CURRICULUM VITAE

ERNEST EDWARD BADWAY
1 Bedford Road
Woodcliff Lake, New Jersey 07677
Telephone: (Home) (201) 505-0655
e-mail: ebadway@gmail.com
Telephone: (Business) (212) 908-3932
Facsimile: (Business) (212) 344-6101
e-mail: ernest.badway@thompsonhine.com

BORN: Providence, Rhode Island, December 10, 1967

NATIVE LANGUAGE: English

CURRENTLY EMPLOYED: Thompson Hine LLP
300 Madison Avenue, 27th Floor
New York, New York 10017

Responsibilities: Currently represents corporations, limited liability companies, partnerships, and financial institutions, such as broker-dealers, investment advisers, commodity trading advisers, futures commission merchants, introducing brokers, commodity pool operators, private equity and hedge funds, banks, and insurance companies, among others. Counsels and advises officers, directors, executives, registered persons, and employees on a wide range of commercial, business, securities, intellectual property, employment, real estate, corporate, gaming concerns, pharmaceuticals, partnership disputes, contracts and other business issues and litigation. Extensive experience in officer/director regulation and compliance, corporate governance and white-collar criminal law issues, and representation of these entities and individuals in internal investigations and commercial disputes involving litigation and alternative dispute forums as well as corporate law matters concentrating in private placements, initial public offerings, and initial cryptocurrency offerings. Counsels and advises clients on the creation of broker-dealers, hedge funds and investment advisers, creation of cryptocurrency exchanges, alternative trading systems, NFTs, and Bitlicenses, as well as compliance and regulatory matters relating to their operations.

Assists clients in using ICOs, NFTs, and SAFTs to fundraise, as well as those clients who invest in digital currency and operate digital currency funds; supports financial services firms in obtaining BitLicenses, complying with OCIE examinations targeting digital currency investment, and ensuring compliance with FinCEN, FINRA and Bank Secrecy Act regulations, including, among other things, Know Your Customer, Anti-Money Laundering, and data privacy requirements. Advice financial services firms with cybersecurity demands, and advises on various regulatory compliance matters, including the comprehensive New York Department of Financial Services Cybersecurity Requirements for Financial Services Companies, and mandates regarding risk assessment, personnel, policy, breach notification and third-party service providers, as well as SEC, CFTC, and FINRA requirements relating to cybersecurity requirements.

PREVIOUS WORK EXPERIENCE:

Fox Rothschild LLP
101 Park Avenue, 17th Floor
New York, New York 10178
-and-
49 Market Street
Morristown, New Jersey 07960-5122
Partner
Co-Chair, Securities Industry Group
Co-Chair, Private Equity and Investment Management Group
Co-Chair, Fashion Law Group
Co-Chair, White Collar Criminal Defense Group
December 2007 to July 2024

Responsibilities: Primarily provided legal services and counseling to individuals, broker-dealers, associated persons, hedge funds, individuals, and corporations on securities, corporate, litigation, white collar, and regulatory matters.

Saiber Schlesinger Satz & Goldstein, LLC
44 Wall Street-12th Floor
New York, New York 10005
-and-
One Gateway Center - 13th Floor
Newark, New Jersey 07102
Member
January 1999 to December 2007

Responsibilities: Primarily provided legal services and counseling to individuals, broker-dealers, associated persons, hedge funds, individuals, and corporations on securities, corporate, litigation, white collar, and regulatory matters.

Camhy Karlinsky & Stein LLP
1740 Broadway
New York, New York
Litigation Associate
From: November 1997 to December 1998

Responsibilities: Primarily provided legal services and counseling to individuals, broker-dealers, associated persons, hedge funds and corporations on securities litigation and regulatory matters.

United States Securities and Exchange Commission

7 World Trade Center, Suite 1300
New York, New York
Division of Enforcement
Staff Attorney
February 1995 to November 1997

Responsibilities: Appeared regularly before federal and administrative courts to prosecute violators of the federal securities laws and investigated violations of the federal securities laws involving, among other things, broker-dealer fraud; Ponzi schemes; mark ups and mark downs; market manipulations; sales practice abuses; accounting fraud; insider trading; broker-dealer requirements; investment companies; investment advisors; Regulation S schemes and Regulation M fraud.

Stroock & Stroock & Lavan
7 Hanover Square
New York, New York
Litigation and Summer Associate
September 1992 to January 1995,
Summer 1991

Responsibilities: Appeared regularly before federal, state and city courts in real estate, civil RICO, First Amendment, environmental, intellectual property, insurance, bankruptcy, and general tort defense litigation.

