# Top Advisors 2023: Our annual list of the leading global CFIUS experts

Below is our list of top advisors who provide advice and counsel concerning foreign investment and national security in the U.S. and abroad. Rankings are based on myriad criteria including experience, reputation, clients served, first-person interviews, references, reader recommendations, articles published, and — most importantly — one-to-one interactions with Foreign Investment Watch's Editorial team.

These are Editorial rankings, and are <u>not</u> paid. Please remember Foreign Investment Watch does not provide legal guidance or advice, and you should conduct your own due diligence when considering engaging outside counsel.



#### The Top Advisors 2023

Alexandru, Grigore — Sidley
Black, Laura — Akin Gump
Broadman, Harry — Berkeley Research
Cinelli, Giovanna — Morgan Lewis
Edelman, Doreen — Lowenstein Sandler
Feddo, Thomas — The Rubicon Advisors
Finnegan, Alex — Brunswick Group
Gafni, Jonathan — Linklaters
Griner, Chris — Stroock
Gruenspecht, Joshua — Wilson Sonsini

Heifetz, Stephen — Wilson Sonsini
Hunter, Rod — Baker McKenzie
Kar, Nicole — Linklaters
Klein, Nicholas — DLA Piper
Klemencic, Steve — Berkeley Research
Lee, Judith Alison — Gibson Dunn
Ludvigson, J. Philip — King & Spalding
McGaughey, Tyler — Winston & Strawn
Mendenhall, James — Sidley
Mir, Aimen — Freshfields

Mosman, Britt — Wilkie Farr
Nunnenkamp, Kenneth — Morgan Lewis
Park, H.K. — Crumpton Global
Plotinsky, David — Morgan Lewis
Reineking, Bridget — Cooley
Salladin, Anne — Hogan Lovells
Sofield, Richard — Vinson & Elkins
Torres, Olga — Torres Trade Law
Tzinova, Antonia — Holland & Knight
Van Grack, Brandon — MOFO

## Thomas Feddo, The Rubicon Advisors

For the second year in a row, our "Top Advisor" is the former "top man" at CFIUS. The founder of The Rubicon Advisors, Thomas Feddo is perhaps best known as the first-ever Assistant Secretary for Investment Security at the U.S. Treasury Department, a presidentially-appointed, Senate-confirmed position responsible for overseeing all operations and activities of CFIUS. Since his departure from Treasury, he's hosted a regular video series with Foreign Investment Watch called "Ten with Tom," has testified several times before Congressional committees on outbound screening, and has been an invaluable resource to our Editorial team for insights that only a few people on the planet can provide. Feddo can be reached at thomas.feddo.90@gmail.com.



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# Tyler McGaughey, Winston & Strawn

While serving as Deputy Assistant Secretary for Investment Security at the U.S. Treasury Department, Tyler McGaughey was responsible for managing the day-to-day operations of Treasury's CFIUS team. While at CFIUS, McGaughey helped build the unit responsible for identifying non-notified transactions, and has since provided our readers with prescient insights on myriad topics, including granular details on how national security agreements are negotiated and monitored. A trusted behind-the-scenes advisor to Foreign Investment Watch, McGaughey also has a storied military career: He was a platoon commander in an infantry battalion that drove Assault Amphibious Vehicles from Kuwait to Baghdad and seized one of Saddam Hussein's presidential palaces. McGaughey is a partner at Winston & Strawn, and can be reached at tmcgaughey@winston.com.



## J. Philip Ludvigson, King & Spalding

Another CFIUS veteran, Phil Ludvigson previously served as Acting Deputy Assistant Secretary for Investment Security at the U.S. Department of the Treasury. He also served as Treasury's first Director for Monitoring & Enforcement, and built the office that pursues CFIUS non-notified transactions and oversees all CFIUS mitigation measures, including compliance monitoring and enforcement actions. Before joining Treasury, Ludvigson held various roles at the Department of Homeland Security, including serving as the Acting Director of Foreign Investment Risk Management, where he led all aspects of the agency's participation in CFIUS and Team Telecom. He has been an invaluable advisor to Foreign Investment Watch, and his behind-the-scenes insights and late-night explanations of complex regulatory matters and legislative proposals have been absolutely priceless. Now a partner at King & Spalding, Ludvigson can be reached at pludvigson@kslaw.com.



