Gordon Mehler

PARTNER

212 335 2957
gmehler@wmhlaw.com



EDUCATION

New York University School of Law, JD (1982)
University of Colorado School of Journalism, BS (1976)

CLERKSHIPS

Hon. Robert H. McWilliams, U.S. Court of Appeals for the Tenth Circuit

ADMISSIONS

New York
U.S. District Court for the Eastern and Southern Districts of New York
U.S. District Court for the District of Colorado
U.S. Court of Appeals for the Second Circuit
U.S. Supreme Court

Gordon Mehler concentrates his practice in the areas of federal white-collar criminal defense and civil litigation. He has almost 40 years of experience as a lawyer that includes more than a decade as a federal prosecutor and over two decades in private practice.

As a defense lawyer, Gordon represented one of five defendants in a nearly six-month trial stemming from the Bernard Madoff securities fraud, as well as one of the original seven international soccer-related defendants extradited from Switzerland in the FIFA racketeering case. More recently, he secured one of the first acquittals in a pandemic-challenged trial, with nearly all trial participants masked. Working pro bono for nearly two years, he also helped secure the release of one of two men wrongfully imprisoned for 13 years in the Palladium Murder case, later the subject of a two-hour Dateline NBC documentary.

Gordon served as a Deputy Assistant Attorney General in Washington toward the end of the Clinton administration and prior to his Justice Department assignment, he served as Chief of Special Prosecutions (now Public Integrity), one of the two white-collar crime sections in the United States Attorney's Office for the Eastern District of New York. He tried over two dozen cases to verdict, handled many appeals, and was recognized for superior performance by the Attorney General of the United States. He also served as Eastern District Domestic Terrorism Coordinator and worked overseas as the first Resident American Criminal Justice Advisor to the Romanian government.

Gordon initially wrote "Federal Criminal Practice: A Second Circuit Handbook" (*Lexis Nexis* 22nd ed. 2022, 1691 pages) with two colleagues: John Gleeson, a former federal district judge, and David James, a longtime federal prosecutor and chief appellate lawyer. Alicyn Cooley joined them in 2016. United States Supreme Court Justice Ruth Bader Ginsburg called the work "tremendously valuable" in her foreword to the book. Based on the book, Gordon recently served as an expert witness on American criminal procedure in the High Court of Hong Kong.

He has published articles on law, politics, and business, but also medicine, religion, and sports. His writing has appeared in over two dozen periodicals, including *The Atlantic* and *Newsweek*, *The New York Times* and *The Wall Street Journal*, *The American Lawyer,* and *Annals of Internal Medicine*.

He has served on the boards of several non-profits, including the New York Council of Defense Lawyers. He has also served as board chair of Jacob Riis Neighborhood Settlement, one of New York's oldest settlement houses.

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Experience

Select Trials

Gordon has tried almost three dozen cases to verdict, counting both defense and prosecution sides of the aisle, including several white-collar trials as federal prosecutor that exceeded one month in length, including 11-week securities fraud trial, six-week mail fraud trial and five-week bank fraud trial.

Secured one of the first pandemic-challenged acquittals, with nearly all trial participants masked.

Represented for over nine years in multiple related cases one of five long-time employeesat Bernard L. Madoff Investment Securities, a computer programmer who endured a 24-week federal trial. Client served 14 months in prison after turning down more severe offer and receiving public sentencing recommendation after trial of 96 months.

Represented David Lemus, pro bono, in Palladium Murder Case,which was the subject of a two-hour Dateline NBC documentary. After nearly two years of work, and help from others, culminating in a three-week trial-like hearing, Lemus had his conviction overturned after serving 13 years in prison for murder of bouncer at Palladium nightclub that he did not commit. (Two others later confessed to the murder.)

Represented construction company vice-president convicted after one-week federal court trial of honest services mail fraud, but acquitted of bribery and sentenced to probation.

Represented individual in five-week state court trial arising out of client's involvementin complicated altercation at the Empire State Building. Client, who faced ridiculous eight-year mandatory sentence, acquitted on all four counts of indictment; convicted only of lesser included offense and served four months in prison.

