



ERIC CREIZMAN

PARTNER

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Eric Creizman is one of the most sought-after trial lawyers in New York who focuses his practice on complex white-collar and securities enforcement defense. He brings a creative, high-energy approach to his representations, and his written submissions, oral arguments and cross-examinations have earned accolades from his colleagues, adversaries and judges. Eric's clients appreciate his tenacity and his tireless work ethic.

Eric has served as lead counsel in some of the most complex, high-stakes and high-profile white-collar representations in recent years, including trying many cases to verdict. His experience includes government and corporate investigations, federal jury trials, bench trials, evidentiary and sentencing hearings, restitution proceedings and appeals. He is often called upon to provide representation and strategic counsel in criminal and regulatory matters relating to securities, accounting, investments, real estate transactions, environmental violations, health care, insurance, money laundering, digital currency, construction, unions and political activities.

Eric's regulatory practice has included representations of financial institutions, payment processing companies and individuals in investigations, litigation and trials involving agencies such as the Securities and Exchange Commission (SEC), the Financial Industry Regulatory Authority (FINRA), the Public Company Accounting Oversight Board (PCAOB), the Office of Foreign Assets Control (OFAC) and the New York and Connecticut Attorneys General Offices. Eric's civil litigation practice has included a wide variety of securities, antitrust, banking and commercial litigation matters. His representation of clients in criminal matters also includes parallel regulatory and civil investigations and proceedings.

A frequent speaker and author, Eric has presented continuing legal education programs on various topics primarily related to white-collar criminal defense, and has published articles in numerous legal publications.

BACKGROUND

Prior to joining the firm, Eric was a partner at another New York firm where he served as national co-chair for the White Collar Criminal and Government Investigations practice group. For the first 10 years of his career, Eric practiced at large, international law firms. In 2008, he started his own law firm, Creizman PLLC, which he operated successfully for over seven years.

EDUCATION



SERVICES AND INDUSTRIES

White-Collar Criminal Defense and Government Investigations
Internal Investigations and Regulatory Compliance
Securities Regulation and Litigation
Appellate
Complex Commercial Litigation
Financial Services
Governance and Compliance
Litigation
Privacy and Data Security
Technology
Financial Services and Banking
Agribusiness and Food
Health Care and Life Sciences
Manufacturing and Innovation
Consumer Products and Services
Energy and Utilities
Real Estate, Development, Construction

ADMISSIONS

New York
U.S. Supreme Court
U.S. District Court, Eastern District of New York
U.S. District Court, Southern District of New York
U.S. District Court, District of

- Columbia Law School (J.D., 1999)
 - James Kent Scholar
 - Harlan Fiske Stone Scholar
- Columbia College (B.A., *cum laude*, 1996)
 - Political Science (Departmental honors)

Columbia
U.S. Tax Court

PROFESSIONAL ACTIVITIES

- Criminal Justice Act Panel, U.S. District Court for the Eastern District of New York
- New York Council of Defense Lawyers
- Federal Bar Council
- American Bar Association, White Collar Crime Committee
- New York City Bar Association, Criminal Law Committee (2000-2002)

ACCOLADES

- Benchmark Litigation, Local Litigation Star, White-Collar Crime (2021)
- *New York Metro Super Lawyers*®, White Collar Criminal Defense (2012-present), Top 100 New York Metro Lawyers (2020)
- Martindale-Hubbell, AV Preeminent Rated
- Martindale-Hubbell, Client Champion Award, Silver Level (2020)

EXPERIENCE

Representation in Largest Health Care Insurance Fraud Case in SDNY

Represented the lead defendant on appeal in the largest health care/no-fault automobile insurance fraud scheme prosecuted in U.S. District Court for the Southern District of New York.

Representation in Largest Ponzi Scheme Prosecuted on Long Island

Represented a lead defendant at sentencing and on appeal in the largest Ponzi scheme prosecuted on Long Island.

Acquittal for Client in Medicare Fraud, Money Laundering Trial

Secured acquittal on all counts after seven-week trial of Medicare fraud and money laundering charges in the U.S. District Court for the Eastern District of New York.

Negotiated Deferred Prosecution Agreement for Client Charged with Operating Illegal Money Transmitting Business

Persuaded U.S. Attorney's Office for the Southern District of New York to agree to a non-criminal disposition for a real estate developer on felony charge of operating an unlawful money transmitting business.

Representation of Hedge Fund Portfolio Manager in Securities Fraud Case

Represented hedge fund portfolio manager in two-week criminal trial in U.S. District Court for the Southern District of New York on securities fraud charges, alleging that client mismarked the securities of a multibillion-dollar hedge fund.

