

Snell & Wilmer



Derek Flint

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Main Bio

Derek Flint is a member of the firm's Special Litigation and Compliance Group. As a litigator, Derek works on a wide variety of matters in state and federal court, at both the trial level and the appellate level. Derek's litigation work includes representing clients on matters relating to constitutional law, healthcare law, election law, government contracting, business disputes, and real estate law.

On the compliance side, Derek advises clients on matters concerning the False Claims Act, the Foreign Corrupt Practices Act, the Anti-Kickback Statute, and HIPAA privacy. Derek's compliance practice also involves assisting clients with emerging artificial intelligence regulations (AI), export compliance, Federal Acquisition Regulations (FAR), the Office of Foreign Assets Control (OFAC), and the Committee on Foreign Investment in the United States (CFIUS).

Derek is also a member of the Investigations, Government Enforcement and White Collar Protection practice. In this capacity, he represents companies and individuals in a variety of matters relating to federal and state criminal, civil, and regulatory enforcement.

Representative Experience

- Represented clients in bid protest proceedings across the United States
- Represented clients in obtaining and defending against preliminary injunctions and temporary restraining orders
- Represented healthcare providers and health insurance companies in commercial disputes, including litigation, arbitration, and overpayment requests
- Represented multiple candidates and political parties in regard to constitutional and election challenges in state and federal courts
- Advised clients regarding export licenses
- Advised clients regarding Technical Assistance Agreements
- Analyzed whether products comply with the Berry Amendment and the Buy American Act
- Advised cryptocurrency companies regarding compliance with The Office of Foreign Assets Control, and Anti-Money-Laundering regulations
- Assisted clients in mitigating and eliminating fines and seizures from U.S. Customs and Border Protection
- Advised clients on classification of goods for purposes of determining tariff rates

- Conducted internal investigation for company regarding civil and criminal False Claims Act allegations

Education

- Arizona State University, Sandra Day O'Connor College of Law (J.D., *cum laude*)
 - Associate Editor, Arizona State Law Journal
 - CALI Excellence for the Future Award: Legal Method & Writing, Criminal Procedure, International Law of Armed Conflict
 - Chair of Hosted Competitions, ASU Executive Moot Court Board
 - Vis International Commercial Arbitration Moot
- University of British Columbia (B.A., International Relations)
 - President's Entrance Scholarship
 - President and VP External, Right to Play UBC

Languages

- Spanish (Limited Working Proficiency)

Professional Memberships & Activities

- Republican National Lawyers Association, Arizona Chair (2022-2023)
- Phoenix Committee on Foreign Relations (2018-Present)

Representative Presentations & Publications

- "[HHS Establishes Certification Requirements for Artificial Intelligence and Machine Learning Software Developers](#)," Co-Author, Snell & Wilmer Legal Alert (January 17, 2024)
- "International Arbitration Experts Discuss Whether Arbitration is Efficient Dispute Resolution," Co-Author, Mealey's International Arbitration Report (December 2023)
- "[CMS' Transparency-in-Coverage Rule: One Year Later](#)," Co-Author, Snell & Wilmer Legal Alert (July 31, 2023)
- "[Congress Takes Aim at Organizational Conflicts of Interest for Government Contractors and Consultants](#)," Co-Author, Snell & Wilmer Legal Alert (February 9, 2023)
- "Enforcement and Data Privacy Issues," Co-Presenter, The Dobbs Ruling: Understanding the Legal Implications in an Evolving Business Environment Webinar (August 4, 2022)
- "[The Russia-Ukraine Conflict: How to Prepare for Looming Sanctions](#)," Co-Author, Snell & Wilmer Global Connection Newsletter (February 24, 2022)
- "[Biden Administration Expands Upon Trump Administration's Chinese Military Investment Ban](#)," Author, Snell & Wilmer Global Connection Newsletter (June 23, 2021)
- "[Increasing U.S. Software Developers' Global Competitive Advantage: Bureau of Industry and Security Eases Export Administration Regulations for Certain Encryption Items](#)," Co-Author, Snell & Wilmer Legal Alert (April 7, 2021)
- "[Supreme Court Issues Opinion Expanding the Scope of FOIA Exemption](#)," Co-Author, Snell & Wilmer Legal Alert (March 15, 2021)
- "[SEC Action Could Have Rippling Effects on Future of Cryptocurrency](#)," Co-Author, Snell & Wilmer Legal Alert (February 23, 2021)