Rhode Island Public Defender's Office
380 South Main Street
Providence, Rhode Island
Law Clerk
Summer 1990

Responsibilities: Assigned to and supervised by a trial division lawyer. Duties included the reading of information packages and discovery provided by the state as well as research on legal issues to assist trial attorney in preparation of defense for hearings and trials. Assisted trial attorney in court at various proceedings (note taking, investigation) and worked on a one-to-one basis with attorney in all phases of legal representation. Other duties involved interviewing clients referred, transcription of grand jury testimony and other discovery matters.

LEGAL EDUCATION: Duke University School of Law
Durham, North Carolina

Course: Juris Doctor
Graduated, May 1992

Academic Awards: Academic Jurisprudence Award in Business Associations.

Scholarship: Latty Scholar

Positions Held:	Treasurer and member of the Duke Law School Moot Court Board Duke Bar Association Intramural Sports Coordinator
Activities:	Durham County Guardian Ad Litem Young Trial Lawyers Association Intramural Softball
Intern Position:	Intern, Wake County (Raleigh, North Carolina) District Attorney's Office, Admitted to practice through the North Carolina State Bar's Practical Training of Law Students Program Spring Semester, 1992
GRADUATE EDUCATION:	Boston University Graduate School of Arts and Sciences Boston, Massachusetts
Course:	Master of Arts, British History Graduated, May 1989
Positions Held:	Teaching assistant for World History and Latin American History survey courses, 1988 to 1989
Thesis:	*The Witchcraft Crisis of Tudor and Stuart England*. A study of the social, political, and intellectual turbulence associated with the crime of witchcraft in early modern England.
UNDERGRADUATE EDUCATION:	Boston University College of Liberal Arts Boston, Massachusetts
Course:	Bachelor of Arts, European History Bachelor of Arts, Economics Graduated, May 1989
Academic Awards:	Magna Cum Laude, with distinction in history. National and Boston University Dean's List. Nominee, Harry S. Truman Memorial Scholarship. Alice M. Brennen Humanities Scholarship.
Academic Societies:	Member, Phi Alpha Theta History Honor Society Member, Omicron Epsilon Delta Economics Honor Society

Service Award: Boston University Scarlett Key Award for Service

University Committees: Member, Academic Conduct Committee
Member, Alumni Relations Committee
Member, College of Liberal Arts Orientation Leader
Member, President's Host Committee Member
Member, Dean's Host Committee Member
Member, Dormitory Executive Board

University Employment:

1987 to 1989: Boston University Resident Assistant.
Oversaw, counseled, and programmed events
for 50 students in residence hall

Summer 1988
1989: Student Night Manager for Boston University Media Group.
Coordinated student technical staff and scheduling as well as resolved complaints and inquiries.

1986 to 1988: Program Assistant for the Boston University Student Activities Office.
Assisted in the operations and security of the student union and provided technical support for a variety of programs.

SECONDARY EDUCATION: LaSalle Academy
Providence, Rhode Island

Course: Diploma
Graduated, May 1985

Academic Awards: Rhode Island and National Honor Societies
La Salle Academy Honor Roll
First Runner-up Century Three Leadership Contest
Silver and Bronze Medalist in History at the Rhode Island Academic Decathlon Competition
Awarded the Providence College Alumni Scholarship for distinguished service as the House Majority Leader for the Rhode Island Model Legislature Program
Senatorial Nomination to the United States Merchant Marine Academy

BAR ADMISSIONS: Massachusetts, January 1993
New York, March 1993

The District of Columbia, August 1993
New Jersey, May 1999
United States Supreme Court, April 2015
United States Court of Appeals
Third Circuit, June 1999
Second Circuit, June 2002
First Circuit, December 2018
District of Columbia Circuit, May 2019
Ninth Circuit, March 2022
United States District Courts
The Southern District of New York, August 1993
The Eastern District of New York, August 1993
The District of New Jersey, May 1999
The District of Columbia, December 2002
The District of Massachusetts, May 2010
The Northern District of New York, October 2014

FACULTY POSITION: Title: Adjunct Professor of Law, Brooklyn Law School
Course: "Securities Fraud: Criminal and Regulatory Enforcement," Fall 2002 to the present.

Adjunct Professor of Law, New York Law School, Course: "Securities Regulation," Fall 2019 to the present; Course: "Commercial Law," Spring 2023 to the present; and Course: "Corporations," Fall 2026 to the present.