Representation in Largest Ponzi Scheme Prosecuted in New Jersey Federal Court

Represented the principal defendant for sentencing and appeal in allegedly the largest Ponzi scheme ever prosecuted in New Jersey Federal Court.

Representation of IT Expert in Bitcoin Fraud, Bank Bribery Trial

Represented information technology expert in bitcoin-exchange fraud and bank bribery trial in U.S. District Court for the Southern District of New York.

Successfully Negotiated \$22.5 Million Restitution Action in Lacey Act Case

Represented father and son in largest-ever prosecution in U.S. District Court for the Southern District of New York for the importation of illegally caught seafood and wildlife (Lacey Act). Successfully appealed restitution judgment against son in the U.S. Court of Appeals for the Second Circuit, and negotiated a resolution of the \$22.5 million criminal restitution action against the father for one-third of the total judgment ordered by the court under a multi-party agreement involving the United States, as well as governments of South Africa and the Bailiwick of Jersey.

Representation of Health Care Executive in Parallel Criminal and Civil Investigations

Represented owner of independent medical diagnostic testing facility in parallel federal criminal and civil investigations.

Representation of Executive in Antitrust Investigation

Represented purchasing manager of public utility in connection with a criminal investigation by the DOJ Antitrust Division.

Representation of Executive in Prosecution for Scheme to Defraud HUD

Represented an executive of a public company at sentencing and on appeal in connection with prosecution of a scheme to defraud the U.S. Department of Housing and Urban Development. Secured a below-Guidelines sentence after being retained to represent client after guilty verdict at trial.

Representation of Construction Executive in Prosecution for Fraud

Represented principal of public works construction company in federal fraud prosecution. Secured a non-incarceratory sentence. At sentencing hearing, the judge remarked that the sentencing submission was “one of the best submissions I have seen on a sentence.”

Representation of Client in Prosecution for Iran Sanctions Violation

Represented Chinese national in criminal prosecution in the U.S. District Court for the District of Columbia on charges of violating the U.S. Iran sanctions program. Obtained a six-month sentence of time served – one of the most lenient sentences ever imposed in such a prosecution.

Representation of Rudolph W. Giuliani

Represented former New York City Mayor Rudolph W. Giuliani in connection with the House impeachment inquiry and an investigation by the U.S. Attorney’s Office for the Southern District of New York.

Representation of Former Defense Minister of Central American Country

Represented former Defense Minister of Central American country in dispute with political magazine over defamatory article. Succeeded in persuading the publication to edit the article to remove the defamatory material.

Representation of Physician Charged with Overprescribing Oxycodone and Fentanyl

Represented physician at trial charged in the U.S. District Court for the Eastern District

of New York with unlawful distribution of oxycodone and fentanyl.

Representation of Chief Financial Officer in Internal and Parallel SEC and DOJ Investigations

Represented Chief Financial Officer of public company in corporate internal investigation and parallel SEC and DOJ investigations relating to accounting fraud.

Representation of General Manager of Professional Baseball Team in Prosecution Against Extortionist

Represented General Manager of Major League Baseball team in prosecution by the New York County District Attorney's Office against individual who allegedly extorted and stalked him.

Representation of Client in Identity Theft Case Against Major Financial Institution

Represented client acquitted of money laundering charges in civil action and appeal in lawsuit against financial institution for identity theft. In a case of first impression, persuaded U.S. Court of Appeals for the Second Circuit that the New York State Identity Theft Statute applied to the client's allegations and was not preempted by the Fair Credit Reporting Act.

Representation of Securities Trader in Parallel DOJ and SEC Investigations

Represented securities trader of Bermuda subsidiary of global financial institution in parallel DOJ and SEC investigations of securities fraud relating to disclosure of commissions. Client never charged with any crimes or securities law violations.

Representation of Attorney in Federal Prosecution for Extortion

Represented attorney on charges of extortion and conspiracy to obstruct lawful government functions. Client received a non-custodial, probationary sentence.

Representation of CEO of Internet Retail Store in Wire Fraud Prosecution

Represented CEO of leading online clothing retailer in a two-week jury trial in US District Court for the Eastern District of New York on charges of wire fraud, money laundering, and aggravated identity theft. Although convicted at trial, client obtained a sentence half of that advocated by the government and three years less than offered by the government in its proposed plea agreement.

Representation of Quantitative Trading Analyst in Parallel SEC and DOJ Investigations

Represented quantitative trading analyst at major financial institution in parallel SEC and DOJ investigations concerning the institution's marketing and sale of Collateralized Debt Obligations (CDO), Credit Default Swaps (CDS) and Mortgage-Backed Securities (MBS).