- ["Increasing Cross-Border Protections to Business Deals: Seeking a Foreign-Country Money Judgment in Arizona,"](#) Co-Author, Snell & Wilmer Legal Alert (January 28, 2021)
- "W-16 International Law: Trade, Transactions and Tariffs – Oh My!" Presenter, Arizona State Bar Convention (December 2, 2020)
- ["OFAC Issues Advisory on Ransomware Payments,"](#) Co-Author, Snell & Wilmer Legal Alert (November 18, 2020)
- ["President Trump Issues Executive Order Prohibiting Investment in Securities of Chinese Military Companies,"](#) Co-Author, Snell & Wilmer Legal Alert (November 13, 2020)
- ["FinCEN, OFAC and the IRS Place Virtual Currencies Under a Real-World Regulatory Microscope,"](#) Co-Author, Snell & Wilmer Global Connection Newsletter (September 21, 2020)
- ["Telephone Presentation: Managing Business Needs During \(and Beyond\) a Pandemic,"](#) Snell & Wilmer (April 29, 2020)
- ["Export-Import Bank Temporarily Expands Key Programs to Help U.S. Exporters Cope with the COVID-19 Crisis,"](#) Co-Author, Snell & Wilmer Legal Alert (March 30, 2020)
- ["National Security Acquisitions and Foreign Trade Support in the \\$2 Trillion COVID-19 Stimulus Package,"](#) Co-Author, Snell & Wilmer Legal Alert (March 27, 2020)
- ["District Court Issues Key Ruling on FCPA Definition of "Agent" for Purposes of Foreign Nationals,"](#) Co-Author, Snell & Wilmer Legal Alert (March 2, 2020)
- ["Trade \(Un\)Certainty in 2020: U.S. Tariff Policy Toward China and the EU,"](#) Co-Author, Snell & Wilmer Global Connection Newsletter (February 18, 2020)
- ["UPDATE: Increase in List Three Tariffs Postponed for 90 Days,"](#) Co-Author, Snell & Wilmer Legal Alert (December 3, 2018)
- ["Four Key Considerations When Pursuing Foreign Trade Zone Status,"](#) Co-Author, Snell & Wilmer Global Connection (November, 14, 2018)
- ["Understanding the 2018 U.S. Tariffs on Chinese Goods: Developing a Game Plan,"](#) Co-Author, Snell & Wilmer Legal Alert (October 15, 2018)
- "Incentives, Employers, and the Corporate Veil: Should Domestic Corporations Be More Accountable for the Actions of Their Overseas Subsidiaries?," Author, 48 Ariz. St. L.J. 833 (2016)

Professional Recognition & Awards

- The Best Lawyers in America[®], Corporate Governance and Compliance Law, Corporate Law, Health Care Law (2024)

Community Involvement

- Valley Leadership Catalyze Program (2023)
- Boys Hope Girls Hope, Board Member (2020-Present)

Previous Professional Experience

- Supreme Court of Arizona, Judicial Law Clerk to The Honorable John R. Lopez IV (2017-2018)
- Arizona State University, Research Assistant to Professor Bijal Shah (2016-2017)
- Senate Judiciary Committee, Law Clerk to Senator Jeff Flake (2016)
- U.S. District Court, District of Arizona, Judicial Extern to The Honorable David G. Campbell (2016)

Bar Admissions

- Arizona

Court Admissions

- Supreme Court of Arizona
- United States Court of Appeals, Ninth Circuit
- United States Court of International Trade
- United States District Court, District of Arizona
- United States Supreme Court
- United States Court of Appeals, Federal Circuit
- United States Court of Federal Claims