



Kenneth M Breen

Partner, Litigation Department

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Ken Breen is a partner in the Litigation Department of Paul Hastings and Global Chair of the Investigations and White Collar Defense practice. Mr. Breen focuses on representing corporations and executives in high-stakes investigations and trials involving securities fraud, money laundering and anti-corruption issues. Many of these matters involve law enforcement and regulatory agencies from multiple jurisdictions and cross-border legal issues. Mr. Breen regularly represents clients before the U.S. Department of Justice, the Securities and Exchange Commission and other U.S., foreign and state financial regulatory agencies and state Attorneys General offices. Mr. Breen has also for the past three decades appeared regularly in court, having tried more than 40 cases to verdict and argued multiple appeals. Mr. Breen has been selected to represent top clients from a broad range of industries, sectors and regions around the world.

Mr. Breen consistently has been recognized as a leading white collar defense and government investigations lawyer by *Chambers USA, America's Leading Lawyers for Business*. *Chambers* notes that Mr. Breen's clients hold him in "high esteem" and praise his "very shrewd mind," "exceptional legal vision" and "ability to look across the full spectrum of white-collar issues." According to *Chambers*, he impresses clients as "a very strong advocate," "an extremely clear thinker," "very focused, incredibly direct and also really strategic," "dedicated, tireless and [someone who] can quickly and effectively understand legal issues and the business needs of his clients" and "phenomenal - [...] very good at his craft and [...] a great strategist." Clients also describe him as an "extraordinarily effective trial counsel" who "comes with the experience, gravitas and intellect" that lets the other side know that he will be "really prepared to try the matter."

Prior to private practice, Mr. Breen served as a federal prosecutor in the U.S. Attorney's Office for the Eastern District of New York, where he was Deputy Chief of the Business and Securities Fraud Section, and prior to that, in the U.S. Department of Justice Tax Division.

New York

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Practice Areas

Privacy and Cybersecurity
Anti-corruption and FCPA
Securities Enforcement
Antitrust and Competition
Investment Management
Securities Litigation
Litigation
Investigations and White Collar Defense

Admissions

New York Bar

Education

Boston College Law School,
J.D. 1992

Boston College, B.A. 1989

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Recent Representations

- Represents public and private companies, real estate investment and development companies, and investment advisors in investigations by various U.S. Attorney's Offices, the DOJ, the SEC, the NY AG and the NY Department of Financial Services.
- Represented a Middle Eastern oil and gas company in large-scale and well-publicized FCPA investigations by the SEC and DOJ.
- Represented a prominent proprietary trading firm and registered broker-dealer in the SEC v. Galleon Management, LP, et al., No. 09 Civ. 8811 (S.D.N.Y.) and SEC v. Cutillo, et al., No. 09 Civ. 9208 (S.D.N.Y.) insider trading cases.
- Represented a major construction company in an EDNY U.S. Attorney's Office investigation of the company's billing practices, which was resolved by a deferred prosecution agreement.
- Represented the Swiss banking operations of a major international bank as Independent Examiner in connection with a DOJ Tax Division Program offering Non-Prosecution Agreements for Swiss banks.
- Represented a multinational Latin American conglomerate with U.S. operations in connection with an internal audit committee investigation relating to accrual accounting issues and whistleblower allegations.
- Conducted internal investigations for a leading state university system regarding various issues and issued public reports.
- Represents and represented senior executives of leading international financial institutions and hedge funds in DOJ, SEC, CFTC, FCA, SFO and Federal Reserve Bank investigations involving various issues.
- Defended David Gibson (former CFO of Wilmington Trust) in an accounting fraud trial in 2018, U.S. v. Wilmington Trust Corp., et al., 16-CR-23 (D. Del.)(RGA), and represents him in related proceedings.
- Defended Matt Connolly (former Deutsche Bank trading desk supervisor) in a LIBOR manipulation trial in 2018, U.S. v. Matthew Connolly, et al., 16-CR-00370 (SDNY)(CM), and represents him in related proceedings.
- Represented former New York City Police Commissioner Bernard Kerik in criminal cases in the Bronx and U.S. District Court for the SDNY.

Education

- Mr. Breen received his B.A. in English from Boston College in 1989, and his J.D. from the Boston College School of Law in 1992, where he was Annotation Editor and Staff Writer for the Uniform Commercial Code Reporter Digest.

Admissions

- Mr. Breen is a member of the New York bar and is admitted to practice in the United States District Court for the Southern and Eastern Districts of New York

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and the U.S. Court of Appeals for the Second Circuit.

