

SPEARS
MANNING
MARTINI

spearsmanning.com

Spears Manning & Martini

A LITIGATION BOUTIQUE WITH DEPTH AND EXPERIENCE TO SERVE EACH CLIENT'S UNIQUE NEEDS



Our Firm

**SPEARS
MANNING
MARTINI**

- Founded in 2013 - approaching our 10-year anniversary as one of Connecticut's premier boutique litigation firms
 - Chambers First-Tier Ranking
 - Litigation: White Collar Crime and Government Investigations
 - Recognized in 2023 Edition of Best Lawyers in America
 - Criminal Defense: White Collar
- Criminal and Civil Litigation Boutique
 - Federal and State Government Investigations
 - Regulatory and Administrative Proceedings
 - Internal Investigations
 - Complex Civil Litigation
 - Federal and State Court Appeals
- We try cases
 - Over 50 trials in federal and state courts in Connecticut, New York and Texas

| What Sets Us Apart?

| SPEARS
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MARTINI

- Our Team
 - Partners and Associates
- Our Strategy and Approach
- Our Clients
- Our Significant Courtroom Experience
 - Trial and Appeals
- Our Experience Conducting Internal Investigations
- Our Experience Handling Cutting Edge Cases and Investigations



OUR PARTNERS

- All Partners:
 - Former Assistant U.S. Attorneys
 - Held leadership roles in Government and Private Practice
 - Serve on federal and state court committees and CJA panels
- Spears and Martini, individually ranked in Chambers USA
- Spears and Manning, former federal law clerks
- Martini, Fellow of the American College of Trial Lawyers



OUR ASSOCIATES

- Our Associates and Counsel:
 - Have significant experience in white collar criminal defense, commercial litigation, and internal investigations
 - Include former federal law clerks (District of Connecticut and Second Circuit Court of Appeals) as well as associates of leading New England firms
 - Serve on federal court committees and are active members of the Connecticut Bar Association



OUR STRATEGY AND APPROACH

- Every matter is staffed with experienced, diverse attorneys
- Litigate every case with eye towards possible trial
- Manage every case in a way that minimizes disruption to our clients and their businesses
- Provide cost-effective solutions tailored to client needs



OUR CLIENTS

- Entity Clients
 - Major public and private companies
 - Manufacturing and technology companies
 - Securities and private equity firms
 - Pharmaceutical companies
 - Leading Connecticut universities and hospitals
- Individual Clients
 - Corporate executives
 - CEOs, CFOs, Chief Accounting Officers
 - Professionals
 - Physicians, lawyers, accountants, investment bankers
 - Entrepreneurs, business owners
 - Scientists



TRIAL EXPERIENCE

- As Federal Prosecutors
 - Multiple jury trials on behalf of United States
 - Connecticut's first large-scale multi-defendant racketeering trial
- In Private Practice
 - Criminal Cases
 - Foreign Corrupt Practices Act ("FCPA")
 - Insider Trading
 - Health Care and Tax Fraud
 - Fraud in the Defense Industry
 - SEC Enforcement Cases
 - Complex Commercial Disputes



APPEALS

- Collectively argued and briefed dozens of criminal and civil appeals before state and federal appellate courts
- Argued before:
 - United States Courts of Appeals for the First and Second Circuits
 - Connecticut Supreme Court
 - Connecticut and New York Appellate Courts
- Active members of the Criminal Justice Act Panel in the Second Circuit



ADDITIONAL COURTROOM EXPERIENCE

- Experience in a wide variety of proceedings
 - Evidentiary, suppression and sentencing hearings
 - Regulatory and administrative hearings
 - FINRA hearings
 - AAA and JAMS arbitrations
 - Professional grievance hearings
 - Licensing and hospital privileges proceedings
- Adept at state-of-the-art trial presentation software
- Experience with use of mock juries and jury consultants to formulate strategy and hone preparation



