



Anthony Antonelli

Partner, Litigation Department

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Anthony Antonelli is a partner in the Litigation practice of Paul Hastings and is based in the firm's New York office. He concentrates his practice on the representation of individuals and entities in regulatory enforcement and white collar criminal matters before the United States Department of Justice (DOJ), the Securities and Exchange Commission (SEC), state attorneys general offices, FINRA, and other federal and state agencies. In addition, he has conducted a variety of internal investigations, including those involving the Foreign Corrupt Practices Act (FCPA), kickbacks and accounting irregularities. Mr. Antonelli also has broad-based experience representing clients in a variety of complex civil litigation matters, including those involving securities, derivative products and other financial instruments. He has handled cases involving a wide array of substantive legal issues, including breach of fiduciary duty, fraud, breach of contract, as well as federal and state securities laws.

Recent Representations

White Collar Criminal Defense, Regulatory Enforcement & Internal Investigations

- An audit committee of a public technology company in connection with an internal investigation involving the company's contractual arrangements, including the related accounting treatment, financial reporting, and internal controls
- An investment advisor and leading collateral manager in connection with an SEC investigation involving the underwriting, structuring, marketing, and sale of collateralized debt obligations (CDOs) and collateralized loan obligations (CLOs)
- A chief compliance officer in connection with an investigation by FINRA involving Rule 105 of Regulation M
- A head of syndication at a major investment bank in an SEC investigation relating to CDOs
- A state investment office managing more than \$20 billion in assets in

New York

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Practice Areas

Litigation
Investigations and White Collar Defense
Securities Litigation
Financial Services Litigation
Securities Enforcement
Class Actions
Antitrust and Competition
Anti-corruption and FCPA
Restructuring

Admissions

New York Bar
New Jersey Bar

Education

Manhattan College, B.S. 2003
St. John's University School of Law, J.D. 2006

Anthony Antonelli (Continued)

connection with federal "pay-to-play" investigations concerning the role of placement agents in various hedge fund, private equity, public equity, and real estate investments made by the state

- Various corporate executives at a number of different financial institutions in connection with federal and state investigations involving the underwriting, structuring, sale and/or trading of CDOs, residential mortgage-backed securities (RMBS) and other securitizations
- A broker-dealer in connection with an investigation by FINRA involving equity research
- A financial institution, various corporate executives and a securities analyst in a series of unrelated insider trading investigations by the DOJ and SEC
- Various corporate executives of an investment technology and services company in connection with investigations by the DOJ and SEC involving trade execution practices
- A major financial institution in connection with a series of criminal, civil, and regulatory investigations into the underwriting, marketing, and sale of auction rate securities
- A former chief executive officer charged by the DOJ for securities fraud and conspiracy in connection with a finite reinsurance transaction
- A global pharmaceutical company in an internal investigation relating to sales and marketing practices in China
- A global biotechnology company in an internal investigation relating to revenue recognition practices
- An employee of a major auto parts manufacturer in connection with antitrust investigations by the DOJ and foreign regulators

Securities & Complex Commercial Litigation

- An investment bank in defense of a purported class action related to corporate bonds
- An investment bank in defense of a purported class action related to bonds issued by government sponsored entities (GSEs)
- An investment bank in defense of a purported antitrust class action relating to supranational, sovereign, and agency (SSA) bonds
- An asset management firm and its principals in a nationwide class action alleging fraud, breach of fiduciary duty, negligence and various contract claims relating to investments in Madoff securities
- An investment bank underwriter syndicate in defense of federal securities class action relating to SeaWorld Entertainment Inc.'s initial and secondary public stock offerings
- An investment bank underwriter syndicate in defense of a purported securities class action relating to the IPO of an immuno-oncology company

Anthony Antonelli (Continued)

