Holland & Hart



PRACTICES

Business Litigation
FCPA and Anti-Corruption
Government Investigations and White Collar Defense
Antitrust and Competition
Bankruptcy and Restructuring
Stakeholder Disputes
Environmental Litigation
Appellate

EDUCATION

Harvard Law School, J.D., 2006
Best Oralist Award, Final Round of Ames Moot Court Competition, 2005

Stanford University, B.A., 2002

BAR ADMISSIONS

Idaho
California
New York

COURT ADMISSIONS

U.S. District Court for the Southern District of New York
U.S. Court of Appeals for the Ninth Circuit
U.S. District Court for the District of Idaho
Idaho State Courts
New York State Courts

Josh Hurwit

Partner

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A former U.S. Attorney, Josh leverages prosecutorial expertise, courtroom experience, and federal and state agency relationships to deliver strategic defense solutions for high-stakes investigations and complex litigation.

Josh represents individuals and companies facing government investigations, regulatory enforcement actions, and multifaceted commercial disputes. From his decade-plus experience as both U.S. Attorney and federal prosecutor, and his recent role as a special prosecutor in State v. Kohberger, he understands how agencies build cases, evaluate settlements, and make charging decisions. This prosecutorial insight enables him to anticipate the government's approach and craft defense strategies that proactively address concerns before they become formal enforcement actions.

As Idaho's former top federal law enforcement official, Josh led major investigations and managed large-scale prosecutions, including multimillion-dollar securities and wire fraud cases, False Claims Act, intricate RICO prosecutions, cybercrime probes, and novel environmental enforcement actions. He cultivated extensive relationships across the Department of Justice (DOJ) and with other federal agencies, including EPA, Commerce, and Treasury, as well as state regulatory bodies. He draws on these trusted relationships with federal and state decision-makers to help clients navigate regulatory and enforcement challenges, ensuring they are well-positioned throughout investigations and negotiations.

His courtroom expertise—honed through demanding federal prosecutions and sophisticated commercial litigation at AmLaw 50 firms—positions him to help clients achieve results in investigations, disputes, and crisis situations that threaten business operations.

Josh also brings robust appellate experience, having argued before the Ninth Circuit multiple times and supervised the appellate practice at the United States Attorney's Office.

Before joining Holland & Hart, Josh served for over a decade in the U.S. Attorney's Office for the District of Idaho, including as the United States Attorney. He previously practiced at Covington & Burling and Kirkland & Ellis in San Francisco and Paul, Weiss, Rifkind, Wharton & Garrison LLP in New York. Before practicing, Josh served as a law clerk to Judge Naomi Reice Buchwald of the United States District Court for the Southern District

of New York.

EXPERIENCE

Government Investigations and White Collar Defense

- Complex criminal and civil investigations
- Corporate compliance and internal investigations
- Financial crimes and securities fraud
- Environmental enforcement actions
- Public corruption matters
- RICO prosecutions
- False Claims Act violations
- Cybersecurity and data breach response
- Government contract fraud
- Tax fraud and regulatory violations

Federal Criminal Defense

- White collar criminal defense
- Corporate criminal liability
- Individual executive defense
- Grand jury proceedings
- Search warrant challenges
- Plea negotiations and sentencing
- Criminal appeals

Business Litigation

- Commercial disputes and contract litigation
- Securities litigation
- Partnership and corporate disputes
- Financial institution litigation
- Bankruptcy adversary proceedings
- Federal court litigation

Environmental Litigation and Enforcement

- Clean Air Act (CAA) violations
- Clean Water Act (CWA) enforcement
- Environmental regulatory compliance
- NEPA litigation
- Citizen suits and administrative actions
- Environmental criminal defense

Regulatory Compliance

- Corporate compliance programs
- Voluntary self-disclosure policies
- Risk assessment and mitigation
- Government agency interactions
- Crisis management and response

CLIENT RESULTS

Represented individual bank director in FDIC investigation, successfully persuading FDIC to drop investigation without pursuing any adverse findings.

Represented real estate company in trademark dispute in Idaho federal court and obtained a preliminary injunction on client's behalf, leading to the resolution of the case and complete protection of the client's trademarks.

Appointed Special Prosecutor in State v. Kohberger, serving as member of trial team developing strategy and tactics for prosecuting four counts of first degree murder and felony burglary.

Led years-long EPA investigation and DOJ prosecution of after-market diesel parts supplier and its owner for Clean Air Act violations involving the illegal “deletion” of emissions control equipment on diesel-engine trucks through equipment removal and illegal on-board software reprogramming.

