Reed Brodsky

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New York



Reed Brodsky is a partner in Gibson, Dunn & Crutcher's New York office. Mr. Brodsky is co-chair of Gibson Dunn's Litigation Practice Group and a member of the Crisis Management, Securities Enforcement and White Collar Defense and Investigations Groups. He is a nationally recognized trial lawyer and litigator best known for his success as lead trial counsel in two of the most high-profile white collar criminal cases in recent memory, *United States v. Raj Rajaratnam* in 2011, and *United States v. Rajat Gupta* in 2012. Since joining Gibson Dunn, Mr. Brodsky has been a lead trial attorney in four high-profile trials, representing Chevron Corporation in *Chevron v. Donziger et al.* in 2013, AlixPartners in *AlixPartners v. Thompson et al.* in 2014, AIG's Lavastone Capital unit in *Lavastone Capital LLC v. Coventry First LLC et al*. in 2015, and Patriarch Partners/Lynn Tilton in *SEC v. Patriarch* in 2016. Before joining Gibson Dunn, Mr. Brodsky spent eight years serving as an Assistant United States Attorney in the United States Attorney's Office for the Southern District of New York, where he won all seven of his white collar criminal trials and many non-white collar trials.

Mr. Brodsky's areas of practice include trial work, white collar crime, securities enforcement proceedings, corporate internal investigations, compliance counseling and complex civil litigation. Mr. Brodsky has extensive experience representing institutions, hedge funds, issuers of securities, board committees and individuals in connection with investigations, litigation and SEC enforcement proceedings under the federal securities laws. Mr. Brodsky has counseled numerous hedge funds on securities trading and compliance matters.

Mr. Brodsky is a seasoned trial lawyer with an outstanding track record. He has been called a "tenacious" and "tireless" advocate by commentators, colleagues and adversaries alike. *The New York Times* described Mr. Brodsky as an "animated" "work horse" who "endear[s] himself to juries with impassioned, eloquent presentation." *The Wall Street Journal* noted Mr. Brodsky has a "legendary work ethic" and "string of victories." *Reuters* described Mr. Brodsky as "a commanding presence in the courtroom" who impresses with his "blistering cross-examination." *The New York Post* said Mr. Brodsky is "known for winning … and ferocity." And *The New Yorker* described him as an "ebullient and aggressive" "trial animal."

Mr. Brodsky has received national recognition and many awards for his achievements and litigation skills. His litigation practice includes commercial disputes, civil litigation, and white-collar and securities enforcement matters. The *Legal 500* recognizes Mr. Brodsky as a "Recommended Lawyer" in Securities Litigation: Defense and as a leading lawyer in corporate investigations and white collar-criminal defense. He was a leading lawyer on two separate litigation teams that won *Benchmark Awards* for high-profile commercial litigation matters and was a *Benchmark* finalist as one of the top securities lawyers in the country. Mr. Brodsky is ranked among the top white collar litigators in New York by *Chambers USA: America's Leading Lawyers for Business*, describing him as "a superstar" who "puts the fear of God into anyone he is opposite" and "you want in your corner when you're

Capabilities

White Collar Defense and Investigations
Anti-Corruption & FCPA
Crisis Management
Litigation
Securities Enforcement
Transnational Litigation
Trials

Credentials

Education

Vanderbilt University - 1995 Juris Doctor
Duke University - 1991 Bachelor of Arts

Admissions

New York Bar

Clerkships

USDC, Puerto Rico, Hon. Hector M. Laffitte, 1995 - 1997

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stepping into the ring" with his "pragmatic and efficient approach." *Benchmark Litigation* has recognized him as a "Litigation Star" in White-Collar Crime and a "Local Litigation Star" in New York and he has also been recognized as one of *The Best Lawyers in America*® for his work in Securities since 2023. Mr. Brodsky has been named as one of the "Top Rated White Collar Crimes Attorneys in New York," by *Super Lawyers*, a leading investigations lawyer by *Who's Who Legal: Investigations,* and a "Life Sciences Star" in Litigation and Enforcement by *LMG Life Sciences*. *Lawdragon Magazine* has also cited Mr. Brodsky among their "500 Leading Litigators in America" for 2023 and 2026. *Ethisphere Magazine* named him one of 14 "Government Stars" in 2011. In 2012, Mr. Brodsky received the Attorney General's Award for Distinguished Service; and in 2013, Mr. Brodsky received the Executive Office of U.S. Attorney's Director's Award for Superior Performance by a Litigative Team.