- An investment bank underwriter syndicate in defense of a purported securities class action relating to the public stock offering of an energy yield company
- An investment bank underwriter syndicate in defense of a purported securities class action relating to the IPO of a medical device company
- A financial institution and its board of directors in connection with a purported class action arising from a bank merger
- A worldwide apparel company and its board of directors in connection with a purported class action arising from the \$2.9B acquisition of the company
- A financial services company and its officers and directors in purported securities class actions and derivative litigation
- A real estate investment firm in an action alleging claims for breach of contract and breaches of fiduciary duty arising from a \$1.7 billion real estate portfolio transaction
- A marketing agent in connection with an emergency application for a TRO in Chapter 11 bankruptcy proceedings of a coal producer

Accolades and Recognitions

- Recognized by The Legal 500 for Financial Services Litigation and General Commercial Disputes (2020)
- Selected as "Rising Star" for Criminal Defense: White Collar Crime, New York Metro Super Lawyers (2015, 2016, 2017)
- Member of Paul Hastings' Investigations and White Collar Defense Group, which was named one of five "White Collar Practice Groups of the Year" by Law360 (2014)
- Recognized by the Legal Aid Society for outstanding pro bono service in connection with litigation involving the anti-discrimination provisions of certain local laws (2009)
- Recognized by the New York State Bar Association as "Empire State Counsel" (2007, 2008)

Speaking Engagements and Publications

- Panelist, "CARES Act – Recent Developments & Litigation Risks," CLE Presentation, New York, NY, May 13, 2020
- "ISDA Derivatives and Communicating Notice," Stay Current, April 20, 2020
- "Coronavirus (COVID-19) and Emerging Theories of Federal Securities Fraud," Stay Current, March 23, 2020
- "Securities Litigation Landscape Continues to Evolve as 1933 Act Filings Reach All-Time High," Stay Current, March 5, 2020
- "Four NY Cases Forge Post-Cyan Securities Litigation Landscape," Law360, August 29, 2019

Anthony Antonelli (Continued)

- "Post-Cyan Update: New York State Decisions Shed Light on Approach to Securities Act Claims," Stay Current, July 22, 2019
- "NY Legislature Sets Statute of Limitations for Martin Act Claims to Six Years," Stay Current, July 3, 2019
- "Post-Cyan Update: Connecticut Trial Court Finds PSLRA Discovery Stay Applies to Securities Act Claims Filed in State Court," Stay Current, May 30, 2019
- "Second Circuit Adds To Authority On Securities Law Preclusion," Law360, August 10, 2018
- Panelist, "Liability For Securities Act Violations: Sections 11 and 12," CLE Presentation, New York, NY, July 25, 2018
- "New York Court of Appeals Finds Martin Act Claims Are Subject to a Three-Year Statute of Limitations," Stay Current, June 28, 2018
- "Eighth Circuit Finds State Law 'Best Execution' Claims Are Precluded By SLUSA," Stay Current, May 30, 2018
- "Supreme Court Rules That Securities Act Claims Can Be Brought in State Court," Bloomberg Law -- Securities Regulation & Law Report, March 30, 2018
- Panelist, "Liability For Gatekeepers: Conflicts and Due Diligence," CLE Presentation, New York, NY, September 13, 2017
- "Supreme Court Grants Certiorari to Determine Whether State Courts Have Jurisdiction over Securities Act Claims," Stay Current, July 3, 2017
- Panelist, "The Attorney-Client Privilege & Work-Product Doctrine In The Corporate Context," CLE Presentation, New York, NY, February 16, 2017
- "Two Recent Decisions Provide Stock Promotion Guidelines," Law360, January 31, 2017
- "Post-Halliburton II Update: Eighth Circuit Denies Class Certification Based on Lack of Price Impact," Stay Current, April 20, 2016
- "Second Circuit Highlights Importance of NY Borrowing Statute," Law360, February 4, 2016
- Panelist, "Drowning in Data? How to Effectively Manage Your Universe of Electronically Stored Information From Start to Finish," CLE Presentation, Charlotte, NC, December 3, 2015
- Panelist, "Best Practices in Limited Scope Representation," New York State Bar Association, New York, NY, October 14, 2015
- "New York Court of Appeals Affirms Decision on Statute of Limitations for RMBS 'Put-Back' Claims," Stay Current, June 22, 2015
- Panelist, "Understanding the Securities Laws: Liability for Securities Law Violations," Practising Law Institute, New York, NY, Dec. 12, 2014
- "The Latest Life Sciences Company To Make FCPA Headlines," Law360, November 13, 2014

