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PRACTICES

Complex Civil Litigation
ERISA & Employee Benefits Litigation
False Claims Act Litigation
Internal Investigations
Supreme Court & Appellate Litigation

EDUCATION

J.D., Duke University School of Law, 2004
B.A., Duke University, 1997

Dawn E. Murphy-Johnson

COUNSEL

Dawn Murphy-Johnson is Counsel at Miller & Chevalier Chartered. She litigates complex legal issues arising under federal law with a focus on the Employee Retirement Income Security Act of 1974 (ERISA), other federal employee benefits statutes such as the Federal Employees Health Benefits Act (FEHBA) and the Affordable Care Act (ACA), and regulatory matters relating to health and pension benefits.

She regularly defends companies and plans in disputes concerning a broad range of ERISA matters, with a particular emphasis on fiduciary duties, benefits denials, and the applicability of ERISA to compensatory arrangements. Ms. Murphy-Johnson has also represented plan participants in claims against the Pension Benefit Guaranty Corporation (PBGC) concerning pension plan terminations.

Ms. Murphy-Johnson's experience extends to serving as counsel to numerous parties and *amici* at all stages of briefing before the U.S. Supreme Court and in the U.S. Courts of Appeals, including as second chair in oral argument before the Supreme Court. In the lower courts, she has represented clients in high-stakes, multi-year cases involving alleged violations of the civil Racketeering Influenced and Corrupt Organizations (RICO) Act and federal anti-terrorism laws, in commercial contract disputes, and in cases involving allegations of professional negligence and breach of fiduciary duty.

Ms. Murphy-Johnson began her career in white collar criminal defense, defending individuals in cases involving tax and accounting fraud, public corruption, export control violations and violations of the Foreign Corrupt Practices Act (FCPA). She has also conducted internal investigations on behalf of multinational corporations.

Ms. Murphy-Johnson contributes substantial professional time to her active pro bono practice, most often focusing on post-conviction petitions to overturn wrongful convictions and appellate matters involving prisoner litigation.

Representative Engagements

- Second-chaired oral argument before the United States Supreme Court in *Bruce v. Samuels*, 136 S. Ct. 627 (2016), a case involving statutory interpretation of the Prison Litigation Reform Act.
- Member of briefing team in *Mohamad v. Palestinian Authority*, 132 S. Ct. 1702 (2012), a Torture Victim Protection Act case in which the United States Supreme Court unanimously affirmed in favor of clients.
- Second-chaired federal criminal trial and won partial acquittal for U.S. citizen charged with illegally exporting to Iran training software developed during client's

employment at a U.S. nuclear power plant.

- Second-chaired federal civil trial that resulted in favorable jury verdict for corporate client in commercial contract dispute.
- Involved in all aspects of pretrial representation of client charged with obstruction of justice and criminal conspiracy involving more than \$200 million in alleged tax loss. Jury acquitted client on all counts after four-week trial.

Rankings and Recognition

- *The Best Lawyers in America*[®]: Criminal Defense: White Collar, 2021 - 2022
- *Legal 500*: Labor and Employment: ERISA Litigation, 2021
- *Washington, DC Super Lawyers*[®]: Super Lawyer, Criminal Defense: White Collar; Civil Litigation: Defense, 2016 - 2020
- *Washington, DC Super Lawyers*[®]: Rising Star, Criminal Defense: White Collar; Civil Litigation: Defense, 2014 - 2015
- DC Bar Capital Pro Bono High Honor Roll, 2013 - 2020

Affiliations

- Member, Women's Bar Association
- Member, National Association of Criminal Defense Lawyers
- Leadership Counsel on Legal Diversity (LCLD) Fellow, 2019

Admissions

STATE ADMISSIONS

- District of Columbia
- Virginia