

## **J. TRIPLETT MACKINTOSH**

Curriculum Vitae

Holland & Hart LLP  
555 17th St., Suite 3200  
Denver, Colorado 80202  
(303) 295-8186

### **Legal**

**Partner, Holland & Hart**, Denver, Colorado  
October 2000 to present

Mr. Mackintosh enjoys a national reputation as an effective advocate in the areas of export controls, trade sanctions, related compliance and white collar defense. He has defended domestic and foreign corporations, directors, and other personnel facing investigation under U.S. export controls and trade sanctions, as well as other federal laws. Mr. Mackintosh has led defense efforts and multi-jurisdictional criminal and administrative investigations in the United States, Europe, Asia, and Latin America.

He is the principal legal architect for **HHCMS**, a proprietary web-based compliance system that translates U.S. trade sanctions into operational guidance for employees at U.S. and multi-national corporations.

Since 1993, he has taught courses on trade sanctions, corporate compliance, and white-collar criminal defense at the Sturm College of Law, University of Denver.

He has received the highest AV rating by Martindale-Hubbell.

**Special Counsel, Coudert Brothers**, Denver, Colorado  
August 1998 to October 2000

Areas of practice at this international law firm included counseling and defense related to federal regulation of international business, with a focus on U.S. trade sanctions.

**Adjunct Professor of Law**  
Sturm College of Law, University of Denver  
July 1993 to present

Teaches international business transactions, focusing on corporate compliance with trade sanctions and related defense

**International Practitioner in Residence**  
University of Denver College of Law  
January to May 1996

Course focused on U.S. trade sanctions and white collar criminal defense

**Associate, Coudert Brothers**, Washington, D.C.,  
February 1989 to July 1992

Areas of practice included civil and criminal litigation involving U.S. trade sanctions and import controls; federal regulation of foreign investment; general civil litigation, with a focus on international business disputes; trademark litigation; and legislative work on bills affecting international trade, investment, and the extraterritorial application of U.S. laws.

**Associate, Debevoise & Plimpton**, Washington, D.C.,  
September 1986 to January 1989

Areas of practice included civil, criminal, and customs fraud litigation; international securities fraud litigation; international trade; legislative work on trade bills; and international and foreign telecommunications regulation.

**Law Clerk, International Trade Commission**, Office of the Administrative Law Judges,  
Washington, D.C.,  
June 1984 to May 1985

**Representative Office of Foreign Assets Control (OFAC) Matters**

- Represented oil field service company with respect to U.S. Department of Justice and OFAC investigations of potential criminal violations of the Iranian Transactions Regulations, the Libyan Sanction Regulations, and the Cuban Assets Control Regulations and conducted detailed comparative analysis of regulatory prohibitions.
- Represented multi-national company in relation to internal investigation, disclosure and likely settlement regarding the acquisition of technical services from an Iranian resident and acquisition of Iranian products and related legal analysis under the Iranian Transactions Regulations.
- Conducted internal investigation on behalf of multi-national service provider regarding the unauthorized provision of services to nationals of Iran, Libya, Sudan, Iraq and Cuba, and the preparation and filing of related voluntary disclosure under multiple OFAC regulatory regimes.
- Represented a multi-national company in relation with the OFAC licensing of the export of personal protective equipment to Iraq as part of Operation Iraqi Freedom.
- Investigated, prepared and filed on behalf of multi-national client voluntary disclosures with OFAC and the U.S. State and Commerce Departments regarding the unlicensed export of controlled commodities to Iraq.
- Drafted and filed on behalf of a multi-national pharmaceutical corporation OFAC license applications for the export of medicinal products to Iran, Sudan, Libya and Iraq.
- Represented U.S. parties regarding the legality of the transfer of dividends and disposition of stock in an Iranian company and related licensing issues under the Iranian Transaction and Asset Control Regulations .
- Represented and advised multi-national client in relation to an internal investigation on potential transactions with parties in the Specially Designated Nationals and Blocked Persons List.
- Drafted multiple interpretative opinions regarding OFAC sanctions regulations, including the Iranian Transaction Regulations and similar controls on Libya, Iran, Iraq and the Sudan.
- Advised multiple U.S. and multi-national clients with respect to screening of customers against the Specially Designated Nationals and Blocked Persons List and related compliance management system issues.
- Advised multiple U.S. and multi-national clients with respect to the design and implementation of OFAC compliance management systems.

**Also served as counsel for the following:**

- A publicly traded, multi-national engineering and construction service firm with respect to multiple compliance issues, including OFAC, ITAR and EAR requirements and related training.
- A publicly traded, multi-national service firm with respect to the export of ITAR controlled data and services related to nuclear weapons testing facilities.
- A publicly traded, multi-national pharmaceutical company in federal criminal and administrative proceedings concerning the illegal export of missile fuel components.
- A Fortune 50 publicly traded company with respect to complex environmental compliance management issues.
- Former CEO of major medical device manufacturer in Dept. of Justice investigation into alleged kick-backs
- CEO of a Fortune 500 company with respect to a criminal securities investigation
- High-ranking executive of an Enron subsidiary with regard to federal prosecution of alleged insider trading and other crimes
- A U.S. company with respect to an investigation and disclosure of the unlicensed export of a super computer to the People's Republic of China
- A privately held German company with respect to alleged criminal violations of the Arms Export Control Act involving exports of missile technology components.
- A U.S. aviation parts company alleged to have criminally violated the Arms Export Control Act through the sale of jet fighter parts to an Iranian company.
- A U.S. person alleged to have criminally violated the International Economic Emergency Powers Act by trading high-technology items with the Chinese Academy of Launch Technologies.
- A non-U.S. national whose testimony was sought by a special Congressional committee investigating ballistic missile technology exports to China.
- Multiple defendants in a federal criminal prosecution alleging violations of export control laws with respect to the export of computers to Syria
- A university subject to a federal grand jury investigation of immigration fraud, money laundering and other crimes
- Several corporations and individuals investigated by federal grand juries investigating allegations of criminal export violations
- Multi-national corporations with respect to Foreign Corrupt Practices Act and anti-boycott compliance and related defense matters
- Multi-national corporations in developing compliance programs in various areas of federal regulatory law, including trade sanctions

