

Interviewee: Puneet Kakkar

Interviewer: Victoria C. Huang

Date: September 1, 2020 (edited)

Re: Law Review Alumni Feature

You graduated from Berkeley Law in 2008. Do you have any favorite memories of your time on *CLR*?

I really enjoyed my time in *CLR*. It was a pleasure to get to know so many people from different backgrounds, who had different experiences at Berkeley Law, and who had different goals and ambitions in pursuing legal careers. One of my favorite memories was assisting our “Happiness Czar” with soliciting input from the membership as to what we should buy and stocking up *CLR*’s fridge with goodies from Costco.

More seriously, many of my favorite memories come from being assigned to review and edit thought-provoking articles. One article comes to mind immediately—an article about the placement and marketing of fast-food restaurants in communities that are economically and socially disadvantaged. The article urged reforms in laws, policies, and education about the issue. It was not an article that I expected to encounter in law review—I usually expected to read something regarding criminal law, Constitutional law, or federal court jurisprudence. And in order to be a good editor of an article, you have to fully understand the underlying topic; that process was definitely eye-opening, because it was fascinating to learn about this dimension of social justice. The dialogues that followed—between the senior editor, the author, and myself—were fascinating, as it was an education for me about the impact of laws and policies on everyday life in such an important realm, bridging the intellectual to the practical.

Do you stay in touch with your *CLR* and non-*CLR* law school friends?

Absolutely—socially and professionally. One of my classmates from *CLR* was a groomsman in my wedding—Chris Yeh (Berkeley Law ’08). When I was in private practice, I worked with *CLR* colleagues within my firm, as co-counsel, and as clients. As an Assistant United States Attorney (AUSA), I have learned that many of my *CLR* colleagues have become AUSAs in other offices across the country, including in my Office in Los Angeles. Indeed, in a jury trial last year, my trial partner was Kathy Yu (Berkeley Law ’09). Some of my *CLR* colleagues have also become defense attorneys, and though we represent adverse parties in the courtroom, we maintain our professional and collegial relationship with each other.

You’re currently working in Los Angeles at the U.S. Attorneys’ Office as the Deputy Chief of the International Narcotics, Money Laundering, and Racketeering Section. You’ve also previously worked as a judicial clerk, at a big law firm, and in the public sector. Could you talk a little about your journey from law school to your current work?

I knew that I wanted to pursue a career in public service since high school and applied to Berkeley Law with the goal of pursuing government service in a way that had an international impact. Though this was my ultimate goal, I did not confine myself to this path at Berkeley Law. In fact, I took advantage of exploring *everything* at my fingertips—intellectual property,

criminal law, international law, disaster law, energy law—through classes, moot court, journals, and free-lunch seminars (which I hope the Berkeley Law community eventually enjoys when COVID subsides!). I also served as a research assistant for Tom Campbell, Ph.D., J.D., then-Dean of the Haas School of Business, assisting with business-law curriculum and antitrust research. During my summers, I pursued stints with law firms (domestically and abroad) and the U.S. Department of Justice. I always kept my mind open to all possibilities, but in the end, I naturally navigated to the career path I initially charted.

After graduation, I briefly worked at O'Melveny & Myers in Los Angeles, where I had spent a summer after my 1L year. I was initially supposed to serve as a law clerk for a federal judge in Chicago, but a few months close to graduation, he was confirmed to take the number-two position at the U.S. Department of Justice. I was able to quickly secure a clerkship in Los Angeles for the following year for Judge Valerie Baker Fairbank, which has been one of the best experiences thus far in my career. As a clerk, I learned how to learn and dissect a variety of legal issues, write clearly, and manage a significant workload. After watching hundreds of courtroom proceedings, I also confirmed that I wanted to be an AUSA and learned the best way to achieve that goal—by gaining litigation experience. After clerking, I did a five-month volunteer stint in India working for a non-profit, helping train their public defenders and working on criminal justice reform. I then joined a boutique law firm in Los Angeles, Caldwell Leslie & Proctor (which was later acquired by Boies Schiller Flexner). At the firm, I sought to get as much litigation experience as I could—factual investigation, research, writing, oral arguments—in both paid matters and *pro bono* cases. At the same time, I enjoyed being active in bar associations and non-profit organizations. About four years later, I was hired by the U.S. Attorney's Office, where I have been since. As an AUSA, I have been able to achieve what I set out to do—serve the public, including in international settings.

Could you talk a bit more about your current work?

For the past six years, I have been an AUSA in the U.S. Attorney's Office for the Central District of California, based in Los Angeles. Our Office serves approximately 20 million people, in the counties of Los Angeles, Orange, Riverside, San Bernardino, Ventura, Santa Barbara, and San Luis Obispo. We work with agencies such as the Federal Bureau of Investigation, Drug Enforcement Administration, Homeland Security Investigations, and the Postal Inspection Service, to identify, investigate, and prosecute federal criminal activity. Our Office investigates a broad array of crimes—environmental, white-collar frauds, public corruption, civil rights, drugs, organized crime, et cetera.