Antitrust/Bid Rigging/Price Fixing Allegations

Representation of co-founder of two companies indicted in Maryland by U.S. Department of Justice's (USDOJ) Antitrust Division on charges of conspiracy to engage in bid rigging and theft of trade secrets, involving Department of Defense aviation fuel contracts in Croatia, Bulgaria, Azerbaijan and Afghanistan. Client pled guilty on day of trial and was twice sentenced to probation despite sentencing guidelines of 51-63 months and government appeal to Fourth Circuit.

Representation of New Jersey pharma executive in nationwide federal and state price fixing and market allocation cases involving host of generic drugs.

Representation of Marsh & McLennan vice president indicted by New York State Attorney General on charges of bid rigging in insurance placements. Client sentenced to unconditional discharge.

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Representation of German executive in charge of multi-billion dollar automotive business in multi-pronged international cartel case. Civil settlement.

Representation of financial services executive under investigation by USDOJ Antitrust Division for bid rigging involving guaranteed investment contracts in municipal bond industry. No prosecution.

Representation of hospital executive who was target of USDOJ Antitrust Division probe of bid rigging and kickbacks. No prosecution.

Asset Forfeiture

Co-Representation with forfeiture expert of investment company employee, who fought successfully to keep family home seized through civil forfeiture complaint.

Representation of defendant who had forfeiture judgment vacated in its entirety after legal challenge.

Representation of advertising salesman charged in large-scale marijuana prosecution who was able to negotiate moderate monetary settlement in lieu of forfeiture of mother's Manhattan apartment, where he was living.

Representation in state court litigation of Georgia restaurant owner who received investment monies embezzled from overseas bank. Civil settlement.

Representation of former CEO seeking recovery of severance monies seized by federal government from company's largest investor following investor's indictment. Civil settlement.

Representation of retiree who recovered money seized as part of federal sports-betting prosecution.

Representation of wife with four children, partially pro bono, in connection with federal forfeiture action involving family home and possessions stemming from her husband's conduct.

Bank, Mail and Wire Fraud Allegations

Representation of construction company vice president charged with mail fraud involving allegations of commercial bribery. Split verdict after trial. Client sentenced to probation with three-months home detention despite sentencing guidelines of 30-37 months.

Representation of businessman charged in five-defendant mortgage fraud indictment alleging both bank and wire fraud and involving dozens of properties.

Representation of mid-level executive charged in federal prosecution stemming from accounting fraud at Symbol Technologies. Client sentenced to probation despite much higher sentencing guidelines.

Representation of real estate development employee indicted federally in alleged $98 million bank fraud orchestrated by his father-in-law. Client sentenced to 20 months on straight guilty plea despite sentencing guidelines of 70-87 months.

Representation of businessman charged federally with wire fraud in alleged "advance fee" fraud.

Five-week RICO/bank fraud trial as prosecutor in which president of $80 million Lithuanian-American credit union was convicted.

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Six-week RICO/mail fraud trial as prosecutor involving guilty verdict for widespread tampering with postage meters by direct-mail executive, which netted millions of dollars.

Representation of senior newspaper executive in federal criminal investigation of inflated circulation figures pegged to advertising rates. No prosecution.

Representation of executive who worked with two Bear Stearns hedge fund managers who were indicted federally, and later acquitted, for their involvement in subprime mortgage market.

Representation of bank loan officer under federal investigation for taking commercial bribes in return for granting fraudulent loans. No prosecution.

Representation of president of attorney referral service in federal wire fraud investigation involving purchase of business. No prosecution.

Representation of retail brokerage manager in federal "squawk box" investigation involving unauthorized use of confidential, proprietary investment information. No prosecution.

Representation of employee at credit card processing company in federal investigation of wire fraud related to overcharges. No prosecution.

Civil Fraud/Civil RICO/Crime Victim Litigation

Representation of class of plaintiffs in civil securities fraud action, funded by insurance company, in which brokers and Ponzi scheme operators were held accountable for causing millions of dollars in losses to customers of company's Pennsylvania-based subsidiary broker-dealer.

