





Krystal B. Swendsboe

Associate



 202.719.4197
 kswendsboe@wiley.law



Krystal represents and advises clients in a variety of complex litigation and appellate matters in state and federal courts. She has served in legal capacities in both public and private entities, including the U.S. Department of Justice and federal trial and appellate courts, and has extensive litigation experience ranging from pre-complaint investigations and discovery disputes to critical motions practice, trial preparation, and appeals. Krystal specializes in providing creative litigation solutions to give her clients a strategic advantage, both in and out of the courtroom.

Her experience spans a wide variety of practice areas, including government contracts, intellectual property, environment and product regulation, telecommunications, health care, as well as election law and government ethics. Krystal's appellate work, including before the U.S. Supreme Court, has focused on significant First Amendment issues.

Krystal served as a law clerk for the Honorable Mark S. Davis on the U.S. District Court for the Eastern District of Virginia (the "Rocket Docket"). In addition, she served as a law clerk for the Honorable Alice M. Batchelder on the U.S. Court of Appeals for the Sixth Circuit.

Krystal also maintains an active pro bono practice, and for two consecutive years has won firm awards for her contributions. Most recently, she briefed and argued an appeal in the Fourth Circuit on behalf of an asylum-seeker, and she served as counsel of record for a nonprofit amicus party in the Ninth Circuit related to California's A.B.5 legislation.

Practice Areas



Commercial Litigation
Eastern District of Virginia: The Rocket Docket
Election Law & First Amendment Litigation
Issues and Appeals
Litigation

Credentials



Education

J.D., *magna cum laude*, Washington and Lee University School of Law; Order of the Coif

B.A., *summa cum laude*, Patrick Henry College

Law Journals

Managing Online Editor, *Washington and Lee Law Review*

Lead Articles Editor, *German Law Review*

Clerkships

Law Clerk for the Honorable Mark S. Davis, U.S. District Court for the Eastern District of Virginia (2015-2016)

Law Clerk for the Honorable Alice M. Batchelder, U.S. Court of Appeals for the Sixth Circuit (2016-2017)

Bar and Court Memberships

District of Columbia Bar

Virginia Bar

Supreme Court of the United States

U.S. Courts of Appeals for the Third, Fourth, Fifth, Sixth, Seventh, Ninth, Eleventh, and District of Columbia Circuits

Representative Matters

U.S. District Courts for the District of Columbia, Eastern District of Virginia, and Western District of Virginia

- Represent nonprofit organization in amicus filings regarding the Indian Child Welfare Act (ICWA) before the Fifth Circuit and the U.S. Supreme Court.
- Defend government contractor against improper and abusive arbitration claim, including successful assertion of arbitration waiver and civil contempt charges.
- Successfully represented restaurateur in suit against former partner for fraud and conspiracy that caused the shutdown of award-winning restaurants.
- Represented nonprofit think tank in amicus filings in the Ninth Circuit opposing California's A.B.5 legislation regarding independent contractors.
- Successfully represented car manufacturer against patent infringement claims and in bringing offensive counterclaim for inequitable conduct.
- Successfully defended a nonprofit's First Amendment rights in response to subpoena in a defamation conspiracy suit.
- Successfully represented and defended government contractor in dual-track misappropriation and computer fraud litigation in state and federal court.
- Successfully represented corporate clients in responding to FTC and DOJ business-competition investigations.
- Successfully represented prominent medical practice in trademark infringement and unfair competition suit.
- Represent government contractors in commercial disputes and complex litigations, including suits under the Computer Fraud and Abuse Act (CFAA), Defend Trade Secrets Act (DTSA), and related state laws.
- Represent public interest groups and other clients seeking to vindicate important constitutional interests, including First and Second Amendment interests, before federal appellate courts and the Supreme Court.

Professional Experience

- Legal Intern, U.S. Department of Justice, Civil Rights Division (2015)
- Judicial Intern, U.S. District Court for the District of Columbia (2013 and 2014)
- Research Assistant to Professor A. Benjamin Spencer, Washington and Lee University School of Law (2013-2014)

Recognitions

- Included in *The Best Lawyers in America* directory of "Ones to Watch" for Appellate Practice and Commercial Litigation (2022)