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# THAT KNOCK ON THE DOOR Might Be the FBI

Although his father was a police officer, David Angeli knew he was destined for criminal law from an early age. He has never second-guessed himself.

INTERVIEW CONDUCTED AND EDITED BY EMILY WHITE  
PHOTOGRAPHY BY CRAIG MITCHELLDYER

**Q. Tell me about your time in the military.**

**A:** I was a pilot in the Navy for five years, ages 21 to 26, before I went to law school. My first deployment was near the end of the first Gulf War.

**Q: Did you see battle?**

**A:** You know, loosely categorized, I guess. Unlike the current war, that was a war that was over fast—particularly for pilots.

I don't think an airplane ever got off the ground on the other side. What we were doing was still, technically, the Gulf War. What we were doing was enforcing the embargo. Ships coming in out of the Gulf that weren't supposed to be there, we would track them and target them and get rid of them. But what these guys are doing over there now is a whole different thing.

**Q. After your stint in the military, you decided to go to law school?**

**A:** Yes. My dad was a cop; I was a military officer. So you would think I was a kind of government guy. But criminal defense is so compelling to me because you are standing up as a bulwark between the rights of the

individual and the incredible power of the government, which—I think—far too often I see being used or abused for the wrong reasons.

I graduated from Georgetown law school in '97 when I was 29. I clerked on the federal district court in D.C. Then I went to work for Williams & Connolly, a big firm in D.C., for a few years. Then I moved out here in Oregon in early '02 and went to work at Stoel Rives. I was a partner there until 2007, when I decided to do the boutique thing.

**Q: Let's talk about some of your landmark cases. There's your defense of Iranian national Mehrdad Yasrebi, suspected of terrorism by the federal government.**

**A:** Yes, he is in his early 50s now, living in Portland. There was an attempt to deport him. I'm happy to report that the case was dropped. He came here in 1979, around the time of the [Iranian] Revolution. He never became a permanent citizen. The federal government thought the guy had given money to religious leaders who had terrorist sympathies. They see all this money going to Iran. He was actually sending it to an orphanage. But it was post-9/11. They



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do this long investigation, beginning in 2001. For a period of six years or so, they are investigating him continuously.

They secretly indicted him in 2006, so they had charged him in 2006. That was kept secret, so he didn't even know he had been charged with a crime for two years.

In 2008, the government came and raided his charity and his house and his office.

That's when he correctly decided he needed a lawyer and he came to me. The federal government had gone and gotten one of these FISA warrants, part of the Patriot Act. In this FISA process, it's completely secret. They go in. They get the warrant. They tap this guy's phone for years. They sneak in, in the middle of the night. They image the computers at the charity and all that stuff.

We never found out about it. And even when the case became public, all the affidavits and other materials that were submitted and supported a FISA application—they all remained secret. To this day, I have never seen them.

In the end, I think they realized this guy is not a terrorist, but they must have thought: We have six years of time and money invested in this case and we are not just going to let it go.

They indict him on a host of other charges. For a couple of years, we fought hard back and forth with the government about narrowing the case and challenging their evidence and coming forward with their own evidence. Ultimately, they agreed to drop all but a single charge if [he] would plead guilty to it.

Again, we are back in this dilemma: Do we fight or do we take the deal? The deal was, if he pled guilty to this single charge, then the government wouldn't recommend more than 30 months in prison. Two and a half years. The client takes the deal. Then we had the lengthy sentencing hearing, where the government comes in and argues for 30 months and we argued for probation, and we got it.

The plea was around the time the investigation actually started to become public, so late 2010. He was heard on tape talking to somebody else about creating some documents to suggest that certain transactions had been done in a different way than they had. That was going to be a tough one to overcome. He pled to that. He pled guilty to basically conspiracy to try to mislead the IRS and the Treasury Department about what was going on. He didn't plead to any of the underlying transactions being illegal, any funding of terrorists.