Representation of media buying business in overseeing internal investigation related to allegations of overbilling. Civil settlement.

Representation as special counsel in successful arbitration and appeal stemming from meritless and fraudulent loan discrimination complaint by Mississippi farmer in dealings with U.S. Department of Agriculture. Plaintiff recovered nothing.

Representation of graphic arts executive in civil RICO litigation alleging improper diversion of $12 million from subsidiary of well-known Japanese photography and media company. Civil settlement.

Representation of South Carolina-based senior executive at public company in internal fraud investigation involving company's former CEO. Civil Settlement.

Representation of internet start-up company in state court lawsuit that resulted in full recovery of hundreds of thousands of dollars pilfered by company accountant.

Representation of dating service executive sued by New York State Attorney General for various regulatory violations. Case dismissed.

Representation of family of deceased extortion victim in recovering nearly one million dollars from convicted mobster responsible for three murders.

Representation as local counsel of environmental consulting company in civil RICO case concerning multi-billion dollar oil pollution judgment fraudulently secured in Ecuador. Replaced by larger firm.

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Representation of individual connected to “Wolf of Wall Street” boiler room fraud in dispute over restitution payments in light of client’s subsequent business success. Informal settlement.

Representation of two Puerto Rican physicians whose uncle and aunt allegedly embezzled nearly one million dollars from their father’s estate. Case dismissed.

Representation of construction contractor in dispute over restitution imposed more than a decade earlier.

Representation of individual subjected to extortionate demands by ex-wife’s family. Demands rescinded.

Representation of diamond dealer harmed by appraisals from diamond graders in investigation of bribes to falsify grading of precious stones. No charges.

Pro bono representation of janitor defrauded by investment advisor at major New York bank. Bank fully refunded over $20,000 in investment monies.

Pro bono representation of Haitian immigrant who faced garnishment of salary as result of being tricked into becoming guarantor of defaulted student loan. Client removed as guarantor.

Commercial Litigation/Contract Disputes

Representation in state court commercial division of construction company president sued by his brother for share of partnership proceeds in nearly 40-year-old mechanical contracting business. Equitable division reached after more than three years of litigation.

Representation of commercial interior renovation/construction firm in state court litigation over business assets. Favorable settlement.

Representation of Connecticut businessman sued in state court commercial division lawsuit alleging breach of fiduciary duties involving real estate holdings in India. Case dismissed.

Representation of insurance company in defending against state court lawsuit by headhunter seeking fee for client hired by company. Case settled on morning of trial.

Representation of private equity firm in successful federal lawsuit to recover funds from broker.

Representation of concert promoter in state court litigation against competitor for unjust enrichment and other causes of action. Case settled.

Representation in state court lawsuit, in which client obtained judgment for large sum of money she loaned to her ex-boyfriend.

Representation of retired senior partner at large law firm sued in state court over expensive jewelry purchased on consignment and then lost in transit. Case settled.

Representation of printing business in state court lawsuit arising out of purchase of defective equipment. Case settled.

Representation at commercial arbitration of Belgian partner against American partner relating to split of limited liability company distributions.

Pro bono representation of local Episcopal Church in successful resolution of contract dispute with hotel over cancellation of church banquet.

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Pro bono representation of homeless woman trying to recover $250,000 promised to her daughter by her deceased common law husband. Partial recovery of funds.

Pro bono representation of non-profit summer camp in lawsuit by allegedly aggrieved parent. Case dismissed.

Cybercrime Allegations

Representation of one of two computer programmers convicted after 24-week federal trial related to computer source code and resulting paperwork generated on behalf of Bernard Madoff's investment advisory business. Client served 14 months in prison despite Probation Department recommendation more than six times higher.

Representation of Colorado list broker executive indicted for use of cyber data to aid and abet advance fee schemes.

Representation of manager who deleted supervisor's e-mails at California-based Fortune 500 company while company was under federal investigation. No prosecution.

Representation of owner of bitcoin "ATM" machines investigated for cyber money laundering. No charges.

Representation of computer programmer at sentencing who went to trial with another lawyer and testified on charges related to downloading child pornography. Client sentenced to 100 months in prison, but Sentencing Guidelines calculation by Probation Department was more than twice as severe.