As an AUSA, I work with investigatory agents to ensure that we obtain the requisite evidence to charge those responsible for committing crimes. This includes seeking permission from judges to obtain search warrants for homes and email accounts, wiretap authorizations, et cetera. When we have sufficient evidence, I then usually prepare a charging document (known as indictment) and present it to a grand jury to file charges in court. After charges are filed, I represent the United States in that case going forward. This includes providing discovery to the defense, responding to motions, appearing in court, and offering a plea or taking the case to trial. After a case is concluded, I am also responsible for handling any appeal to the Ninth Circuit, from briefs to oral argument.

Over the past six years, I have prosecuted a wide variety of cases, from investigation to appeal: Fraud, cybercrime, child pornography, tax fraud, drugs, and guns. I am currently

focusing on prosecuting large-scale money laundering and drug networks. Some of my cases have included charging and seeking extradition for members of international cartels responsible for smuggling in and distributing millions of dollars in cocaine and heroin into the United States and businesses that launder millions of dollars in cash.

More recently, I have focused on an emerging area of criminal activity involving the darknet and cryptocurrency. The darknet is an encrypted network of computers that make up the internet. I have both investigated and charged people who operate darknet marketplaces, which are essentially e-commerce websites where people can sell drugs around the world. In May 2019, I worked with German and Dutch authorities to file charges against three German nationals who were operating a darknet marketplace known as “Wall Street Market,” over which hundreds of vendors sold contraband such as drugs to customers around the world. I have also prosecuted those specific vendors in our District who sell significant quantities of drugs across the country in exchange for Bitcoin. Relatedly, I have investigated and charged individuals who launder cryptocurrency that is gained from illegal activity, such as those operating unlawful Bitcoin ATMs or running other illegal exchange services.

Many of these cases have had international dimensions, so I have had to work with foreign investigators and prosecutors to either obtain evidence or investigate these cases in tandem. I have also been asked by the U.S. Department of Justice to teach and present about these cases and techniques to other countries, as this type of criminal activity becomes more widespread and international cooperation becomes more crucial. In the past year, I have taught at seminars in Kuwait, Indonesia, and France about how cryptocurrency plays a role in certain criminal schemes.

Since I became a Deputy Chief in my Office, I have also been a supervisor of approximately ten other AUSAs, so I provide them guidance on their case strategy, charging decisions, plea agreements, and trials.

Now as Deputy Chief, you get to mentor and lead other attorneys. Have there been any mentors, professors, or supervisors that have really spoken to your own professional development?

Definitely! From law school to the U.S. Attorney’s Office, I have been privileged to have great mentors who have taught me how to succeed and to develop my career. In law school, Professors Howard Shelanski, Eleanor Swift, and Peter Menell were great educators who taught me how to analyze facts and think critically about the law. They were also all instrumental in reviewing my writing for student publications and assisting me through the clerkship process.

After graduating law school, I have been fortunate to develop many mentors in different phases of my career and for different purposes. Being active in bar associations is a great way to meet people. Through bar associations, particularly the Asian Pacific American Bar Association and South Asian Bar Association, and I have met so many who have helped me navigate through different career options, how to succeed in a firm, and how to get a job with the U.S. Attorney’s Office. It is always great to get multiple perspectives from those who have achieved what you wish to achieve—professionally and personally. Over the years, my questions have ranged from how to present better arguments in court to how to sleep-train children when preparing for trial. Regardless of the inquiry, the support system is crucial!

Is there anything you'd like to share with your fellow alumni or current *CLR* members?

To fellow alumni: Stay in touch! It is always great to hear from friends and colleagues at any point, even if so many years have passed and we have not stayed in touch. We had great experiences together, within and outside of *CLR*, and as we continue to pursue different paths (and face unprecedented times, particularly in the legal profession), it is always great to connect, reminisce on great memories, and share guidance.

To current *CLR* members: Some inspiration—it pays to know how to write (and by extension, edit well) and to Bluebook. No matter what profession you choose, effective written advocacy will help you pave the way, whether it be a cover letter, grant proposal, brief, or article. Use each editing opportunity in *CLR* to improve your own writing. If you choose to be a litigator, also rest assured that the hours you spend Bluebooking will also pay dividends. As a litigator, you want to spend more of your time researching and finessing your writing; the last thing you want to do is having to review and properly cite your authorities. So in this regard, if you have already ingrained in yourself how to properly cite legal authorities, that is one less area you have to revisit before you click “file.” This is particularly the case for me now as an AUSA. We work very fast-paced and manage many cases with limited resources. As a government attorney, there is no partner above you or junior associate under you; in many cases, you are the sole attorney. I have found myself on many occasions having to—within one-day notice—research a new area of law, write a brief, and have it filed in federal court, where the standards are high for government attorneys. It provides some relief to not have to worry as much about my cite formats, thanks to two significant years of doing it in *CLR*.

Go Bears!