INTERNAL INVESTIGATIONS

- We are regularly retained by corporations, universities, hospitals, private equity firms, and other private and non-profit entities to conduct internal investigations
- Examples of subject matters:
 - Construction and manufacturing fatalities/accidents
 - Cybersecurity - ransomware, data breaches, unlawful computer access
 - Drug diversion
 - Employee fraud, embezzlement and conflicts of interest
 - FCPA
 - Health care – billing, coding, self-referral issues
 - Maritime - environmental law and accidents
 - Title IX - sexual assault/harassment

Internal Investigations – Our Capabilities

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- Deep, experienced bench with significant investigatory experience as prosecutors and defense lawyers
- We understand the various government voluntary self-disclosure policies, including the DOJ's corporate criminal enforcement policy and the HHS/OIG voluntary disclosure policy
- Solid law enforcement relationships
- Forensic, investigatory and crisis management support
- Creative approach to document recovery, review and production
- Tailored, conscientious investigations that minimize disruption

KEEPING APACE
WITH LAW
ENFORCEMENT
PRIORITIES

- Clients regularly engage us to handle matters involving Department of Justice priorities and areas of significant white-collar enforcement
- Examples:
 - FCPA
 - Antitrust Division Enforcement
 - Securities, Cybercrime, and Cryptocurrency
 - Environmental Crimes
 - Criminal Tax

| FCPA Experience

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- Spears, Senior Counsel for investigation of United Nations Oil-for-Food Program
- UN international corruption investigation concerning misuse of funds in North Korea
- Co-counsel for Alstom Power executive in ground-breaking FCPA prosecution
 - Obtained post-trial judgment of acquittal for client convicted of FCPA violations in connection with alleged bribes to Indonesian officials; judgment of acquittal was recently upheld by the U.S. Court of Appeals for the Second Circuit
- Internal investigation of publicly-traded company's international sales department leading to voluntary self-report and cooperation with the Department of Justice

Antitrust Experience

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- Representing individual in cutting-edge “no-poach” prosecution, part of the Antitrust Division’s national campaign targeting alleged anticompetitive conduct in the labor market
- Representing construction company in price-fixing/bid-rigging investigation
- Represented shipping company executive in investigation of collusion in the allocation of shipping contracts

| Securities, Cybercrime and Cryptocurrency Experience

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- Regularly represent individuals – including high level corporate executives – in SEC and SEC/DOJ parallel civil and criminal proceedings involving insider trading, accounting fraud and cutting-edge issues involving cryptocurrency
- At trial, we have represented a doctor in a criminal insider trading case involving a clinical drug trial, and a broker dealer and investment advisory firm in an SEC enforcement action
- We have represented a public company victim of a ransomware attack and advised clients on cybercrime issues

Environmental Experience

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- Decades of experience in environmental enforcement matters
- Spears, Head of Environmental Crimes for U.S. Attorney's Office
- Representing client in high-profile state criminal environmental and bribery prosecution
- Represented clients facing environmental enforcement by:
 - Department of Justice/U.S. Attorney's Office
 - Environmental Protection Agency
 - State environmental regulators
- Represented maritime clients facing enforcement proceedings by the U.S. Coast Guard

Criminal Tax Experience

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- For decades, as Assistant U.S. Attorneys and defense lawyers, we litigated federal criminal tax cases and related offenses involving money laundering, currency transaction reporting, and the Bank Secrecy Act
- Regularly represent individuals in connection with IRS and tax investigations
- Represented a prominent Connecticut attorney at trial on federal charges of filing false tax returns and failure to pay taxes
- Represented a celebrity pizza chef in federal tax evasion cases, including charges of filing false tax returns with the IRS



Full Service Civil Litigation

- We also handle a wide range of complex civil matters for individual and corporate clients
- Examples:
 - Commercial litigation, including business and partnership disputes
 - Defending clients from civil RICO claims
 - Representing clients in parallel civil and criminal proceedings
 - Intellectual property litigation
 - Probate and estate disputes
 - Assisting clients in obtaining discovery in aid of foreign proceedings

| Our Team

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