Led multi-year investigation and RICO prosecution of 13 members of the Aryan Knights prison gang, all of whom pleaded guilty. Predicate offenses included attempted murder, drug trafficking, money laundering, and extortion.

Successfully prosecuted CEO and Chief Compliance Officer of investment management firm with approximately $1 billion of assets under management. CEO orchestrated wire fraud scheme to defraud clients by hiding overbilling of management fees.

Part of the trial team of the largest securities fraud prosecution in Idaho history arising from the collapse of DBSI, Inc., an investment firm specializing in commercial real estate investments.

Successfully prosecuted fraud case against partner in real estate partnership who defrauded partners of construction funds designated for student residential housing project.

Managed successful re-trial of multi-defendant conspiracy to traffic foreign counterfeit electronic devices through common online ecommerce platforms.

Led investigation and obtained convictions at trial of multi-defendant conspiracy to commit wire fraud and identity theft using credit card information obtained from the dark web. Successfully defended convictions at oral argument before the Ninth Circuit.

Obtained convictions of owner of large farm in second-ever jury trial for violations under the Migratory Bird Treaty.

Successfully tried child exploitation case involving complex forensic analysis of digital evidence.

Successfully defended federal defendants from lawsuit seeking temporary restraining order requiring United States Forest Service to take action to prevent private event partially occurring on public land.

Defended mutual fund portfolio manager in securities enforcement lawsuit brought by the SEC.

Trial team member in two separate successful Chapter 11 bankruptcy confirmation hearings of large telecommunications companies.

Defended large multinational financial institution against clients in financial litigation, including fraud claims arising out of large European accounting scandal.

Represented client in partnership dispute among general and limited partners of private equity firm.

Tried Section 1983 medical deliberate indifference case before a jury on behalf of disabled prison inmate.

Litigated to trial *pro bono* fair wages and hours case on behalf of immigrant workers.

PUBLICATIONS

"The Shumate Memo: Faster FCA Enforcement, Fewer DOJ Interventions," *Department of Justice Update*, June 25, 2026

"Trial Lawyers Must Tune Into New Media Trends to Read Courtroom," *Bloomberg Law*, April 2, 2026

"2 Paths, 2 Outcomes: DOJ's Inconsistent Corporate Self-Disclosure Policies," *Corporate Compliance Insights* , December 22, 2025

"The sacrifices of Idaho's officers are enormous. Remember them during Police Week," *Idaho Statesman*, May 12, 2024

"Listening in Lewiston," *Coeur d'Alene Press*, November 26, 2023

"The United States Attorney's Office new Corporate Voluntary Self-Disclosure Policy: Clear Benefits for Good Corporate Citizens," *The Advocate*, Co-Author, June/July 2023

"New FBI hate crime data is out: The trend we want may not be obvious," *Idaho State Journal*, December 23, 2022

SPEAKING ENGAGEMENTS

"Panel: Conducting Internal Investigations," Panelist, *Idaho State Bar*

Health Law Section, October 8, 2026

"Panel: Immigration Enforcement," Panelist, *2026 Holland & Hart Utah Employment Law Seminar*, May 6, 2026

"Primer on Taking & Defending Depositions," *Idaho State Bar Young Lawyers Section*, February 12, 2026

"Primer on Taking and Defending Depositions," *Idaho State Bar - Young Lawyers Section*, February 12, 2026

"The Western Juror: Current Trends, Local Variations, Practical Selection Tips," *ACC Mountain West Chapter In-House Counsel Forum*, December 4, 2025

"Immigration Enforcement for Employers," *Holland & Hart Breakfast Briefing*, November 13, 2025

RECOGNITION

- Idaho State Bar Professionalism Award, Fourth Judicial District, 2025
- Idaho Leaders United, Pillar of Idaho Award, 2025
- Idaho Commission on Hispanic Affairs, “Amigo Del Año” Award, 2024
- Executive Office for United States Attorneys, Director’s Award for Superior Performance by a Litigative Team, 2015

PROFESSIONAL AND CIVIC AFFILIATIONS

- City of Boise Ethics Commission, Commissioner, 2025 – present
- Women’s and Children’s Alliance (WCA), Board of Directors, 2025 – present
- Ada County Sheriff’s Alliance, Chair of the Board of Directors, 2026 – present
- University of Idaho College of Law, Adjunct Faculty for White Collar Crime, Fall Semester 2020
- Land Trust of the Treasure Valley, Board Member and Board Secretary, 2020 – 2022