

## Securities Enforcement and Regulation

Nothing can produce more anxiety for a professional than receiving a subpoena from the SEC or another regulator. When the regulators come knocking, it is critical to obtain skilled representation as early as possible. Our attorneys include a former Senior Trial Attorney in the SEC's Division of Enforcement, the former Assistant Securities Commissioner for the State of Georgia, a former long-time criminal prosecutor, and a court-appointed SEC receiver. Our attorneys collectively have decades of experience working with governmental and industry regulators, having handled every type of securities enforcement and compliance matter. From highly sophisticated accounting fraud investigations of Fortune-500 public companies and their executives, to one-off investigations of individuals alleged to have committed insider trading, our attorneys have seen it and done it.

In addition to defending clients during investigations and enforcement proceedings, we assist clients with requesting guidance from regulators, including exemptive and "no-action" relief concerning novel securities issues in the creation and distribution of products or services proposed by our clients. We work with industry groups and individual clients to address proposed regulations at the state and federal levels through the administrative process. We also provide advice and guidance to our clients regarding the securities laws and regulations, particularly when they face unique or novel circumstances that require thoughtful advice. Below are some representative matters that our attorneys have handled.

### **Representative Matters**

- Represented numerous private hedge funds and fund managers in connection with SEC investigations and complaints from disgruntled investors, including multiple funds specializing in digital assets and cryptocurrency. No charges brought against any firm clients to date.
- Appointed by the federal court as receiver over a fraudulent business in an SEC enforcement action.
- Represented client in non-public SEC investigation into insider trading as part of an alleged "ring." No charges brought against the client.
- Represent client alleged to be participant of a computer hacking "pump-and-dump" scheme in SEC enforcement action.
- Represented executive of a Fortune 500 publicly traded company in connection with SEC investigation into potential lack of board member independence.
- Represented registered representative of a broker dealer in connection with sale of alleged Ponzi scheme product in a FINRA matter. Claimant's counsel voluntarily dismissed the case against our client without any payment.
- Currently representing hedge fund manager in SEC enforcement action alleging fraud.
- Advised client in connection with potential cherry-picking investigation.

- Served as issuer's counsel to Groundfloor Finance, Inc., a real estate financing platform, in the registration of its securities offering with the U.S. Securities and Exchange Commission (SEC) and nine state securities regulators in reliance on amended SEC Regulation A.
- Represented agent of a registered broker-dealer, and an investment advisor representative, in sales practice investigation before state securities regulators. The matter closed without action as to our client.
- Counseled an investment adviser that managed a cryptocurrency fund regarding risks of pursuing an activist investor campaign, compliance with SEC Regulation 13D and other matters.
- Represented numerous clients responding to SEC and CFTC subpoenas for documents and testimony.