the blocks in large-scale spam campaigns. *U.S. v. Bychak et al.*, 18-cr-04683 (S.D. Cal., filed Oct. 31, 2018).

"This is a novel case that involves the first CAN-SPAM Act prosecution in the country," Jones said, referring to a 2003 federal law titled the Controlling the Assault of Non-Solicited Pornography and Marketing Act, designed to govern the sending of commercial email. "We have received more than two million documents so far and we are still receiving discovery." Trial is set for May 2022. The indictment and its outcome could have a major impact on the digital marketing industry. "I think we could be making some new law here on a very complex set of facts."

Jones negotiated with the Securities and Exchange Commission on behalf of a former contract accountant for the biotechnology company Illumina Inc. under investigation for insider trading.

"This is an individual who self-disclosed that she had done some insider trading," Jones said. "We hammered out a settlement in which she had to pay some money back plus a



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SAN DIEGO

WHITE COLLAR
AND GOVERNMENT
INVESTIGATIONS

reduced fine and no criminal charges.

Jones said he enjoyed his life as a prosecutor and public servant. "Now, as a defense attorney, I'm more a counselor at law. I help people solve problems and that gives me fulfillment."

— John Roemer