APPOINTMENTS: American Arbitration Association Arbitrator and Mediator
International Institute for Conflict Prevention & Resolution, Inc.
Arbitrator and Mediator
National Arbitration and Mediation Hearing Officer
Financial Industry Regulatory Authority Arbitrator and Mediator
National Association of Securities Dealer, Inc. Arbitrator
New York Stock Exchange, Inc. Arbitrator
National Futures Association Arbitrator
State of New York Part 36 Fiduciary
New York County Lawyers' Association President's
Task Force on Corporate Responsibility
State of New Jersey Mediator and Arbitrator

PRESENTATIONS AND FORUMS: October 2025—American Arbitration Association – "The Digital Party: Use of AI in Arbitration Cases Involving Self-Represented Parties."

October 2024—NSCP National Conference— “Current State of Trading and Trade Reporting.”

October 2024--Thomson Reuters (WestLegalEd) and Legal Cyber Academy-- "From Files to Findings: eDiscovery 101."

October 2023—NSCP National Conference— “Equity Markets & Order Handling Considerations.”

October 2022—NSCP National Conference— “Key Compliance Issues for Private Equity Advisers.”

September 2022—American Arbitration Association— “The Role of NFTs in the Metaverse: Arbitrating NFT Disputes.”

June 2022-- New York State Association of Criminal Defense Lawyers-- “Parallel Proceedings.”

April 2020—NSCP Webinar— “Ensuring Business Continuity During the Coronavirus Crisis.”

February 2020—Global Cyber Institute— “A Look at NYSDFS Regulations—Two Years In.”

February 2020—Wake Forest University School of Law Blockchain, Crypto, & Fintech Law: Decoded and In Practice — “Updates in Broker-Dealer Law and Cryptocurrency Custody Issues.”

November 2019—American Arbitration Association—“Arbitrating in the Cyber World of Cryptocurrency and Blockchain Regimes.”

October 2019—NSCP National Conference—“The SEC’s Challenging New Guidance on the “Solely Incidental” Broker Exemption.”

May 2019 – Association of Corporate Counsel—“New York Department of Financial Services Cybersecurity Regulation (23 NYCRR 500).”

March 2019 – Brooklyn Business Law Association —“Revisiting Enron: A Corporate and Securities Panel.”

October 2018 – NSCP National Conference —“Testing the Written Policies & Procedures Lab.”

January 2018 – American Bar Association's 12th Annual Institute on Securities Fraud—"Broker-Dealer/Registered Investment Advisor Enforcement 101—The Basics."

October 2017 – NSCP National Conference —"Lab-Enterprise Risk Management."

September 2017—Brooklyn Law School— "The Role of a Securities Attorney."

September 2017 – NSCP—"Investment Adviser Boot Camp."

September 2017 – NSCP—"AML Webinar: New Developments and Training."

June 2017 – NYC Hospitality Alliance—"Americans with Disabilities Act Seminar."

May 2017 – Marsh & McLennan Agency—"ADA Employment Law and General Title III ADA Discrimination Complaints."

May 2016 – NSCP—"NSCP Spring Conference Keynote Address - New York."

October 2015 – NRS (San Diego)—"Enacting an Arbitration: Lessons for IAs and BDs."

June 2015 – Deloitte—"Gaming Executive AML Roundtable."

May 2015 – NRS (Florida)—"Enacting an Arbitration: Lessons for IAs and BDs."

June 2014 - Collins Capital Investments, LLC – "Securities Industry Symposium: A Conversation on Current Trends and New Challenges."

February 2014- American College of Construction Lawyers—"Corporate Investigations and Maintaining Privilege."

May 2013 - American Bar Association's National Section on Litigation Expert Witness Committee—"The Persuasiveness of Expert Testimony."

April 2013 - American Bar Association's National Institute on Internal Corporate Investigations and In-House Counsel—"How to Effectively Address Data Breaches/Intellectual Property."

February 2013 – Chubb & Son—“The Impact of the JOBS Act on Directors & Officers Liability and Corporate Governance.”

November 2012— Pittsburgh American Inns of Court– “The Dodd-Frank Act and the JOBS Act: A Perspective and Comparison.”

November 2012— New York Society of Security Analysts– “Wall Street Scandals & Scammers of the Last 20 Years.”

October 2012—New York Law School – “How to Become a Successful Corporate Securities Lawyer.”

June 2012 – *New York Law Journal* Seminar—“Navigating the Dodd-Frank Minefield.”

May 2012 - American Bar Association’s National Institute on Internal Corporate Investigations and In-House Counsel—“How to Effectively Address Data Breaches.”

April 2012 – American Society for Industrial Security International’s Information Asset Protection and Pre-Employment Screening Council – “Valuation of Trade Secrets.”

September 2011—New York Law School – “How to Become a Successful Corporate Securities Lawyer.”

May 2011—American Bar Association’s National Institute on Internal Corporate Investigations and In-House Counsel—“Regulator’s Roundtable.”

