



## 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

## Kenneth M Breen (Continued)

### 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

## **Kenneth M Breen** (Continued)

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

## **Kenneth M Breen** (Continued)

**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

## **Kenneth M Breen** (Continued)

**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

## **Kenneth M Breen** (Continued)

**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

## Kenneth M Breen (Continued)

### 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**

## **Kenneth M Breen** (Continued)

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