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### Laura Black, Akin Gump

A 15-year veteran of the U.S. Treasury Department, Laura Black served as the first Director of Policy and International Relations of CFIUS. In addition to being the "chief drafter" of the regulations implementing FIRRMA, Black played a leading role in the development of myriad global investment regimes, and spearheaded the Treasury Department's engagement with dozens of foreign governments. She explained that foreign engagement strategy to our readers with great precision, and has provided ongoing insights on myriad emerging topics, like the emergence of state-wide legislative proposals that may conflict with CFIUS's mandate. Black was also actively involved in the development of proposals for outbound foreign-investment reviews, and regularly provides valuable insights to the Foreign Investment Watch Editorial team. Now a partner at Akin Gump, Black can be reached at blackl@akingump.com.



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## Richard Sofield, Vinson & Elkins

When it comes to serving in the federal government, Richard Sofield has done it all. Probably best known to our readers as a former Director of the Foreign Investment Review Staff for the National Security Division at the DoJ — where he oversaw the DoJ's participation in CFIUS — Sofield also served as Chair of Team Telecom, and numerous other roles in the legal offices of the Air Force, the Defense Logistics Agency and the Civil Division of the DoJ. Seemingly always available to Foreign Investment Watch's Editorial team, at all hours of the day, Sofield has provide myriad insights to our readers on Team Telecom, CFIUS, and more. A partner in the Washington, D.C., office of Vinson & Elkins, Sofield can be reached at rsofield@velaw.com.



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## David Plotinsky, Morgan Lewis

The former acting chief of the Foreign Investment Review Section at the DoJ's National Security Division, David Plotinsky has extraordinarily deep understanding of complex compliance and enforcement matters arising from CFIUS and Team Telecom cases. In addition to his extensive work on White House and interagency matters, Plotinsky served as the chief of the FCC's Cybersecurity and Communications Reliability Division, and several senior roles in the Office of the Director of National Intelligence's Office of General Counsel (to name a few). His "ten minutes on" session with Foreign Investment Watch was one of our most widely-viewed videos, and his Q&A with us on lessons for dealing with CFIUS was considered "priceless" by readers. The editors of FIW actually feel guilty about reaching out to Plotinsky for weekend insights on breaking news, but he is seemingly always available to discuss global trade, information communications technology, critical and emerging technology, and more. Now a partner at Morgan Lewis, Plotinsky can be reached at david.plotinsky@morganlewis.com.



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## Nicole Kar, Linklaters

The global head of Linklaters' Antitrust & Foreign Investment Group out of London, Nicole Kar has been our go-to expert on the UK's new National Security and Investment Act. Quoted by Foreign Investment Watch more times than we care to count, Kar's extraordinary understanding of the complex and constantly-changing European and UK foreign-investment review regimes has made her our resident expert on the NSIA; we're apparently in good company, as Kar advised the UK Parliament's Foreign Affairs Committee on the passage of the bill. She provided a primer for our readers back in April 2022, and few months later broke down the first UK report on their new regime. Kar, who also co-heads the Global Banking Sector and Trade Law Practice groups at Linklaters, can be reached at nicole.kar@linklaters.com.



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## Bridget Reineking, Cooley

Previously senior counsel and co-lead CFIUS counsel at the Office of the General Counsel at Treasury, Bridget Reineking has deep experience with the Committee, having supervised the legal analyses and resolution of more than 600 transactions reviewed by CFIUS. While at Treasury, she provided counsel in connection with CFIUS' review of both notified and non-notified transactions, and negotiated national security agreements with U.S. businesses and foreign investors on behalf of the government. A go-to advisor for the Foreign Investment Watch Editorial team, Reineking was gracious enough to play a game of true/false with us, and is a constant source of clear, straight-forward insights. She can be reached at breineking@cooley.com.



