



## Denis P. Kelleher

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### PRACTICE AREAS AND FOCUS

Criminal Defense

SEC Enforcement

Appellate & Post-Conviction Litigation

Regulatory Matters

### EDUCATION

Skidmore College

St. John's University Law School

### ADMISSIONS

New York State

Southern District of New York

Eastern District of New York

State Court of Appeals, 2nd Circuit

State Court of Appeals, 3rd Circuit

### BACKGROUND & EXPERIENCE

Denis Patrick Kelleher is a highly experienced litigator who has represented individuals and business organizations in a wide variety of criminal, civil, regulatory and administrative investigations and trials.

Denis has represented clients in a wide variety of federal and state criminal and enforcement cases, including those involving allegations of securities, bank, tax, insurance, health-care and mail fraud. He has also represented individuals under investigation for broker-dealer trading and sales practices violations, civil RICO and other complex business disputes, bankruptcy-related litigation and contests concerning the suitability of certain financial products for investors. Denis also has represented individuals in internal corporate investigations in a wide-variety of industries (including investigations involving the Foreign Corrupt Practices Act and anti-money laundering statutes), as well as individuals and entities involved in complex FINRA (formerly NYSE and NASD) securities arbitrations and/or enforcement and disciplinary proceedings.

After having worked as a Series 7 registered representative on Wall Street, Denis completed his legal education and joined the Brooklyn District Attorney's Office, rising to the level of Senior Assistant District Attorney. As an Assistant District Attorney, Denis tried more than 25 cases to verdict, including cases involving murder, armed robbery, burglary and narcotics trafficking.

Recent representative matters include:

- Obtained dismissal of all charges before trial for a stock promoter alleged to have engaged in securities fraud involving manipulation of "penny stocks"
- Won an acquittal at trial for the owner of construction company charged with bank fraud and conspiracy to commit money laundering in connection with a federal "check-kiting" scheme
- Persuaded the U.S. Department of Justice to drop an investigation of a major international bank's mid-level manager for money laundering
- Successfully avoided enforcement action and sanctions against a registered-representative of major broker-dealer under FINRA investigation for multiple customer complaints alleging fraud, forgery and unsuitability of investments
- Successfully achieved a non-criminal resolution for a representation of automotive parts wholesaler in large-scale New York State sales tax fraud and larceny investigation
- Successfully litigated a broker-dealer's motion to dismiss in a FINRA arbitration involving allegations of a \$65 million fraud
- Represented high level manager of a major international Fortune 500 corporation in connection with an investigation by the U.S. Department of Justice into alleged violations of the Foreign Corrupt Practices Act
- Obtained a sizeable money settlement for a victim of a "cherry-picking" scheme perpetrated by his money manager
- Represented an insurance broker in connection with an investigation and prosecution by the United States Attorney's Office for the Southern District of New York relating to the alleged issuance of policies for use in staged car accidents

### HIGHLIGHTS

Denis is a member of the New York Council of Defense Lawyers, the Association of the Bar of the City of New York, the Federal Bar Council, the New York County Lawyers Association and the National Association of Criminal Defense Lawyers.

### EDUCATION

Denis is a graduate of St. John's University Law School and Skidmore College.

### ADMISSIONS

Denis is admitted to practice law in the New York, the United States District Courts for the Southern and Eastern Districts of New York, and the United States Courts of Appeals for the Second and Third Circuits.