April 2011-- West LegalEdcenter -- "Dodd-Frank and the New Hedge Fund Registration Rules."

November 2010—Lawline.com—“The Dodd-Frank Act: Is it Really a Complete Renovation?”

November 2010—Lawline.com—“Being Practical with the SEC After the Meltdown.”

October 2010—New York Law School—“The Dodd-Frank Act: Is It Really a Complete Renovation or Just an ‘Initial Estimate?’.”

October 2010—New York County Lawyers' Association’s Securities and Exchanges Committee—“Speech on the Dodd-Frank Wall Street Reform and Consumer Protection Act."

May 2010—American Bar Association’s National Institute on Internal Corporate Investigations and In-House Counsel—“Defending the Individual in Corporate Investigations.”

February 2010—Essex County Bar Association—“Tips on Protecting and Enforcing A Businesses Intellectual Property Rights.”

October 2009—New York County Lawyers' Association—“Financial Regulators Speak and Listen 2009."

September 2009—Lawline.com—“The U.S. Government's Assault on Overseas Bank & Securities Accounts.”

May 2009—American Bar Association’s National Institute on Internal Corporate Investigations and In-House Counsel—“Nuts and Bolts of Corporate Investigations.”

April 2009—New York Law School—“Fear, Fraud and the Future of Financial Regulation.”

April 2009—Brooklyn Law School— "Rumors in the Modern Securities Marketplace."

March 2009—Lawline.com—“Transparency at the SEC.”

February 2009—New York Law School—“A New Transparent Era At The SEC: The Impact Of The SEC’s New Securities Enforcement Manual On The SEC’s Mission During These Dark Economic Times.”

December 2008 – Incisive Media – “Filip Memorandum and Beyond.”

November 2008 – International Quality & Productivity Center – “Reviewing Developments at FINRA.”

October 2008 – Park Avenue Securities Compliance Conference “Protecting You Know What in Turbulent Times.”

July 2008—Lawline.com—“Securities Enforcement: Past, Present and Future.”

May 2008—New York Association of Corporate Counsel—“Internal Investigations and Litigation of Intellectual Property Matters.”

March 2007—NASD Small Firm Conference— “Arbitration and Mediation.”

June 2006 -- Lorman Education Services-- “Sarbanes-Oxley Act.”

May 2006 -- American Conference Institute-- “Defense and Prevention of Independent Broker/Dealer Misconduct.”

May 2006 -- American Conference Institute-- “Resolving Customer Claims.”

April 2006 -- Lorman Education Services-- “Sarbanes-Oxley Act.”

March 2006 -- American Conference Institute-- “Finite Risk Reinsurance.”

February 2006 -- American Conference Institute-- “Balancing Cost and Compliance in Your Document Retention Policies.”

January 2006 -- American Conference Institute-- “Regulatory Compliance for the Insurance Industry.”

October 2005 -- American Conference Institute-- “Broker/Dealer Enforcement Actions.”

October 2005 -- Lorman Education Services-- “Sarbanes-Oxley Act.”

October 2005 -- Lorman Education Services-- “Broker/Dealer Enforcement Actions.”

September 2005 -- Lorman Education Services-- “SOX’s Legal Implications For Detecting Corporate Fraud.”

July 2005 -- New York County Lawyers’ Association-- “United States Capital Formation Regulatory Structure.”

June 2005 -- Lorman Education Services-- “Internal Controls Seminar.”

June 2005 -- American Conference Institute-- “Email Retention and Information Management for Hedge Funds.”

May 2005 -- American Conference Institute-- "Prevailing Against Customer Claims."

May 2005 -- American Bar Association-- "Education: What Educational Programs Do Members Want? How Can They Be Delivered? Is There Money To Be Made?"

March 2005 -- American Conference Institute-- "Broker-Dealer Information Management."

February 2005 -- American Conference Institute-- "Strategies for Responding to Insurance Industry Investigations."

February 2005 – New York County Lawyers' Association-- "Recent Developments in Securities Enforcement."

December 2004 -- Lorman Education Services—"Internal Controls In New Jersey."

June 2004 -- The New Jersey Corporate Counsel Association-- "The Aftermath of Sarbox: Rights, Responsibilities and Ethical Dilemmas Confronting In-House Counsel."

February 2004 -- New York County Lawyers' Association—"Recent Developments in Securities Enforcement."

November 2003 -- New York County Lawyers' Association-- "Sarbanes-Oxley Act Update."

August 2003 -- The Trial Attorneys of New Jersey-- "Federal Jurisdiction and Its Implications."

May 2003 -- American Conference Institute-- "The Corporate Counsel's Guide To Internal Investigations."