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## James Mendenhall, Sidley

A partner in Sidley's Global Arbitration, Trade and Advocacy group, James Mendenhall leads the firm's CFIUS practice, and has been a seemingly constant source of intelligence for the editors of Foreign Investment Watch. Previously the General Counsel of the Office of the U.S. Trade Representative, where he handled complex trade negotiations and served as the USTR representative on CFIUS, Mendenhall has deep experience with the Committee, and has shared his insights regularly with our readers. He was written extensively on CFIUS and the interplay with other regulations and legislation (think the Commerce Department's ICTS rules), and has been deeply involved in several high-profile cases, including the recent ICON-PTSDI clearance by CFIUS, which he explained to our readers in a "Ten Minutes On" video session. He can be reached at jmendenhall@sidley.com.



### Doreen Edelman, Lowenstein Sandler

A perennial entry in our "Top Advisors" feature, Doreen Edelman is the founder of Lowenstein's Global Trade & Policy practice, where she has a particular expertise in crossborder M&A, export controls, supply chain matters, and more. Not only does she have deep knowledge of CFIUS, but she advises companies on the Bureau of Industry and Security and the Directorate of Defense Controls export control regulations, preparing compliance programs and assisting with deal diligence. She's known for her practical guidance, and has provided our readers insights on topics as varied as the Trusted Capital Program and Biden's approach to China. Seemingly always available for clarifications and comments, Edelman has been a valuable resource to Foreign Investment Watch editors. She can be reached at dedelman@lowenstein.com.



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## Aimen Mir, Freshfields Bruckhaus Deringer

A repeat entry in our Top Advisors list, Aimen Mir was the former Deputy Assistant Secretary for Investment Security at Treasury, where he served as the senior-most career CFIUS official. Mir managed CFIUS review and resolution of over 1,000 transactions, and played leading roles in shaping both FIRRMA and the Export Control Reform Act of 2018. Previously counsel in the National Security Division of the Department of Justice, Mir has been involved in numerous cross-border CFIUS matters, including Volkswagen's proposed \$2.6 billion co-investment with Ford Motor Co. in autonomous vehicle technology company Argo AI. Our insightful conversation with him — one of many — shed light on the non-notified transaction process, mitigation agreements, and more. He can be reached at aimen.mir@freshfields.com.



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## Anne Salladin, Hogan Lovells

A repeat member of our "top advsors" list, Anne Salladin served for nearly two decades in the Office of the Assistant General Counsel for International Affairs of the Treasury Department, which provides legal advice to the the Secretary of the Treasury, who of course chairs CFIUS. As senior counsel, she was responsible for providing legal advice on CFIUS matters, working closely with other CFIUS agencies, and played a role in developing laws and regulations related to CFIUS. Salladin has been involved in myriad transactions filed with CFIUS, and has represented companies before CFIUS in the pharma, defense, semiconductor, and other industries. Her Q&A with Foreign Investment Watch is still one of the most-widely read interviews we have ever published. Salladin can be reached at anne.salladin@hoganlovells.com.



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# Stephen Heifetz, Wilson Sonsini Goodrich & Rosati

If anyone has made CFIUS fun and entertaining during the past several years, it's Stephen Heifetz. A partner in the National Security practice of Wilson Sonsini, Heifetz previously served in the U.S. government as a CFIUS official, and in other national security positions at the CIA, Department of Homeland Security, and Department of Justice. He has been involved in more than 1,000 CFIUS matters, and serves as CFIUS counsel for the National Venture Capital Association. His contribution to our "Startup's Guide to CFIUS" was the most widely read column in that special section, and he's been an ongoing resource to the editors of Foreign Investment Watch for insights — and humor; perhaps a remnant from his days as an adjunct professor at Georgetown University Law Center. He's been quite outspoken on deficiencies at CFIUS, and isn't afraid to speak his mind; when Foreign Investment Watch wants a brilliant, insightful, contrarious view, it's usually Heifetz who can offer it up. He can be reached at sheifetz@wsgr.com.



## Giovanna Cinelli, Morgan Lewis

A multi-year member of our "Top Advisors" list, Giovanna Cinelli is the leader of Morgan Lewis' International Trade and National Security practice, where she focuses on national security and export controls, including export-compliance matters, audits, cross-border due diligence, export enforcement, and more. In addition to her work with CFIUS and Treasury, Cinelli has settled myriad matters before the U.S. Departments of State, Commerce, and Defense, and has a particular expertise in mitigation requirements that may apply as part of CFIUS clearances for cross-border transactions. A regular contributor to Foreign Investment Watch, Cinelli coauthored an intriguing proposal to shift CFIUS from a Committee to a Commission. She can be reached at giovanna.cinelli@morganlewis.com.