Recent Significant Engagements Include:

- In 2016, Mr. Brodsky was one of the lead trial lawyers representing Patriarch Partners and Lynn Tilton in a three-week trial against the Securities Exchange Commission over fraud charges relating to the management of distressed debt CLO funds.
- In 2015, Mr. Brodsky was one of the lead trial lawyers representing an AIG affiliate (Lavastone) in a 25-day trial in the SDNY, bringing a $1 billion RICO, breach of contract, fraud, breach of fiduciary duty, and unjust enrichment case against defendants for purchasing life insurance policies, laundering them through a shell company, and then selling them to Lavastone at inflated prices.
- In 2014, Mr. Brodsky was one of the lead trial lawyers representing AlixPartners in a high-profile theft of trade secrets and breach of contract case against two departing executives related to their wrongful taking of AlixPartners trade secrets and confidential documents. Mr. Brodsky tried the case in the Delaware Chancery Court.
- In 2013, Mr. Brodsky was one of the lead trial lawyers representing Chevron in a successful two-month RICO and civil fraud trial. Mr. Brodsky tried the case in the United States District Court for the Southern District of New York. After the trial, the District Court issued a nearly 500-page opinion and order granting Chevron's application to bar the defendants from enforcing a fraudulently obtained $9 billion judgment in Ecuador.
- Represents certain corporations, executives, and other individuals in multiple unrelated ongoing criminal investigations and/or prosecutions by the United States Department of Justice.
- Represents certain corporations, asset managers, executives, and other individuals in multiple unrelated ongoing investigations by the United States Securities and Exchange Commission.

Prior to joining Gibson Dunn, from 2004 to 2013, Mr. Brodsky served as an Assistant United States Attorney in the United States Attorney's Office for the Southern District of New York. During 6 of his eight years, Mr. Brodsky was a member of the Securities and Commodities Fraud Task Force and investigated and prosecuted a wide range of fraud including insider trading, accounting fraud, investment adviser fraud, commodities fraud, options backdating, market manipulation, broker bribery, hedge fund frauds, and Ponzi schemes; mail/wire fraud; money laundering; and obstruction. Mr. Brodsky also coordinated parallel civil proceedings with the SEC, bankruptcy trustees, and court-appointed receivers, and he litigated criminal forfeiture proceedings. He is a leading national expert on insider trading investigations after successfully prosecuting more than 50 individuals for insider trading crimes; using wiretaps in an insider trading trial for the first time in U.S. history; prosecuting the first matchmaking insider trading case in U.S. history; and authoring the first federal wiretaps on a conference line in U.S. history.

From 1998 to 2004, Mr. Brodsky practiced as a litigator in the Washington, D.C. office of two major international law firms where he specialized in corporate investigations, white collar defense and SEC enforcement matters. During that period, Mr. Brodsky represented

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the Special Investigative Committee of the Board of Directors of Enron in an internal investigation relating to transactions between Enron and its former CFO's partnerships. In addition, Mr. Brodsky represented the Special Investigative Committee of the Board of Directors of WorldCom in an internal investigation of the fraudulent capitalization of line costs and improper revenue adjustments by former executives.

Mr. Brodsky graduated in 1995 from Vanderbilt University School of Law where he was a member of the Honor Council and an editor of the *Vanderbilt Journal of International Law*. He received his Bachelor of Arts *magna cum laude* from Duke University in 1991. After graduation, he served as a law clerk for United States District Court Judge Hector M. Laffitte, in the District Court of Puerto Rico.

Mr. Brodsky is admitted to practice in the Southern District of New York and Eastern District of New York.

Significant Matters as a Federal Prosecutor

The following are Mr. Brodsky's representative matters as a federal prosecutor:

- *United States* v. *Rajat Gupta*: Co-lead counsel in the successful investigation and one-month trial of a former member of the board of directors of several public companies for insider trading.
- *The Galleon Prosecution*: Co-lead counsel in the successful two-month trial of Raj Rajaratnam, the head of the Galleon Group hedge fund, and the successful investigation and prosecution of his accomplices, including Anil Kumar, Rajiv Goel, Robert Moffat and Mark Kurland.
- *United States* v. *Joseph F. Skowron et al.*: Co-lead counsel in the successful prosecution of the former portfolio manager at FrontPoint Partners and the French medical doctor who tipped him in the first matchmaking insider trading case in history.
- *United States* v. *Walter Shimoon et al.*: Co-lead counsel in the successful investigation and prosecution of the first matchmaking firm employee charged with insider trading.
- *United States* v. *Zvi Goffer et al.*: Co-lead counsel in the successful investigation and prosecution of proprietary traders who obtained inside information from an international law firm.
- *United States* v. *Joseph Contorinis et al.*: Co-lead counsel in the successful investigation and three-week trial in the first hedge fund insider trading case to go to trial.
- *United States* v. *Hafiz Naseem*: Co-lead counsel in the successful investigation and four-week trial of a former investment banker for insider trading.
- *United States* v. *Arthur Nadel*: Co-lead counsel in the successful investigation and prosecution of the former Florida hedge fund manager for operating a Ponzi scheme that defrauded hundreds of victims out of more than $150 million.
- *United States* v. *Raffaello Follieri*: Lead prosecutor in the successful investigation and prosecution of a former manager of a real estate private equity fund for misappropriation and misrepresentations as a Vatican representative.
- *United States* v. *Jennifer Wang et al.*: Lead prosecutor in the successful investigation and prosecution of a former banker and hedge fund employee in an insider trading scheme.
- *United States* v. *Matthew Devlin et al.*: Co-lead prosecutor in the successful investigation and prosecution of a former Lehman Brothers broker and his accomplices for insider trading.
- *United States* v. *Michael Nouri et al.*: Co-lead prosecutor in the successful investigation and four-week trial of the former CEO of a publicly traded company for market manipulation and broker bribery.