### **Speeches and Presentations**

- June 3 and 4, 2008 (forthcoming)  
Munich, Germany – International Traffic in Arms Regulations (ITAR) Compliance in Europe (presenting on multiple panels and pre-conference training for participants), C5, Clifford Chance (and other sponsors)
- January 31, 2008  
Denver, Colorado – U.S. Export Controls and the Defense Industry (lecture), National Defense Industrial Association
- November 8, 2007  
Denver, Colorado – Human Rights and Corporate Responsibility in Latin America: U.S. Trade Sanction Compliance, University of Denver, Sturm College of Law
- November 7, 2007  
Denver, Colorado – U.S. Trade Controls, Compliance and Enforcement, World Trade Center
- October 26, 2007  
Saskatchewan, Canada -- U.S. Export Controls (panelist), Western Aerospace Alliance Conference
- October 3, 2007  
London, England – Extraterritorial Application of US Export Controls and Trade Sanctions, American Bar Association International Section Annual Meeting (program co-chair and moderator)
- April 14-16, 2007  
Stuttgart, Germany, “U.S. Export Controls and E. U. Company Compliance”
- March 10, 2007  
Denver, Colorado, Sturm College of Law, University of Denver, “White Collar Defense in an Age of Globalization”
- March 8, 2007  
Boulder, Colorado – U.S. Export Controls and Outsourcing, World Trade Center and TIE
- December 8, 2006  
Deer Valley, Utah, T2M Directors & Officers Training Retreat, contributor to several white collar/business crimes panels.
- October 11, 2006  
Surrey, England, University of Surrey, “Extraterritorial Application of U.S. Law and Export Controls”
- October 9, 2006  
Paris, France, International Chamber of Commerce, “Extraterritorial Application of U.S. Law and Export Controls”
- August 2006  
Hanoi, Vietnam, Vietnamese-American Chamber of Commerce, “US Criminal Law: A Case Study”

### **Publications**

”Defense of Investigations and Prosecutions Under U.S. Export Control Laws, White Collar Defense Strategies, Aspatore Books, 2007.

"U.S. Sentencing Guidelines and Export Control Laws: How to Equate a Credit Card Transaction with a Violation of National Security Controls or Selling 400 Grams of Heroin,"  
with Danielle R. Voorhees, 5 Public Law, Policy and Ethics Journal 1, Cardozo, 2006.

"Conflict in Confidentiality: How E.U. Laws Leave In-House Counsel Outside the Privilege,"  
38 The International Lawyer 1 (Spring 2004).

"Federal Anti-terrorism Laws and Law Firm Clients"  
33 The Colorado Lawyer 10 (October 2004), p. 117, with Lizbeth Rodriguez and Stephen Masciocchi.

U.S. Export Controls and Compliance

Chapter 19 of Transnational Business Transactions (V. Nanda and R. Lake, eds. 1997 (Clark Boardman Callaghan)), with Michael P. Roche

Compliance Programs and the New Export Regulations: Regulatory Lamaz

16 Preventive L. Reporter 35 (1997)

A Guide for Export Compliance in a Dynamic Regulatory Environment

14 Preventive L. Reporter 9 (1995)

If You Think Saddam Hussein is the Only One You Know Who Has Trouble with US Export Controls, Read This:

13 Preventive L. Reporter 31 (1994)

Chapters on Bulgarian and Czechoslovak Law

Coudert Brothers, Joint Ventures in Eastern Europe (Euromoney Special Publication) (M. Herlach and L. Barale, eds. 1990)

Legal Representation in the International Securities Market: Representing a Party or Witness in an SEC or SRO Proceeding

14 Del. J. Corp. L. 893 (1989), with Ralph C. Ferrara.

Proposed Amendments to the U.S. Foreign Corrupt Practices Act

Rev. Int'l Bus. L. 175 (1988), with John P. Sweeney.

Grey Market Imports: Burgeoning Crisis or Emerging Policy

11 N.C.J. Int'l L. & Comm. Reg. 293 (1987).

**Education**

**Georgetown University Law Center,**

J.D. May 1986

Law Review: American Criminal Law Review

**Graduate School of International Studies, University of Denver,**

M.A. June 1983

Honors: Elizabeth Stack Full Tuition Fellowship, 1982-83; and Piton Foundation Grant, 1982

**Regis University, Denver, Colorado,**

B.A. December 1978

Honors: Magna cum laude; National Jesuit Honor Society; and National French Honor Society

**University of Bordeaux, Bordeaux, France, 1976-77**

Areas of concentration: French and Political Science

**Professional Activities**

Member, American Bar Association  
Member, District of Columbia Bar Association  
Member, Colorado Bar Associations  
Admitted to the U.S. District Courts for the District of Columbia and Colorado, U.S. Court of Appeals for the District of Columbia Circuit, and U.S. Court of Appeals for the Federal Circuit.  
Adjunct Professor, Sturm College of Law, University of Denver  
Board of Directors, Colorado Space Board Roundtable  
Board of Advisors for Global Business Program, Daniels College of Business, International Business Administration Program, University of Denver  
Board of Directors, Ved Nanda Center for the Study of International and Comparative Law at the University of Denver Sturm College of Law  
Chairman, Board of Advisors, French American Chamber of Commerce, Colorado

**Languages**

Fluency in spoken and written French