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## Jonathan Gafni, Linklaters

A repeat member of our "Top Advisors" list, Jonathan Gafni is the Head of U.S. Foreign Investment at Linklaters, where he primarily focuses on CFIUS-related cross-border transactions. Previously Deputy National Intelligence Officer for CFIUS Support at the Office of the Director of National Intelligence, Gafni led the U.S. Intelligence Community's work with CFIUS and directed the preparation of national security threat analyses of more than 500 cross-border transactions. He also served on the interagency committee that drafted regulations governing the CFIUS process. A regular contributor and behind-the-scenes advisor to the Foreign Investment Watch Editorial team, Gafni has helped our readers understand "carve-outs" and avoid common pitfalls when dealing with CFIUS (among other contributions). Gafni has also served in the Security and Criminal Investigations divisions of the FBI, and has held several private-sector roles, providing him unique insight and perspective on cross-border transactions. He can be reached at jonathan.gafni@linklaters.com.



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#### Chris Griner, Stroock

Whenever Foreign Investment Watch needs deep insights, a backstory, or historical perspective on national security matters, Chris Griner is our man. Currently chair of the National Security and CFIUS groups at Stroock, Griner has significant experience assessing potential areas of national security concern, and working with the federal government on behalf of large enterprises. He helped debunk four CFIUS myths for our readers, and Griner played a key role in the development of the Foreign Ownership, Control or Influence mitigation arrangements used by the U.S. government. Previously as an attorney advisor in the DoJ's Office of the General Counsel, Griner can be reached at cgriner@stroock.com.



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## Antonia Tzinova, Holland & Knight

Fluent in Russian (not to mention Bulgarian and French) Antonia Tzinova has been Foreign Investment Watch's go-to resource for insights related to international trade, embargoes, sanctions and industrial security. A partner at Holland & Knight, Tzinova has significant experience representing clients before CFIUS, and advises on measures to mitigate Foreign Ownership, Control, or Influence in cross-border mergers and acquisitions, particularly in the defense sector. She has helped our readers understand ongoing FIRRMA developments like excepted foreign states, and has significant experience with ITAR, OFAC and other regulations and global trade matters. Tzinova can be reached at antonia.tzinova@hklaw.com.



## H.K. Park, Crumpton Global

If we're honest with ourselves, H.K. Park should be on our payroll. The head of the National Security practice at Crumpton Global, Park has provided Foreign Investment Watch with more scoops and "heads-up" stories than any other CFIUS expert on the planet. A former Assistant to the Secretary of Defense on homeland security matters, Park spent nearly two decades at the advisory firm launched by former Secretary of Defense and Member of Congress William S. Cohen, where he led the firm's Korea and Southeast Asia practices. An expert on helping companies think about expansion into foreign markets, particularly Asia, Park is one of the few experts on outbound foreign-investment regimes, and was the first to explain to our readers how national security audits could be a direct result of any outbound legislation or Executive Order. He can be reached at hpark@martincrumpton.com.



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## Grigore Alexandru, Sidley

A former Deputy Director at the Office of Foreign Investment Review at the DoD, Grigore Alexandru has been a long-time advisor to Foreign Investment Watch who should have made this list years ago. An expert on the national security review process administered by CFIUS, Grigore has deep expertise on FOCI, ITAR, EAR, and other regulations. His breakdown for readers on the CFIUS co-lead role, and his explanation of the DoD's recent unclassified CFIUS procedures document, remain two of the most widely-read articles we've ever published. He's provided readers with top takeaways of CFIUS's annual report, and has provided behind-the-scenes insights for Foreign Investment Watch on the innerworkings of the DoD's foreign-investment review process. Alexandru can be reached at galexandru@sidley.com.



