

Kevin B. Frankel

Lead, State Attorneys General Practice

San Francisco
T 628.295.2029
kfrankel@beneschlaw.com

Overview

A seasoned trial attorney and former prosecutor, Kevin represents some of the world's most prominent financial institutions, corporations, and executives in high-stakes "bet-the-company" litigation, including trials, investigations, and regulatory enforcement proceedings. He frequently defends clients in civil and criminal investigations brought by state attorneys general across the country, including large multistate coalitions.

A zealous advocate and creative problem-solver, Kevin works relentlessly to advance his clients' interests and achieve favorable outcomes, whether in the courtroom or the boardroom. He is adept at evaluating risk and aligning legal tactics with business objectives. Kevin maintains a broad litigation practice, with a particular focus on defending clients in government investigations, including consumer protection violations, antitrust actions, and complex financial crimes. He tries bet-the-company cases in front of judges, arbitrators, and juries, including cases involving contract disputes, constitutional claims, and many issues of first impression.

Kevin brings a deep understanding of the inner workings of state government to his practice, drawing on his background as a former New York Assistant Attorney General and Special Assistant District Attorney in the Major Economic Crimes Bureau of the New York County District Attorney's Office. Having been on the other side of the table, he knows how government investigations and white-collar prosecutions are built-and how to dismantle them. During his tenure across three administrations at the New York State Office of the Attorney General, he oversaw civil investigations and prosecuted white-collar crimes involving corporations (including nonprofits), public servants and elected officials. He held the record for the most jury trials in the Criminal Division during his tenure and secured the highest number of convictions in the Public Integrity Bureau. In recognition of his service, Kevin received the 2021 Louis J. Lefkowitz Award, the attorney general's highest commendation.

Prior to joining Benesch, Kevin chaired the State Attorneys General Practice at McGuireWoods. He also teaches as an adjunct professor at Columbia Law School and serves on the board of directors for the Columbia Law School Association.

**Matter completed prior to joining Benesch.*

Representative Matters

- Represented an individual guarantor in a $2.5 million property damage action brought by a commercial landlord following the tenant's Chapter 11 bankruptcy. The landlord sought to enforce a guaranty against our client for damage allegedly caused by a subtenant added without our client's knowledge or consent. Secured a first-impression California ruling holding that the unauthorized introduction of a subtenant could exonerate a guarantor, resulting in dismissal with prejudice and recovery of a portion of our client's attorney's fees.
- Advised a financial institution through complex federal preemption issues where multiple state attorneys general brought concurrent lawsuits and appeals involving online gaming regulated as swaps by the CFTC.
- People v. Jennings, etc. Prosecuted New York City public servants in a three-year, wide-ranging corruption investigation. Supervised a cross-agency team staffed by dozens of attorneys, investigators, and auditors from the New York State Office of the Attorney General, the New York State Office of the Comptroller, and the New York City Department of Investigation. Made hundreds of court appearances in five counties, ranging from arguing complex motions to negotiating pleas. First chaired a four-week jury trial, including pre-trial motions, numerous lay witnesses, and a forensic auditor. Convicted nineteen defendants on misdemeanor or felony counts of insurance fraud and grand larceny. *
- People v. Washington, etc. Prosecuted a public officer at the New York State Department of Education and others for participating in a multi-million-dollar bribery scheme. First chaired a six-week jury trial, including pre-trial motions, numerous lay witnesses, and a forensic auditor. Convicted three defendants of felony crimes. *
- Defended a publicly traded client in an antitrust action in the Northern District of California, including a successful motion to dismiss and successful defense of the dismissal on appeal to the Ninth Circuit and the Supreme Court. *
- Won an arbitration against a major international airline involving the interpretation of a complex contract provision.*
- Won a four-month trial involving issues of first impression under the Cemetery and Funeral Act and the Private Attorney General Act, resulting in the preservation of over $50 million. *
- Won a complex trial spanning over three months concerning the interpretation of a trust provision, resulting in multi-million-dollar awards. Successfully defended awards on appeal.*

Credentials

EDUCATION

- Columbia Law School, 2007, J.D.
- University of California – Davis, 2004, B.S., Neurobiology, Physiology & Behavior; B.A., Philosophy

BAR & COURT ADMISSIONS

- California
- New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Central District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York

Memberships

- Board Member, Hillel at Davis and Sacramento
- Board Member, Columbia Law School Association
- Member, Bar Association of San Francisco
- Member, Association of Business Trial Lawyers

Awards & Recognition

- Recipient, Louis J. Lefkowitz Award, 2021
- Listed, Super Lawyers – Rising Stars, White Collar Criminal Defense, 2014-2015
- Awarded, “Empire State Counsel,” New York Bar Association, 2009-2013
- Recipient, Pro Bono Award, Bar Association of San Francisco, 2011-2012
- Recipient, Pro Bono Award, Legal Services of New York, 2010

News & Insights

- Benesch Partner Kevin Frankel Featured on Bloomberg Law Podcast Discussing the Changing State Attorneys General Landscape
  November 13, 2026 | Media Mentions
- Election 2026 Reshapes the State Attorney General Landscape: What Companies Should Expect
  November 9, 2026 | Client Alerts & Insights
- Benesch Partner Kevin Frankel Quoted in The Wall Street Journal on Potential Terrorist Designations for Nonprofits
  November 6, 2026 | Media Mentions
- Benesch Partner Kevin Frankel Quoted in POLITICO Pro on State Attorneys General's Role in Energy and Climate Policy
  November 5, 2026 | Media Mentions
- Kevin Frankel Quoted in Best Lawyers Business Edition on the Shifting Antitrust Landscape
  November 5, 2026 | Media Mentions
- There's Fifty New Sheriffs in Town: The Paramount-Warner Bros. Settlement and State Antitrust
  October 12, 2026 | Client Alerts & Insights
- Benesch Partner Kevin Frankel Quoted in Law360 on AI's Growing Role in Prediction Market Enforcement
  September 25, 2026 | Media Mentions
- Word on the Street: State AGs Set Their Sights on Antitrust, Data Centers and Healthcare
  September 17, 2026 | Client Alerts & Insights
- Benesch Partner Kevin Frankel Featured in Financial Times' Agenda on State AGs' Growing Role in M&A Enforcement
  August 24, 2026 | Media Mentions
- Word on the Street: Key Insights from the 2026 National Association of Attorneys General Presidential Summit
  July 10, 2026 | Client Alerts & Insights

Speaking & Events

PAST EVENTS

- Under the Microscope: Protecting your Organization from AG Enforcement | Kevin B. Frankel
  September 17, 2026 | Firm Events