

Shawn P. Naunton

Partner

From representing victims of international terrorism to defending individuals against securities fraud charges, Shawn P. Naunton is an experienced litigator with a broad practice focused on complex civil and criminal litigation.

Recognized as one of the Trial Lawyers of the Year in 2016 by the Public Justice Foundation, Shawn also serves as the managing partner of the firm's New York office.

Shawn represents clients in complex business disputes, securities litigation, investigations, and enforcement actions. He has extensive experience litigating cases in federal and state courts, and representing clients in investigations by the Department of Justice, the New York County District Attorney's Office, the New York State Attorney General, the SEC, and FINRA.

Shawn has been repeatedly selected by his peers as one of *The Best Lawyers in America* and recognized as a "Litigation Star" in New York by *Benchmark Litigation*. The Public Justice Foundation also recently named Shawn one of its Trial Lawyers of the Year for 2016 in recognition of his work on behalf of victims of international terrorism in *Linde v. Arab Bank plc*—the first case in which a U.S. jury found a bank liable for funding a terrorist organization.

Shawn's other recent trial victories include his successful defense of Gary Prince against charges of securities fraud by the SEC. During a three-week bench trial in federal court, Shawn's cross-examination of eight of the 13 fact witnesses helped secure dismissal of all six charges of securities fraud against Mr. Prince.

Shawn also secured a significant trial victory in the Delaware Court of Chancery on behalf of a former officer of CIBC World Markets Corp. who sued to compel CIBC to advance defense costs for proceedings arising out of the officer's employment by the brokerage house.

Professional leadership

- New York State Bar Association Board of Advisors, Managing Partners Conference

Community involvement

- Advisory Board Member, Covenant House New York



New York

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Practice focus

- Business Litigation
- Investigations
- Plaintiffs and Class Actions
- Securities and Commodities Litigation
- White Collar Defense

Education

- University of Virginia School of Law, J.D., 1997
 - *Virginia Law Review*
- Princeton University, B.A., *cum laude*, 1993



Recognitions

- Benchmark Litigation, Local Litigation Star (New York)
- The Best Lawyers in America, White-Collar Criminal Defense

Bar admissions

- New York
- Maryland

Court admissions

- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, District of Maryland
- U.S. District Court, District of Colorado

Clerkships

- Hon. J. Frederick Motz, U.S. District Court, District of Maryland

Representative matters

- Currently representing several hundred plaintiffs in civil actions pending in the Eastern District of New York against Credit Lyonnais, S.A. and National Westminster Bank. Plaintiffs allege that the banks violated the federal Anti-Terrorism Act by knowingly providing material support to the terrorist organization Hamas in connection with 24 terrorist attacks perpetrated in Israel during the Second Intifada. Mr. Naunton also represented plaintiffs in a separate action raising similar claims against Arab Bank plc. In that case, a Brooklyn jury found the Bank liable for supporting Hamas in a landmark verdict after a nine-week trial in autumn 2014.
- Defended former IMF president Dominique Strauss-Kahn against criminal assault charges in a case that received intense worldwide media attention. All criminal charges against Mr. Strauss-Kahn ultimately were dismissed. Mr. Naunton also represented Mr. Strauss-Kahn in related civil matters.
- Defended a broker in an SEC enforcement proceeding against charges that he used deceptive practices to time mutual funds. During the proceeding, Mr. Naunton won a landmark ruling from the SEC that ensured his client's access to evidence that previously would not have been discoverable. Commentators in The New York Law Journal predicted that the ruling will have far-reaching effects on the way in which the SEC authorizes cases and engages



in litigation.

- Currently representing a Swiss investment bank in an action in the Southern District of New York involving claims for breach of contract and breach of fiduciary duty.
- Currently representing a major health care provider in an action in the District of Connecticut involving claims for fraud and violations of ERISA.
- Currently representing the former CEO of one of the largest non-profits in New York in investigations by the Department of Justice, the New York County District Attorney's Office, and the New York State Attorney General related to the non-profit's bankruptcy filing.
- Currently representing the executive director of a major New York nonprofit in an internal investigation of alleged financial improprieties.
- Currently representing the President and CEO of an aviation company in an action pending in the Southern District of New York involving claims for breach of contract, fraud, assault, and battery.
- Represented the President of a prominent university in an investigation by the New York State Attorney General and related litigation.
- Won a resounding trial victory for Gary Prince, a former officer of Integral Systems, Inc., in a case brought by the SEC charging Mr. Prince with six counts of securities fraud.
- Represented the CEO of a Fortune 500 company in connection with an insider trading investigation in the Southern District of New York. No charges were brought against our client as a result of the investigation.
- Represented a group of investment banks and hedge funds in litigation arising out of the bankruptcy of Washington Mutual Bank.
- Represented various officers of a Fortune 500 company in an investigation by the New York County District Attorney's Office of alleged kickbacks and misappropriation of corporate funds. No charges were brought against our clients as a result of the investigation.
- Secured a significant trial victory in the Delaware Court of Chancery on behalf of a former officer of CIBC World Markets Corp. who sued to compel CIBC to advance defense costs for five separate proceedings arising out of his employment by the brokerage house. The proceedings included investigations by the SEC and the New York State Attorney General, an SEC enforcement action, and related proceedings before the New York Stock Exchange and the National Association of Securities Dealers.
- Represented a prominent law firm in an action in the Southern District of New York involving claims for breach of contract and conversion.
- Represented a prominent law firm in an action in the Southern District of New York involving claims for patent



infringement, copyright infringement, and unfair competition.

- Represented a privately held energy company in an action in New York Supreme Court involving claims for breach of contract, breach of fiduciary duty, and tortious interference.
- Secured a favorable ruling, after a nine-day trial in an SEC enforcement proceeding, on behalf of a former portfolio manager of a mutual fund that allegedly permitted market timing.
- Represented the former president of a large commodities broker in a criminal prosecution in the Southern District of New York alleging securities fraud, money laundering, and conspiracy.

