

QUARTERLY REVIEW

providing insight on pressing industry events

David Kotz was interviewed in several print articles and twice on Bloomberg radio regarding high-profile cases recently brought by the Department of Justice and SEC against SAC Capital and Steven Cohen. Mr. Kotz spoke about the government's chances of prevailing in these cases and the future of SAC Capital as a result of the criminal indictment of the firm. He also discussed the significance of the cases for the government and their credibility with regard to Wall Street.

Publications included:

"The Upfront Costs of Compliance Are Looking More Like a Bargain Every Day" and *"How to Minimise the Risk of Insider Trading and Leaking of Material Information"* (October-December), *Risk & Compliance*

"Anti-Money Laundering" (September), *The Corporate Counselor*

"Perspectives on the SEC's Decision to Lift the Advertising Ban on Private Investments" (July/August), *Financial Fraud Law Report*

"State Insurance Regulators Put Captive Insurance Companies in the Spotlight" (July-September), *Risk & Compliance*

FINANCIAL INSTITUTIONS PRACTICE EXPERTS

Charles Lundelius, Jr.
clundelius@brg-expert.com
202.480.2684

H. David Kotz
hdkotz@brg-expert.com
202.480.2752

Emre Carr
ecarr@brg-expert.com
202.747.3502

James T. Conversano
jconversano@brg-expert.com
202.480.2716

Jennifer Hull
jhull@brg-expert.com
202.480.2715

David Martin
dmartin@brg-expert.com
646.205.9381

Brian Vahey
bvahey@brg-expert.com
646.862.0954



VIDEO: DOS AND DON'TS OF COMPLEX SECURITIES ENFORCEMENT CASES

An interactive panel discussion with Judge Stanley Sporkin (Ret.), former SEC Inspector General H. David Kotz, and BRG Director Charles Lundelius; and moderated by David Gruenstein, a partner at Wachtell, Lipton, Rosen & Katz. [Watch the video now.](#)

SIGNIFICANT ENGAGEMENT REVIEW

- Charles Lundelius, James Conversano, and Jennifer Hull were engaged on behalf of a Big Four accounting firm in an action involving the responsibility of the auditing firm in connection with the Bernie Madoff Ponzi scheme. Mr. Lundelius was also qualified in arbitration as an expert in auditing standards and investment adviser due diligence. He also has testified in multiple arbitrations on the fiduciary duties of advisers.
- Charles Lundelius, David Kotz, and Emre Carr were engaged by a futures commission merchant (FCM) to conduct an independent examination of internal controls and policies mandated by a CFTC Order.
- David Kotz was qualified as an expert witness in a litigation regarding claims that a custodial bank failed to fulfill its fiduciary duties in connection with a large fraud, and in a state court action regarding claims relating to an SEC registration statement in a public offering and its review by the SEC Division of Corporation Finance.
- Brian Vahey and Emre Carr were engaged to provide an analysis of a \$4-billion hedge fund composition with regard to both risk and accounting. The purpose of the analysis was to determine whether the fund was in compliance with statements made in its offering materials and financial statements.

PUBLICATIONS

David Kotz, *"Conducting Internal Investigations on Whistle-blower Claims of Securities Law Violations,"* Westlaw Journal *Securities Litigation & Regulation* 19:3 (June 11)

David Martin, *"The Whistleblower Paradigm: How Companies Can Get in Front of a Crisis,"* Corporate Compliance Insights (June 4)

Jim Conversano, *"Proposed Regulation SCI, Finally the Right Balance?"* Financier Worldwide's *Risk & Compliance* (April-June)

David Kotz, *"It May Be Coming Soon: The Volcker Rule and its Impact on Corporate Compliance,"* Corporate Compliance Insights (February 8)

David Martin, *"The Challenges of Protecting Organizational Reputational Risk in a Digital Social Media World,"* Corporate Compliance Insights (January 25)