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## Harry Broadman, Berkeley Research Group

Nobody makes Foreign Investment Watch think bigger and more boldly than Harry Broadman. The managing director and chair of the CFIUS and Emerging Markets practices at Berkeley Research Group, Broadman has held myriad public sector roles that have made his counsel invaluable: A member of CFIUS; U.S. Assistant Trade Rep.; chief of staff of the President's Council of Economic Advisers; and lead U.S. negotiator in several formative institutions, including both the World Trade Organization and the North American Free Trade Agreement. An expert on CFIUS and national security matters, Broadman provided for readers a guide to responding to CFIUS, and has consistently pushed the Foreign Investment Watch team to expand its coverage beyond CFIUS. He can be reached at harry@harrygbroadman.com.



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#### Brandon Van Grack, MOFO

The cochair of Morrison Foerster's National Security and Global Risk + Crisis Management groups, Brandon Van Grack spent more than a decade at the DoJ, holding several positions including Chief of the Foreign Agents Registration Act Unit. He provided an outstanding primer on the FARA Unit for our readers, and has provided myriad insights to the Foreign Investment Watch Editorial team. The lead prosecutor for Special Counsel Robert S. Mueller III's investigation of the Russian government's efforts to interfere in the 2016 presidential election, Van Grack has been involved in some of the nation's most high-profile national security matters; for example, as Counsel to the Assistant Attorney General, Van Graack led the DoJ's response to the Obama Administration's rollback of sanctions targeting Iran (the Joint Comprehensive Plan of Action). He has handled the entire range of national security matters — from espionage to cybersecurity —and has deep expertise and perspective across the entire national security landscape. He can be reached at byangrack@mofo.com.



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### Judith Alison Lee, Gibson Dunn

A partner in the Washington, D.C. office of Gibson Dunn, Judith Alison Lee co-chairs the firm's International Trade Practice Group and is a resident expert on CFIUS. A regular go-to advisor for the Foreign Investment Watch Editorial team, Lee has provided a behind-the-scenes look at specific CFIUS cases, and has provided insights for our readers on matter like BIS controls and critical and emerging technologies. She practices in the areas of international trade regulation, including USA Patriot Act compliance, Foreign Corrupt Practices Act, economic sanctions and embargoes, and export controls. She can be reached at jalee@gibsondunn.com.



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## Kenneth Nunnenkamp, Morgan Lewis

A partner at Morgan Lewis, Kenneth Nunnenkamp chairs the firm's CFIUS Working Group and is an expert on all things CFIUS. A strategic and outside-the-box thinker, Nunnenkamp coauthored a high-profile and intriguing proposal last year: One that stated national security reviews of foreign investments merit a full-on Commission, not an adhoc Committee. He later shared his insights with our readers during a "Ten Minutes On" video session, and has provided myriad insights and behind-the-scenes tips to the Foreign Investment Watch Editorial team. He regularly represents clients in international trade and national security matters before U.S. federal courts and government agencies, including the U.S. Departments of State, Commerce, Homeland Security, Defense, and Treasury. He can be reached at kenneth.nunnenkamp@morganlewis.com.



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## Steve Klemencic, Berkeley Research Group

A managing director at Berkeley Research Group, Steve Klemencic is one of the few experts with massive experience auditing and monitoring foreign transactions for their impact on national security. He's served as the compliance auditor on several transactions, has served on a number of CFIUS third-party monitorship teams, and has shared his experiences and insights with Foreign Investment Watch readers on topics like building trust with CFIUS and preparing for compliance and mitigation expenditures. A former senior analyst at the National Intelligence Council, Klemencic actually developed and implemented the assessment process for the U.S. intelligence community review of foreign acquirers entering into a CFIUS transaction; the effort encompassed all sixteen U.S. intelligence organizations and provided a structured process for identifying potential threats to U.S. national security. Klemencic can be reached at sklemencic@thinkbrg.com.



## Joshua Gruenspecht, Wilson Sonsini

A partner in the Washington, D.C., office of Wilson Sonsini Goodrich & Rosati, Joshua Gruenspecht has been involved in hundreds of filed CFIUS cases, and regularly helps U.S. companies and foreign investors navigate the CFIUS process. He helped the National Venture Capital Association create "model term sheets" that address foreign investment, and has helped our readers understand issues ranging from FCC fines to the disclosure of mitigation agreements (the latter being one of the most widely-read articles Foreign Investment Watch has ever published). Gruenspecht routinely represents companies before CFIUS, the Defense Counterintelligence and Security Agency, the FCC, and other federal defense and intelligence agencies, and has a specific expertise in cybersecurity-related matters; not only did he serve as a Cybersecurity Fellow with the Center for Democracy and Technology, but he's the rare lawyer who was also an engineer working on network security R&D for the federal government and BBN Technologies. Gruenspecht can be reached at jgruenspecht@wsgr.com.