**Q: And you are convinced he is innocent?**

**A:** Of everything else, yes, I am. The money literally went to those orphan kids in Iran. I think this was proven beyond any doubt, and the judge certainly agreed with us. The government comes in and says, “Well, but you have to look at it like this, judge. If a dollar gets spent to feed an Iranian child, the Iranian government can take that dollar and they can invest it in their nuclear weapons program. By feeding the child, you have indirectly assisted the Iranian government in developing weapons of mass destruction.”



LEFT TO RIGHT: 1) At 21, Angeli entered the Navy believing he would always be a government guy; 2) Angeli (far right) during flight school in Corpus Christi, Texas in 1990, and 3) with his crew in Oman during the Gulf War in 1991. Angeli is front row, far right.

**Q: Let's talk about another big case in your career: defending Joe Hirko in the Enron proceedings.**

**A:** Joe Hirko was the chief financial officer of Portland General Electric, which is one of the primary electrical utility companies here in Portland.

PGE got acquired by Enron in 1997. When that happened, PGE actually had this little telecommunications subsidiary, and '98 was the time when the Internet bubble was really starting to hit. Enron management saw, “Oh, wow, this is an opportunity for us to capitalize on this technology boom,” and they asked Joe Hirko to grow this telecommunications company into a major Enron division.

He became the CEO of Enron Broadband Services and reported directly to Jeff Skilling. Things kind of went crazy, and he ended up getting indicted and going to trial.

When PGE got bought out, people got a lot of Enron stock in connection with that buyout and the stock took off.

**Q: So he was a Portland local and he came to you. Can you give me an anecdote of how that case started?**

**A:** Yes, right. He is an Oregonian and he still lives here.

It started when Enron collapsed. Joe had left the company in June of 2000. I think Enron ended up filing for bankruptcy in December 2001. He left before the crash, but when the company crashed and the stock tanked, as is almost always the case, the shareholders filed a class action civil lawsuit.

They basically sued every executive at



Enron and a bunch of investment banks and law firms. This is when I was at Stoel Rives. We originally got hired to defend Joe in the class action case and sometime, boy, maybe six months after we started representing him, he got a knock on the door.

It was the FBI.

**Q: They believed, because he had quit, he was guilty?**

**A:** Yes. The allegation was that Joe and these other guys for the period of two years lied to Wall Street and the investment community about the capabilities of this telecommunications network. Enron had sent out press releases. They held one full-day conference for Wall Street analysts, where the government alleged that Enron brought him in and said, "Look what we can do. This is what our technology can do. It differentiates us from everybody else who is out there."

They talked about how you are going to be able to, at your TV someday, be able to stream a movie. At the time, people were like, "No, that would be impossible. We'll never be able to do that, right?" Now you look back and say, "Oh, that was kind of quaint, and of course you can do that."

For the criminal case, they broke off the broadband part of it and they tried that separately. Skilling and [Kenneth] Lay were separately tried, and there were two or three other criminal trials relating to Enron, too.

Ultimately, we went to trial on that case, and Joe was indicted on 27 separate accounts. The jury unanimously acquitted him on 14 and they hung on the other 13.

**Q: Can you identify a turning point for you in terms of commitment to your practice?**

**A:** If I had to point to when I decided I was going to be criminal defense lawyer, it would be the summer between my junior and senior year in college. I was watching, that summer, the Iran-Contra hearings.

I was old enough to remember those—specifically, the testimonies of Oliver North. I was an ROTC student at that time, and so I knew enough about the military to know this lieutenant colonel in the Marine Corps could not be the person who masterminded this whole thing. His lawyer was a guy named Brendan Sullivan. I ended up going to work for [Sullivan's firm] Williams and Connolly after law school. I remember watching the visual of North sitting at this little table, just North and his lawyer, and in front of him is this giant congressional committee with all their staff lined up behind them, and on the other side of North, behind him, is this media phalanx, hundreds of cameras.

That, to this day, is what drives me: fighting back against that awesome power of the government. I think if you start to let the government get away with a little bit here and a little bit there, things really start to erode. You are going to erode the rights that we all have and someday it is going to hurt us all. [S](#)