March 2003 -- New York County Lawyers' Association-- "The Sarbanes-Oxley Act: How The New Rules Affect Your Law Practice."

March 2002 -- New York County Lawyers' Association Forum-- "State Securities Regulation: The States are Here to Stay."

December 2000 -- New York County Lawyers' Association Forum -- "Regulation FD: A Practical Approach."

May 1999 -- New York County Lawyers' Association Forum-- "Navigating the Regulatory Rapids in Today's Security Industry."

November 1988 -- Phi Alpha Theta Regional Conference -- "English Medieval Nobility."

PUBLICATIONS:

Book:

Encyclopedia of New York Causes of Action: Elements and Defenses, (New York Law Journal Press, publishers) (May 2026, 18th ed.).

Library of New York Civil Discovery Forms, (New York Law Journal Books, publishers) (July 2013, 2nd ed.), (Contributing Author).

Treatises:

"Chapter 2: Regulation of Securities Markets," Federal Securities Exchange Act of 1934 (LexisNexis Matthew Bender, publishers) (October 1, 2026).

"Chapter 5C: Broker-Dealers' Liabilities Under the Securities Acts," Federal Securities Exchange Act of 1934 (LexisNexis Matthew Bender, publishers) (February 1, 2027).

"Chapter 5B: Attorney Liability Under the 1934 Act," *Federal Securities Exchange Act of 1934* (LexisNexis Matthew Bender, publishers) (August 2024).

"Chapter 2: Applicability of the Act: "Security" and "Sale"," *Federal Securities Act of 1933* (LexisNexis Matthew Bender, publishers) (July 2025).

"Chapter 9: Civil Liabilities Under the Securities Act," *Federal Securities Act of 1933* (LexisNexis Matthew Bender, publishers) (June 2026).

"Chapter 7: Proxy Regulation," *Federal Securities Exchange Act of 1934* (LexisNexis Matthew Bender, publishers) (May 2025).

"Chapter 93: The Attorney-Client Privilege and the Work Product Doctrine," *Securities Law Techniques* (LexisNexis Matthew Bender, publishers) (August 2025).

Contributing Author, Chapters 1 and 2, *Securities Crimes* (Thomson/Reuters West, publishers) (September 2025).

"Chapter 42G: Private Placement Sales," *Broker-Dealer Regulation* (Practicing Law Institute, publishers) (May 2025).

"FINRA Continuing Membership Applications Checklist," *Lexis Practice Advisor* (LexisNexis, publishers) (October 2024).

"Crowdfunding Intermediaries," *Lexis Practice Advisor* (LexisNexis, publishers) (October 2024).

"Broker-Dealer Recordkeeping Requirements," *Lexis Practice Advisor* (LexisNexis, publishers) (October 2024).

"Leading Clients Through the Morass That is a Modern Securities Investigation," *Common Issues in Securities Law* (Thomson Reuters/Aspatore Books, publishers) (August 2008).

Law Review Articles:

"The "Dealerization" of America: The SEC's Misplaced Attempt at Broker-Dealer Registration for All," *New York Law Review*, 69 N.Y.L. SCH. L. REV. 79 (2025).

"The Criminal, Regulatory, and Civil Issues Surrounding Intellectual Property and Cybersecurity," *Brooklyn Journal of Corporate, Financial & Commercial Law*, Volume 14, Number 2 (Spring 2020).

"Why Does the SEC Hate Lawyers and Will the Bitterness Ever Go Away: A Review of the Reasons for the Current State of this Relationship and a Proposed Path Forward," *Brooklyn Journal of Corporate, Financial & Commercial Law*, Volume 13, Number 2 (Spring 2019).

"Guidelines for Construction Industry Internal Investigations," *Journal of the American College of Construction Lawyers*, Volume 8, Number 2 (Summer 2014).

"The Problem with SEC Obey-the-Law Injunctions, and Their Chances of Survival," *Journal of Taxation and Regulation of Financial Institutions*, Volume 25, Number 5 (May/June 2012).

"The Alternative Dispute Resolution Process in the United States Securities Industry: A Primer," *Journal of Taxation and Regulation of Financial Institutions*, Volume 24, Number 3 (January/February 2011).

"Ending Securities Industry Self-Regulation As We Know It," *Rutgers Law Review*, Volume 57, Number 4 (Summer 2005).

Legal Articles: “Why Does the SEC Whine so Much? The Sec’s Attack on Lawyers and a Way out of This Mess,” *New York Law Journal* (July 10, 2023).

“Selling Hemp Futures: The Sky May Be the Limit,” *New York Law Journal* (July 11, 2022).