News

May 01, 2019

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2019

May 11, 2018

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2018

October 31, 2017

Paul Hastings Investigations and White Collar Defense Practice Named Most Impressive Investigations Practice by Leading Industry Publication Global Investigations Review

June 05, 2017

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2017

January 04, 2017

Paul Hastings Adds Former Assistant U.S. Attorney to Growing Investigations and White Collar Defense Practice

July 11, 2016

Paul Hastings Continues White Collar Expansion with Addition of SEC Enforcement Partners

June 08, 2016

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2016

May 20, 2015

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2015

February 17, 2015

Paul Hastings Investigations and White Collar Defense Practice Recognized as a Law360 Practice Group of the Year 2014

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May 27, 2014

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2014

June 05, 2013

Paul Hastings Extensive Practice Strength Highlighted in The Legal 500 United States 2013

May 27, 2013

Paul Hastings Employment Practice Honored with Chambers "Award for Excellence" and Firms Leading Practices and Lawyers Ranked in Chambers USA 2013

June 07, 2012

Paul Hastings Excels in Chambers USA 2012 Guide

June 10, 2011

Paul Hastings Excels in Chambers USA 2011 Guide

June 14, 2010

Paul Hastings Garners Top Rankings in Chambers USA 2010 Guide

May 20, 2007

Paul Hastings Attorneys Recognized as Super Lawyers in Southern California, Connecticut, Georgia, New York, San Diego and Washington, D.C.

April 17, 2007

Former Assistant U.S. Attorney Ken Breen Joins Paul Hastings White Collar Practice Group in New York

Insights

September 20, 2017

Second Circuit Decision Expands Insider Trading Liability

December 21, 2015

Hedge Fund Report: Summary of Key Developments - Fall 2015

September 14, 2015

DOJ's New Focus on Corporate Executives: The Practical Effects

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June 01, 2015

Hedge Fund Report - Summary of Key Developments - Spring 2015

December 23, 2014

Hedge Fund Report—Summary of Key Developments—Fall 2014

June 20, 2014

SEC Files First Whistleblower Retaliation Enforcement Action

June 06, 2014

The Second Circuit Vacates Citigroup Decision and Clarifies Standard of Review for SEC Consent Decrees

May 16, 2014

Hedge Fund Report - Summary of Key Developments - Spring 2014

January 07, 2014

Expect More SEC Scrutiny of Defense Attorney Conduct

October 09, 2013

Hedge Fund Report: Summary of Key Developments - Fall 2015

July 05, 2013

New SEC Initiatives Focus on Financial Reporting and Microcap Stock Trading

May 17, 2013

White Collar Enforcement

May 13, 2013

Federal Prosecutors and Regulators Probe Investment Funds' 10b5-1 Trading Plans

April 25, 2013

Hedge Fund Report - Summary of Key Developments - Spring 2013

March 11, 2013

US High Court Decision Will Hasten SEC Enforcement Actions

December 05, 2012

Hedge Fund Report - Summary of Key Developments - Fall 2012

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May 04, 2011

China Matters: China Reverse Mergers Under Increasing Scrutiny from U.S. Regulators and Plaintiffs Lawyers

April 29, 2011

The U.S. Government's Recent Efforts to Ban Pharmaceutical Executives from the Industry Without Due Process

January 31, 2011

SEC Adopts First of ABS Disclosure Regulations

December 20, 2010

Comments on the Whistleblower Program of the Dodd-Frank Act

October 29, 2010

Hedge Fund Report Summary of Key Developments Fall 2010

July 06, 2010

District Court Holds That Rule 10b-5 Insider Trading Provisions Apply to Credit Default Swap (CDS) Contracts

June 25, 2010

The Supreme Court Limits the Scope of the Federal Criminal Honest Services Fraud Statute to Conduct Involving Bribes or Kickbacks

June 25, 2010

Supreme Court Affirms Dismissal of F-Cubed Class Action and Holds That There is No Extraterritorial Application of Section 10(b)

May 06, 2010

SEC Scrutinizing Hedge Fund Side Pockets

July 30, 2009

Second Circuit Endorses SECs Expansive View of Insider Trading

May 06, 2009

What to do When the Government Knocks on Your Companys Door

May 05, 2009

Industry-Wide Investigation Announced Investigators to Examine Role of Placement Agents, Intermediaries and Middlemen in Public Pension Fund

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Investments

September 24, 2008

NYAG and SEC Announce Wide-Ranging Market Manipulation Probes; SEC Adopts New Rules to Combat Abusive Short Selling

September 04, 2008

Department of Justice Revises Its Policy for Criminally Charging Corporations As Appeals Court Criticizes Prior Practices

June 18, 2008

Wide-Ranging Oil Industry Investigation Unveiled

November 15, 2007

Subprime Mortgage Meltdown: Issues and Implications

July 26, 2007

Subprime Lending Meltdown Part Three: Federal and State Investigations

Rankings & Awards

April 26, 2019

Recognized by Chambers USA 2019

November 02, 2018

Recognized in the Global Investigations Review's GIR 100 for 2018

May 15, 2018

Recognized by Chambers USA 2018

October 27, 2017

Recognized in the Global Investigations Review's GIR 100 for 2017

October 26, 2017

Global Investigations Review's Most Impressive Investigations Practice

June 05, 2017

Recognized by Chambers USA 2017

September 29, 2016

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Recognized in the Global Investigations Review's GIR 100 for 2016

June 08, 2016

Recognized by Chambers USA 2016

September 18, 2015

Recognized in the Global Investigations Review's GIR 100 for 2015