Representation of Hedge Fund General Counsel in Securities Litigation

Representation of former General Counsel and Chief Compliance Officer of failed hedge fund in private securities litigation in U.S. District Court for the Southern District of New York.

Representation of Fixed Income Trader in FINRA Investigation

Represented fixed income trader at investment bank investigated by FINRA for trading on confidential information allegedly obtained from customer-facing trading desk.

SEC Investigation of Alleged Accounting Fraud

Represented public company in SEC investigation of possible accounting fraud.

Successful Defense in PCAOB Violations Trial

Successfully defended public company accountant in Public Company Accounting Oversight Board (PCAOB) administrative trial regarding alleged violations of PCAOB rules in conducting audit.

FINRA Investigation of False Advertising of Trading Volume

Represented sales trader at broker-dealer in connection with a FINRA investigation concerning the broker-dealer's advertising of inflated trade volume over Bloomberg and Thomson Reuters.

Representation of Russian Airplane Wholesaler in Litigation Against OFAC

Represent Russian airplane wholesaler in litigation against the Office of Foreign Assets Control (OFAC) for blocking funds in connection with a transaction allegedly in violation of OFAC sanctions programs.

Representation of Cosmetics Company in Grey Market Sales Investigation

Represented a cosmetics company in an internal investigation concerning sales of products in the grey market.

Representation of Law Firm in Alleged Fraudulent Billing Case

Represented law firm in internal investigation concerning possible fraudulent billing in Bankruptcy Court.

Cross-Border Internal Investigation for Medical Device Company Regarding Violation of U.S. Sanctions Programs

Represented public medical device company in cross-border internal investigation regarding the sale of medical equipment to Iran in violation of U.S. sanctions programs.

SEC Investigation Regarding Valuation of Collateralized Debt Obligations

Represented subprime securities trader in SEC investigation regarding the valuation of collateralized debt obligations.

Representation of Investment Bank in Parallel SEC and NY Attorney General Investigations

Represented investment bank in parallel SEC and New York State Attorney General investigations regarding possible manipulation of the market for credit default swaps.

Representation of Private Equity Fund in SEC Investigation

Representation of private equity fund and asset manager in SEC investigation concerning the marketing of pre-IPO shares in private technology companies.

Representation of Airplane Manufacturer and Wholesaler in OFAC Sanctions Dispute

Representation of Russian airplane manufacturer and wholesaler in litigation against the U.S. Department of the Treasury, Office of Foreign Assets Control (OFAC) in litigation in U.S. District Court for the Southern District of New York challenging OFAC's decision to freeze funds in connection with a transaction to purchase used airplanes from an Asian airline.

Representation of Airplane Maintenance and Repair Company in International Arbitration

Represented Belizean airplane maintenance and repair company in breach of contract dispute against a Saudi Arabian airplane wholesaler.

Representation of Defendants in Residential Mortgage-Backed Securities Litigations

Represented major financial institution defendants in several federal and state class action securities litigations relating to the institutions' underwriting and marketing of

residential mortgage-backed securities.

Securities Class Action Litigation Alleging Misrepresentation of Financial Condition

Represented officer defendant in securities class action litigation brought by investors in the Southern District of New York alleging that a trading platform misrepresented its financial condition.

Representation of Biopharma Company in M&A Litigation

Represented a biopharmaceutical company in mergers and acquisitions litigation in the Southern District of New York.

Representation of CFO in Brokerage Customer Securities Litigation

Represented former chief financial officer of a financial services company in brokerage customer securities litigation in the Southern District of New York.

Representation in M&A Dispute Over Reps and Warranties Relating to IP Technology Licenses

Represent the seller of a technology company in mergers and acquisitions dispute over representations and warranties in closing documents concerning the seller's possession of adequate technology licenses.

Representation of Online Invention Marketing Company and its CEO in Parallel Regulatory and Civil Proceedings

Represented Miami-based online invention marketing company and its CEO in parallel investigations by the U.S. Patent and Trademark Office and class action litigation brought in U.S. District Court for the Southern District of New York.

Representation of National Retail Chain in Black Friday Death Investigation

Represented national retail chain in internal investigation concerning the trampling death of a sales associate during Black Friday sale.

THOUGHT LEADERSHIP

May 21, 2020

Preparing for Fraud in the Wake of COVID-19

March 26, 2020

COVID-19 and Congressional Trading on Nonpublic Information

Law.com

September 2010

Defending Corporate Executives Outside the US in Investigations and Prosecutions by the US DOJ's Antitrust Division

MLex Magazine

February 2010

Defending Parallel Proceedings: Basic Principles and Tactical Considerations

Securities Litigation Report

2008-present

Defending Federal Criminal Cases: Attacking the Government's Proof (Chapter IV:

Discovery)

Law Journal Press