Anthony Antonelli (Continued)

Professional and Community Involvement

- Admitted to the Bar in New York and New Jersey
- Admitted to practice before the United States Court of Appeals for the Second Circuit and the United States District Courts for the Southern and Eastern Districts of New York and the District of New Jersey
- Member of the Federal Bar Council
- Member of the American Bar Association and the Securities Fraud Subcommittee of the ABA Business Law Section's White-Collar Crime Committee
- Member of SIFMA Compliance & Legal Society
- Fiver Children's Foundation, Advocates Committee
- Probono counsel representing clients in various federal, state, and administrative proceedings
- Volunteer attorney in The Civil Court of the City of New York assisting unrepresented tenants in non-payment proceedings
- Represents boarding school in South Korea to assist with the recovery of more than \$5 million in stolen funds
- Represents child in immigration proceedings through Kids in Need of Defense (KIND)
- Successfully represented a severely disabled student in pursuit of her claims under the Individuals with Disabilities Education Act (IDEA)
- Successfully represented several probono clients throughout the New York City metropolitan area in a dispute involving Section 8 Housing and the anti-discrimination provisions of certain local laws
- Member of trial team that successfully represented a probono client in pursuit of breach of contract claims; secured verdict of \$630,000 after three-day trial in the United States District Court for the Southern District of New York

Education

- St. John's University School of Law, J.D., 2006 (cum laude). Associate Managing Editor for the American Bankruptcy Institute Law Review. CALI Award Recipient for excellence in Federal Practice, Pre-Trial Advocacy and Appellate Advocacy
- Manhattan College, B.S., 2003 (summa cum laude)

Insights

April 20, 2020

ISDA Derivatives and Communicating Notice

Anthony Antonelli (Continued)

March 22, 2020

PH COVID-19 Client Alert Series: COVID-19 and Emerging Theories of Federal Securities Fraud

March 05, 2020

Securities Litigation Landscape Continues to Evolve as 1933 Act Filings Reach All-Time High

July 22, 2019

Post-Cyan Update – New York State Decisions Shed Light on Approach to Securities Act Claims

July 03, 2019

New York Legislature Sets Statute of Limitations for Martin Act Claims to Six Years

May 30, 2019

Post-Cyan Update: Connecticut Trial Court Finds PSLRA Discovery Stay Applies to Securities Act Claims Filed in State Court

August 07, 2018

Second Circuit Becomes Latest Circuit Court to Hold SLUSA Precludes State Law Best Execution Claims

June 28, 2018

New York Court of Appeals Finds Martin Act Claims Are Subject to a Three-Year Statute of Limitations

June 14, 2018

A Unanimous Supreme Court Mends the Leaking Pipe of Unending Class Action Filings

May 30, 2018

Eighth Circuit Finds State Law “Best Execution” Claims Are Precluded by SLUSA

April 02, 2018

Supreme Court Rules That Securities Act Claims Can Be Brought in State Court

July 03, 2017

Supreme Court Grants Certiorari to Determine Whether State Courts Have

Anthony Antonelli (Continued)

Jurisdiction over Securities Act Claims

January 20, 2017

Stock Promotion and Securities Fraud Claims – Recent Decisions Provide
Guiding Principles for Issuers

April 20, 2016

Post-Halliburton II Update: Eighth Circuit Denies Class Certification Based on
Lack of Price Impact

December 29, 2015

Second Circuit Securities Decision Highlights Importance of New York Borrowing
Statute

June 22, 2015

New York Court of Appeals Affirms Decision on Statute of Limitations for RMBS
“Put-Back” Claims

November 12, 2014

Here We Go Again—The U.S. Government Brings Home Another FCPA Case
Against a Life Sciences Company

May 03, 2010

An Analysis of Protocols for Searches of Electronic Records Announced by the
Ninth Circuit in *United States v. Comprehensive Drug Testing*