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Speaking Engagements

Mr. Brodsky speaks regularly on topics relating to white collar crime, insider trading, SEC enforcement, hedge funds and lessons from recent corporate scandals. His most recent speaking engagements include:

- Speaker, “Advising Clients on Insider Trading Compliance Practices,” at Practising Law Institute (July 2017)
- Speaker, “Crisis Strategies Summit for In-House and Outside Counsel: Solutions for Addressing the Dynamic between Legal and Reputational Risk in the Digital Age,” American Lawyer Media, in NY, NY (November 2014)
- Speaker, “The Ethics & Disclosure Process in an International Environment,” at International Operations Conference in NY, NY (November 2014)
- Speaker, “Securities – An Industry Under the Microscope,” at NYS Society of CPA’s Anti-Money Laundering Conference in NY, NY (October 2014)
- Keynote Speaker, Insider Trading and Market Manipulation, at Biennial Insider Trading and Market Manipulation Seminar, before 115 regulators from 10 different countries including the United States, United Kingdom, Canada, Spain, France, Austria, Poland, Luxembourg, and Switzerland in Montreal, Quebec (September 2014)
- Co-Chair, “From the Trenches: High Profile Trials 2014,” at Practising Law Institute, in NY, NY (September 2014)
- Speaker, “Insider Trading, Information Flows, and Research Practices,” at NSCP Regional Meeting, in San Francisco, CA (March 2014)
- Speaker, “The Financial Crisis – Five Years Later,” at ABA’s 28th Annual National Institute of White Collar Crime, in Miami, Florida (March 2014).
- Speaker, “Anatomy of a White Collar Investigation and Prosecution,” at RCA in NY, NY (January 2014).
- Co-Chair, “From the Trenches: High Profile Trials 2013,” at Practising Law Institute, in NY, NY (December 2013)
- Speaker, “Defending Corporations and Individuals in Government Investigations,” at Thomson Reuters Conference, in NY, NY (December 2013)
- Keynote Speaker, Compliance Conference, in San Francisco, CA (October 2013)
- Speaker, “Prosecutors & Regulators Speak,” at Practising Law Institute, in NY, NY (October 2013)
- Speaker, “The Inside Stuff: The Perils of an Information Advantage,” at SALT 2013 (Skybridge Alternatives Conference), in Las Vegas, NV (May 2013).
- Panelist, “Investigation, Enforcement & Prosecution of Hedge & PE Managers,” at Regulatory Compliance Association’s Conference on Regulation, Operation & Compliance 2013, in New York, NY (April 2013).
- Panelist, “Recent Trials: *Gupta*; *Edwards*; and *Blagojevich*,” at ABA’s 27th Annual National Institute on White Collar Crime, in Las Vegas, Nevada (March 2013).
- Keynote Speaker, “DOJ Criminal Priorities in Insider Trading and Securities Fraud Prosecutions,” American Conference Institute’s Inaugural Summit on White Collar Litigation, in NY, NY (January 2013).
- Panelist, “Best Practices to Prevent Insider Trading and Emerging Law Enforcement Issues for Hedge Funds,” at Managed Funds Association: Compliance 2012, in New York, NY (November 2012).
- Panelist, “Present, and Future of Insider Trading: A 50th Anniversary Re-Examination of *Cady, Roberts* and the Revolution it Began,” at Columbia Law School, in New York, NY (November 2012).

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- Panelist, “Insider Trading: What Are The Limits?,” at 7th Annual National Institute on Securities Fraud, in New Orleans, LA (November 2012).
- Keynote Speaker, “High-Profile White Collar Trial Tactics,” Vanderbilt University School of Law, in Nashville, TN (November 2012).
- Panelist, “Trial Tactics,” at PLI’s White Collar Crime 2012: Prosecutors and Regulators Speak, in New York, NY (October 2012).
- Panelist, “Insider Trading/Expert Networks---Galleon Trial Team,” at 2012 New England Securities Conference for Regulators, Investigators and Prosecutors, in Boston, MA (October 2012).
- Speaker, “Title III Wiretaps in White Collar Cases,” at U.S. Department of Justice’s National Advocacy Center, in Columbia, SC (July 2012).
- Panelist, “New Paradigm of White-Collar Prosecution & Enforcement---Regulator Round Table,” Spring RCA’s Regulation & Risk Thought Leadership Symposium, in New York, NY (April 2012).
- Panelist, “Creative Investigative Techniques In White Collar Cases,” at ABA’s 26th Annual National Institute on White Collar Crime, in Miami, FL (March 2012).
- Speaker, “Title III Wiretaps in White Collar Cases,” at U.S. Department of Justice’s National Advocacy Center, in Columbia, SC (December 2011).
- Panelist, “Insider Trading: When Does Corporate ‘Edge’ Become Corporate Espionage?” at 6th Annual National Institute on Securities Fraud, in New Orleans, LA (November 2011).

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