Daniel M. Ketani

Of Counsel

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New York



Daniel M. Ketani is a versatile litigator and creative problem solver with more than a decade of experience representing clients in high-stakes litigation and investigations in New York and across the United States, with a particular focus on securities and cryptocurrency litigation and enforcement matters. Clients turn to Dan to advise them on their most complex and high-profile matters, frequently involving parallel litigation and regulatory or criminal inquiries. He is Of Counsel in the New York office of Gibson, Dunn & Crutcher and a member of the firm's Litigation, Securities Litigation, White Collar Defense and Investigations, and Securities Enforcement practice groups.

Dan is experienced in defending and prosecuting cases across every stage of litigation, from complaint to trial to appeal. Dan also regularly defends individuals and entities in connection with sensitive and complex government investigations and enforcement proceedings, including by the Department of Justice, U.S. Attorney's Office, Securities and Exchange Commission, Public Company Accounting Oversight Board, Federal Reserve Board of Governors, New York State Attorney General's Office, and other government agencies. Dan has particular experience advising clients in the digital asset and financial services industries.

Dan recently co-led a team named first runner-up for Litigator of the Week by the American Lawyer for obtaining complete dismissal of a lawsuit against Amazon by a former supplier seeking more than $800 million in damages. After being retained on the eve of trial, Dan and his team uncovered plaintiff's fabrication of key damages evidence and moved for dispositive sanctions. Following an evidentiary hearing, where Dan examined a critical digital forensics expert, the Court dismissed the entire case with prejudice for fraud on the court.

Dan is a member of the Securities Litigation Committee of the New York City Bar Association. He has been recognized in *Best Lawyers: Ones to Watch® in America* in the areas of commercial litigation, securities litigation, and white collar criminal defense. Dan has also written in publications including Bloomberg and Law360 regarding securities litigation and enforcement matters.

Representative Matters

- Successfully defended Amazon as trial counsel in a lawsuit by a former supplier seeking more than $800 million in damages, obtaining case terminating sanctions for fraud on the court.
- Representing the former CFO of Silicon Valley Bank in securities class actions, FDIC fiduciary duty litigation, and multiple governmental investigations relating to the March 2023 bank run.
- Representing Bitfinex in forfeiture proceedings seeking to recover more than 100,000 Bitcoin stolen from the exchange in a 2016 hack.

Capabilities

Litigation
Accounting Firm Advisory and Defense
Appellate and Constitutional Law
Class Actions
Crisis Management
Fintech and Digital Assets
Securities Enforcement
Securities Litigation
Trials
White Collar Defense and Investigations

Credentials

Education

Columbia University - 2014 Juris Doctor
New York University - 2010 Bachelor of Arts

Admissions

New York Bar

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GIBSON DUNN

- Representing Tether, the preeminent stablecoin issuer, in civil litigation matters.
- Successfully represented cryptocurrency companies in DOJ and SEC investigations.
- Successfully represented private equity funds in fraud actions seeking to recover more than $200 million in investment losses, resulting in recoveries exceeding the original losses.*
- Represented a digital asset investment vehicle in Delaware corporate control litigation.*
- Represented a life sciences company in proxy contest litigation, resulting in precedent-setting decisions in New York regarding advance notice bylaws and the right of issuers to sue activist investors for proxy fraud.*
- Successfully represented a former Big Four audit leader in a PCAOB investigation.*
- Successfully represented a former Fortune 100 company senior executive in an SDNY criminal investigation and parallel SEC investigation regarding insider trading allegations.*
- Successfully represented a Fortune 500 company executive in connection with an investigation by the DOJ and SEC of alleged violations of the Foreign Corrupt Practices Act.*
- Represented a former banker in a DOJ investigation and civil enforcement action seeking billions of dollars in penalties relating to the sale of mortgage-backed securities.*
- Represented an industrial conglomerate seeking more than $1 billion in damages in two international arbitrations and U.S. litigation regarding a failed joint venture.*

Dan has dedicated significant time to pro bono matters. He successfully persuaded the New York Supreme Court Appellate Division, First Department, in a unanimous decision, to reverse a client's felony conviction because of juror misconduct and improperly admitted propensity evidence. Dan has represented clients submitting amicus briefs in appeals courts across the United States, regarding issues including the constitutionality of age-based restrictions on the purchase of firearms and a constitutional right to a basic minimum education.

Dan received his J.D. from Columbia Law School, where he was a Harlan Fiske Stone Scholar and an Articles Editor for the *Journal of Law and Social Problems*, and his B.A. in Economics from New York University. Prior to joining Gibson Dunn, he was an associate in the New York office of a major law firm.

Dan is admitted to practice in the State of New York, as well as before the United States District Courts for the Southern and Eastern Districts of New York, and the United States Courts of Appeals for the Second, Ninth, and Eleventh Circuits.

**Matters handled prior to joining Gibson Dunn*

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