

## Financial Services

### Experienced Financial Services Lawyers for Financial Services Firms and Professionals

Each financial services attorney at Kaufman Dolowich has extensive experience representing financial institutions, broker-dealers, registered representatives, investment advisors, certified financial planners and other financial professionals. Our Financial Services Practice Group includes former regulators and in-house lawyers who have devoted decades of their careers to defending and advising members of the financial services industry. Each financial services lawyer closely follows changes in the legal, regulatory and business environment. Our attorneys are well positioned in major financial centers to represent firms and individuals in regulatory inquiries, customer disputes, and intra-industry disputes.

Our firm's attorneys have represented financial firms and financial professionals in a wide range of cases pending in FINRA Dispute Resolution and in state and federal courts. We have also successfully represented firms and individuals during grand jury investigations and regulatory inquiries and counseled clients regarding compliance issues and internal compliance reviews.

We are proud that Kaufman Dolowich attorneys are widely recognized throughout the financial services industry as a team of trusted and skilled legal advisors, resolving a wide range of legal and regulatory matters, including:

### Regulatory Defense and Counseling

Our legal team counsels and defends financial institutions and individuals during inquiries initiated by regulatory defense authorities, including the SEC, FINRA, FDIC, CFTC and State Attorneys General and Insurance Commissioners. Our financial services attorneys also assist clients in responding to Rule 8210 requests and government subpoenas and have significant experience representing firms and individuals in connection with on-the-record interviews and grand jury investigations.

Kaufman Dolowich will represent companies and individual professionals in responding to government subpoenas and Rule 8210 requests, and On the Record (OTR) interviews and grand jury proceedings. We also represent clients in investigations initiated by state insurance regulators or licensing agencies.

When a broker or firm receives a FINRA Rule 8210 letter requesting information or indicating that they may be the subject of a FINRA investigation, or a "Wells Notice" advising that the SEC or FINRA is contemplating bringing an enforcement proceeding for a violation of the securities laws and regulations, or any similar request or subpoena from a regulator, our legal team takes decisive action to help clients prepare a proper response. Although such requests are often very broad in scope, the time frames to comply with them are usually short. We perform a thorough review of the matter, advising our clients on how to best cooperate and minimize their exposure to potential disciplinary proceedings and sanctions. We can initiate an iterative process of communication with the regulator, providing information as it becomes available and clarifying or limiting the scope of the records being sought, with the goal of establishing that the OTR interview can be avoided, or if it does proceed that no adverse findings are imposed.

### Shareholder Litigation with the Help of a Financial Services Lawyer

The attorneys in our Financial Services Practice represent corporations in the financial industry in a broad range of shareholder actions alleging violations of the federal securities laws and related common law claims, including common law fraud, negligent misrepresentation, and breach of fiduciary duty.

### Corporation Governance

The attorneys in our Financial Services Practice counsel boards of directors, officers, audit committees, compensation committees, regulatory oversight committees and special committees regarding their compliance, statutory and fiduciary duties in financial market

settings.

Kaufman Dolowich attorneys counsel boards of directors, officers, audit committees, compensation committees, and special committees regarding their statutory and fiduciary duties in varied situations, including mergers and acquisitions, asset acquisitions and divestitures, recapitalizations, shareholder disputes and ensuring corporate compliance with relevant laws and regulations, including federal securities laws and state blue sky laws. In addition, we counsel Chief Compliance Officers regarding establishing and maintaining the necessary compliance programs mandated by the federal and state regulatory agencies and other self-regulatory organizations with jurisdiction over the financial services firms.

Our attorneys are members of the industry associations and have published and presented seminars on topics in the corporate governance arena.

## Other Claims Handled by Kaufman Dolowich Financial Services Lawyers

- **Compliance Reviews** We understand that the laws and regulations governing the financial services industry are complex and constantly changing, as the move toward fiduciary duties in brokerage accounts exemplifies. Our financial services attorneys routinely assist clients in conducting internal compliance reviews and provide seminars and training programs to help our clients develop best practices.
- **Defense of Investment Professionals in Civil Court Actions** our attorneys have a wealth of experience defending investment professionals in civil court actions. Recognizing that these cases tend to be highly disruptive and have the potential to destroy our clients' business and professional reputations, we work to resolve these disputes as quickly and favorably as possible.
- **FINRA/AAA Arbitrations** Our financial services lawyers represent FINRA members and registered representatives in FINRA arbitrations encompassing a diverse range of customer and intra-industry disputes. Our knowledgeable lawyers will also represent investment advisors in AAA arbitrations and work to resolve a wide array of customer and intra-industry disputes.

## Financial Services' Leaders

- Gregg Breitbart