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## Alex Finnegan, Brunswick Group

The only true communications and disclosure expert to make our 2023 "top advisors" list, Alex Finnegan is a partner in the Washington, D.C., office of Brunswick Group, the corporate advisory firm led by former U.S. Treasury Deputy Secretary Neal Wolin. A former Press Officer for the British Labour Party, Finnegan specializes in crisis communications and public and regulatory affairs, and has a particular focus on the communications aspects of transactions undergoing CFIUS review. He has shared some of his insights with Foreign Investment Watch readers — explaining, for example, what not to say during a CFIUS review — and has been a resource for the Foreign Investment Watch team on topics related to disclosure and communications. He can be reached at afinnegan@brunswickgroup.com.



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#### Rod Hunter, Baker McKenzie

A partner in the Washington, DC office of Baker McKenzie, Rod Hunter previously served as Special Assistant to the President for National Security Affairs and senior director for international economics at the National Security Council, which is the White House office that coordinates trade policy and supervises CFIUS. In that role, he managed CFIUS cases, including negotiating resolution of some of the most sensitive cases. He also served as senior counsel at the US Trade Representative's office, where he litigated cases before the World Trade Organization. A recognized expert in the field of national security, he has testified before Congress and the United States-China Economic and Security Review Commission on matters related to CFIUS and national security. He has provided ongoing insights and expertise on FIRRMA and CFIUS to Foreign Investment Watch readers, and can be reached at rod.hunter@bakermckenzie.com.



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## Britt Mosman, Wilkie Farr

A partner and vice chair of the Global Trade & Investment practice group at Wilkie Farr, Britt Mosman previously served as an Attorney-Advisor in the Office of the Chief Counsel, advising the Treasury Department's Office of Foreign Assets Control. While at OFAC, Mosman focused on economic sanctions and national security issues, including as a lead attorney on the Iran, Ukraine/Russia, Cuba, Syria, Election Interference, and cyber-related sanctions programs. An expert on compliance and enforcement matters related to CFIUS, the Bank Secrecy Act, anti-money laundering, export controls and more, Mosman has provided context for Foreign Investment Watch readers on topics like non-notified transactions from Russia. She has deep crypto expertise, and has been involved in several high-profile, high-stakes enforcement proceedings. She can be reached at bmosman@willkie.com.



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## Olga Torres, Torres Trade Law

The founder of eponymous law and consulting firm, Olga Torres is an advisor to the U.S. State Department's Defense Trade Advisory Group, which ensures commercial exports advance U.S. national security and foreign policy objectives. An expert on complex strategic and regulatory trade controls and national security matters, Torres has built an expertise obtaining clearance of transactions subject to CFIUS review, and identifying measures to mitigate Foreign Ownership, Control, or Influence. She has provided Foreign Investment Watch readers with myriad insights on topics ranging from specific Chinese transactions to Commerce Department rules, and is a regular behind-the-scenes "reality check" as our editors seek to validate trends and developments. Torres can be reached at olga@torrestradelaw.com.



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## Nicholas Klein, DLA Piper

Nicholas Klein is of counsel at DLA Piper, where he advises clients on international trade and national security matters, including national security reviews before CFIUS. In fact, Klein has quietly played a critical role in numerous high-profile CFIUS matters, including Softbank's acquisition of Fortress Investment, as well as Softbank's investment in GM Cruise. His plain English explanations of CFIUS processes, including topics like, "Why file if it's not mandatory?" have touched on the insightful and seldom-discussed ancillary benefits, and he's provided insights for readers on critical technology assessments and other matters in the past year. Klein can be reached at nicholas.klein@dlapiper.com.



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Want to nominate someone for our next "Top Advisors" list, which will be published in Q2 2024? Simply email editor@foreigninvestmentwatch.com for consideration.

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