“Are We There Yet? The Latest Attempt at an Insider Trading Statute,” *New York Law Journal* (August 25, 2020).

“New Year, New Beginnings for Firm Risk Assessment Programs,” *NSCP Currents* (March 2020).

“SEC’s Office of Compliance Inspections Releases Its 2018 Examination Priorities," *The Temple 10-Q* (March 15, 2018).

“Broker-Dealer Recordkeeping Requirements,” *Practical Compliance & Risk Management* (September/October 2017).

“SEC’s ‘Obey-the-Law’ Injunction: Is it Ever Possible to Vacate?,” *New York Law Journal* (January 9, 2017).

“NY Appeals Court Says Accessible Entrance Is Not Feasible,” *Law360* (August 10, 2016).

“Passing the Exam: What You Need to Know,” *NSCP Currents* (February 2016).

"Modern Government Investigations Embrace Technological Advances,” *New York Law Journal* (September 30, 2013).

“Protecting Companies’ Intellectual Property from Cyber Crime," *New York Law Journal* (November 5, 2012).

"Order to Chaos: Dodd-Frank and the JOBS Act," *Western Pennsylvania Chapter Association of Corporate Counsel Focus* (3rd Quarter 2012).

"The JOBS Act is Another ‘Big Job’ for Securities Professionals," *NSCP Currents* (May/June 2012).

"Is the Tide Turning Against the SEC in Favor of Finders?," *ABA Securities Litigation E-Newsletter* (November 17, 2011).

"CCing: One Culture We Need to End," *New Jersey Law Journal* (October 24, 2011).

"Calculating Monetary Damages In Theft of Trade Secrets Cases," *New York Law Journal* (September 12, 2011).

“Funny Things Happen on the Way to Regulatory Revolution,” *New Jersey Law Journal*, (August 2010).

“Defending the Muffin Man and Protecting Your Client From Intellectual Property Crimes,” *New Jersey Law Journal*, (August 2010).

“The ‘Nuts and Bolts’ of Internal Investigations in Today’s Highly Charged Regulatory Environment,” *NYSBA Inside*, Volume 27, Number 2 (Fall 2009).

"Should Hedge Funds Register as Commodity Pool Operators?," *The Hedge Fund Law Report* (July 2, 2009).

“The Hedge Fund Industry in Transition,” *The Hedge Fund Law Report*, (April 30, 2009).

“’The Empire Strikes Back’: The SEC’s ‘New’ Assault on Lawyers,” *New Jersey Law Journal*, (February 2009).

“Finders, Keepers, Losers Weepers: Potential Finder Liability is More Than a Nursery Rhyme,” *New Jersey Law Journal*, (September 29, 2008).

“Is the McNulty Memorandum Morphing Into the Filip Letter, “American Bar Association’s White Collar Crime Bulletin (August 2008).

“What I Learned While Waiting To Get Picked As A Juror,” *New Jersey Law Journal*, (June 23, 2008).

“Aggressive Corporate Crime Approach Offers Little Protection,” *New Jersey Law Journal* (March 24, 2008).

“Is the McNulty Memorandum Fool’s Gold?” *New Jersey Law Journal* (March 3, 2008).

“Client Complaints: To Report or Not to Report,” *Registered Rep.* (March 1, 2008).

“False Advertising,” *Registered Rep.* (November 1, 2007).

“Too Much Information,” *Registered Rep.* (September 1, 2007).

"Has *SEC* Created a Special Exemption for the Press?" *New York Law Journal* (August 24, 2007).

"Ducking Family Disputes," *Registered Rep.* (July 1, 2007).

"How To Handle Your Estate," *Printing News* (August 2, 2007).

"How Restrictive are Restrictive Covenants?" *Printing News* (July 23, 2007).

"Juggling Loyalties," *Registered Rep.* (April 1, 2007).

"Make Sure Your Contractor Is Not Really an Employee," *Printing News* (June 18, 2007).

"The Age Old Dilemma of Property Ownership," *Printing News* (May 21, 2007).

"What's in a Pension Plan?" *Printing News* (April 16, 2007).

"How To Employ Foreign Nationals Legally," *Registered Rep.* (March 19, 2006).

"Signature Guarantees," *Registered Rep.* (March 1, 2007).

"No End in Sight to Printing Equipment Supplier Quandry," *Printing News* (January 15, 2007).

"Know When to Hold 'Em, Know When to Fold 'Em," *Registered Rep.* (December 1, 2006).

"What You Need To Know Before You Sell," *Printing News* (December 18, 2006).

"The New Detectives," *New Jersey Law Journal* (November 27, 2006).

"Questions and Lawsuits Surround Printing Equipment Supplier," *Printing News* (November 20, 2006).

"How to Avoid Scams in the Printing Industry," *Printing News* (November 20, 2006).

"Raising Capital Can Be Like Raising Cain," *Printing News* (October 16, 2006).

"Woe Is You: The Story of Collections," *Printing News* (September 18, 2006).

"Advisor Beware," *Registered Rep.* (September 1, 2006).

"Is Your Client Credit-Worthy?" *Printing News* (August 21, 2006).

"Bankruptcy on Both Sides of the Fence," *Printing News* (July 17, 2006).

"Use Good Sense with Intellectual Property Rights," *Printing News* (June 19, 2006).

"Balancing Act?" *Registered Rep.* (June 1, 2006).

"What To Do When Disaster Strikes," *Printing News* (May 15, 2006).

"Mudslinger Stains," *Registered Rep.* (April 1, 2006).

"Good Will Hiring," *Printing News* (April 24, 2006).

"Breathe Easy with the Right Equipment Contract," *Printing News* (March 27, 2006).

"Whose Lawyer Is It Anyway," *Registered Rep*. (March 1, 2006).

"Minority Owned Businesses," *Printing News* (February 13, 2006).

"How to Avoid Litigation or Make It Hurt Less," *Printing News* (February 8, 2006).

"SEC After Its 70th Birthday: Is It Over Its Hangover?" *New York Law Journal* (February 3, 2006).

"Timing Cuts to the Heart of the Matter," *New Jersey Law Journal* (December 26, 2005).

"When to Blow," *Registered Rep.* (December 2005).

"Supplemental Inquiry," *Registered Rep.* (November 2005).

"When a Broker Goes Bad: When Does the Buck Stop?" *New Jersey Law Journal* (November 10, 2005).

"Corporate Counsel's Role In Detecting Internal Company Fraud," *The Metropolitan Corporate Counsel* (November 2005).

"Hedge Funds Under Fire: Is There Body Armor Out There?" *The Metropolitan Corporate Counsel* (June 2005).

"Don't Blame Corruption for Lack of Commitment to Public Service," *New Jersey Law Journal*, (June 27, 2005).

"N.J.'s County System: It's Like a Dead Cat," *New Jersey Law Journal*, (May 9, 2005).

"End Self-Regulation of The Securities Industry," *New Jersey Law Journal* (April 3, 2005).

"Research Requirements," *Registered Rep*. (May 2005).

"The Ethical Rep: Responsibility Issues," *Registered Rep.* (March 2005).

"The Promise Keepers," *Registered Rep*. (December 2004).

"Banks and Broker-Dealers Combining? A Brave New World – Part II," *The Metropolitan Corporate Counsel* (October 2004).

"When the Loan Comes Due," *Registered Rep*. (October 2004).

"Banks and Broker-Dealers Combining? A Brave New World – Part I," *The Metropolitan Corporate Counsel* (September 2004).

"A Question of Class," *Registered Rep*. (July 2004).

"What's a Rep to Do?" *Registered Rep*. (April 2004).

"Don't Jump In With Both Feet: Responding to Securities Regulators," *New Jersey Law Journal*, (June 14, 2004).

"The Vanishing Federal Oral Argument," *New Jersey Law Journal*, (May 3, 2004).

"Patriot Act Question," *Registered Rep*. (April 2004).

"How to Create and Maintain A Securities Broker-Dealer," *New York Law Journal* (September 17, 2003).

"Arbitrating and Mediating NASD Suitability Claims in the Digital Age," Vol. 11 No. 8, *The Metropolitan Corporate Counsel* (August 2003).

"Public Policy and Advocacy," *New York County Lawyer*, (June 2003).

"The SEC's New Books and Records Rules," *New York Law Journal* (June 30, 2003).

"Regulators Turn Up The Heat On Hedge Fund Industry," *The Metropolitan Corporate Counsel*, Vol. 11 No. 6 (June 2003).

Newsletter: *SAIBER SCHLESINGER SATZ & GOLDSTEIN, LLC'S BROKER-DEALER REPORT*. Editor and primary author (2001 to 2005).

Comment Letters: New York County Lawyers' Association's Task Force on Corporate Governance's Not-For-Profit Corporate Board Best Practices Report, dated April 2007.

New York County Lawyers' Association's Task Force on Corporate Governance's Comment Letter to New York State Bar Association on Proposed Code of Conduct for its Association Leaders, dated February 28, 2007.

Comment Letter to SEC of the Committee on Securities and Exchange of the New York County Lawyers' Association on File No. S7-45-02 Release Nos. 33-815; 34-46868; IC-25829, dated December 18, 2002.

Comment Letter to SEC of the Committee on Securities and Exchange of the New York County Lawyers' Association on The Proposed Rules Relating To The Improper Influence On Conduct of Audits and Disclosure Required by Sections 404, 406 and 407 of the Sarbanes-Oxley Act of 2002, dated November 25, 2002.

Comment Letter to SEC of the Committee on Securities and Exchanges of the New York County Lawyers' Association on the Proposed Rule Relating to the Implementation of Standards of Professional Conduct for Attorneys, File No. S7-45-02, dated December 18, 2002.

Comment Letter to SEC of the Committee on Securities and Exchanges of the New York County Lawyers' Association on the Proposed Rule Relating to the Disclosure and Management Discussion and Analysis

About Off-Balance Sheet Arrangements, Contractual Obligations and Contingent Liabilities and Commitments; The Conditions for Use of Non-Gap Financial Measures; and Insider Trades During Pension Fund Blackout Periods. File Nos. S7-42-02, S7-43-02 and S7-44-02, dated December 18, 2002.

REPORTED CASES:

Wanderlust Pictures, Inc., et al. v. Empire Entertainment Group, LLC, 2001 WL 826095 (SDNY 2001).

SEC v. Zubkis, 2001 WL 767590 (SDNY 2001).

M.L. Weiner & Associates, Ltd., et al. v. S.I.K. Sales Corp., et al., 4 A.D. 3d 177, 771 N.Y.S. 2d 884 (1st Dept. 2004).

SEC v. Penthouse International Inc., n/k/a PHSL Worldwide Inc., 390 F.Supp.2d 344 (SDNY 2005).

Nature's Plus Nordic A/S v. Natural Organics, Inc., 982 F.Supp.2d 237 (EDNY 2013).

Whitecap (Us) Fund I, LP, et al. v. Siemens First Capital Commercial Finance LLC, et al., 121 A.D.3d 584 (1st Dept. 2014).

276-8 Pizza Corp., v. Lisa Free, 118 A.D.3d 591, 988 N.Y.S.2d 609 (1st Dept. 2014).

Nature's Plus Nordic A/S v. Natural Organics, Inc., 646 Fed.Appx. 25 (2nd Cir. 2016).

NO-ACTION LETTERS:

Nemzoff & Company, LLC, dated November 30, 2010

The Investment Archive, LLC, dated May 14, 2010

AWARDS:

New Jersey Law Journal "40 Under 40"
New Jersey Super Lawyers - Securities Litigation (2005 through 2007)
New York Super Lawyers- Securities Litigation (2010 through the present)
The Best Lawyers in America by *Best Lawyers*- Criminal Defense: White-Collar (2021 through the present).

COMMENTATOR:

Television: Commentator on a variety of corporate and securities matters, including, among other things, the New York Stock Exchange and Richard Grasso dispute, Citigroup Class Action, Scrushy and Siphol Verdicts, the REFCO Scandal for Bloomberg Television News and CNBC, 2003 - present.

Radio: Commentator on the Martha Stewart, Tyco, and Enron cases for KFXN All News Radio in Los Angeles, California, 2004 to present, and Bloomberg Radio, 2005 through present.

Print Media: Commentator for *New York Times, Los Angeles Times*, *Wall Street Journal, Newsday, The Record, Crain's, Bloomberg.com*, *The Newark Star Ledger*, *New York Post*, *CBS MarketWatch.com*, *Pittsburgh Post-Gazette*, *Birmingham Post-Herald, Fortune Magazine*, *USA Today, Fox News.com, The New York Law Journal, The New Jersey Law Journal, FundFire*, The *Hedge Fund Law Report, Reuters, Business Insurance* and *Bank Investment Consultant*.

PROFESSIONAL ASSOCIATIONS:

Member, American Bar Association Section on Litigation and the Committees on Securities Litigation; Criminal Litigation; Corporate Counsel; Trial Practice; and co-chair of the FCPA sub-committee of the Criminal Litigation committee (2010-2016).

Member, The New York County Lawyer's Association Committee on Federal Courts and Securities and Exchanges; Co-Chairman (2002-2005) and Chair of the Enforcement Subcommittee of the Securities and Exchanges Committee (2000-2002); Board of Directors (2005 to 2009), Audit and Finance Committee Member; Treasurer (2008 to 2009)

Member, New Jersey State Bar Association (1999 – 2005)

Member, The Association of the Federal Bar of the State of New Jersey

Member, New York State Bar Association Delegate to House of Delegates (2005 to 2009)

Fellow, The Chartered Institute of Arbitrators

Member, Association of Securities and Exchange Commission Alumni Inc.

Member, Securities and Exchange Commission Historical Society