Embezzlement and Larceny Allegations

Representation of individual charged, in Oregon federal prosecution, with embezzling more than five million dollars from leading investment bank and investing it offshore. Client sentenced to 21 months in prison despite significantly higher sentencing guidelines.

Representation of hedge fund CFO who admitted embezzling more than one million dollars due to various addictions. Civil settlement.

Representation of financial services executive indicted by state for alleged Ponzi scheme involving over six million dollars. Paroled after 30 months.

Representation of jewelry company CFO who wrote unauthorized checks to himself worth close to one million dollars as extra compensation. No prosecution.

Representation of reinsurance industry executive in federal prosecution alleging forgery and misappropriation of premiums. Client sentenced to 33 months in prison after lengthy proceedings, including a sentencing hearing.

Representation of employee at well-known venture capital firm who admitted embezzling more than $100,000. Civil settlement.

Representation of bank officer who convinced prosecutors he unwittingly assisted lawyer charged with stealing escrow funds. No prosecution.

Representation of architect charged with larceny. Charges dismissed.

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Representation of individual charged in state prosecution targeting theft of consumer electronics. Charges dismissed.

Representation of Manhattan art gallery employee whose proprietor was accused of stealing from clients. No prosecution.

Representation of officer at Ivy League university literary society in which president was convicted after trial for embezzling over $600,000. No prosecution.

Counsel to Missouri coal industry expert in state investigation of unlawful appropriation of business information. No lawsuit.

Counsel to individual associated with fortune teller charged with larceny and convicted after trial. No prosecution.

Representation of company that did business with CEO of Duane Reade drug store chain convicted of embezzling company funds. No prosecution.

Representation of cleric's colleague in defense of Catholic priest charged with embezzling money from his parish.

Employment and Labor Matters

Representation of international division chief at Xerox in federal civil litigation over employee benefits. Confidential settlement.

Pro bono representation of Marine who served in Iraq but was then let go as a police recruit after completing police academy training. Decision reversed by police chief after nearly one year of effort, and client now serving as police officer.

Co-representation of trader fired by large bank days before he was set to receive bonus of more than one million dollars, virtually all of which he recovered.

Representation of union officer under investigation for potential illegalities arising out of strike-related activities. No prosecution.

Representation of individual associated with Korean-American nail salons under investigation for wage theft. No prosecution.

Representation of head of construction union local concerning disputed hiring practices. No charges.

Assistance in representation of union in federal lawsuit to recover monies appropriated by state government. No recovery.

Pro bono representation of community-based non-profit organization in successfully defending its termination of employee for poor performance.

Pro bono representation of tech worker at unemployment insurance hearing before administrative law judge.

Pro bono review on continuing basis of rabbinical employment contracts involving new graduates of The Jewish Theological Seminary of America.

Pro bono representation of doorman in successful resolution of pension dispute.

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Pro bono representation of cleaning woman in dealings with her husband's union benefits after his untimely death.

False Arrest/Wrongful Conviction

Pro bono co-representation in Palladium Murder Case, which received national attention, to undo wrongful conviction of defendant who was freed (and acquitted in retrial) after more than 13 years in prison for murder of nightclub bouncer committed by two others.

Representation of businesswoman who sued in state court after being falsely arrested for theft by vindictive brother-in-law bent on appropriating her business interests for himself. Civil settlement.

Representation of construction company president who recovered money in federal civil rights action for false arrest.

Representation of two men and one woman in separate cases whose estranged spouses used criminal justice system to get them arrested due to marital disagreements. Charges dismissed in all cases.

Representation of individual subjected to revenge prosecution for trying to navigate impossible dilemma of spouse who was secretly peddling controlled substances she stole on the job. Charges dismissed.

Representation of accountant falsely arrested for violating order of protection. Charges dismissed.

Representation of estranged wife of network television executive in assorted domestic battles, including unsuccessful attempt to have her prosecuted on various bogus charges.

Pro bono representation of young woman assaulted by police and cursed with racial epithets during arrest growing out of monetary dispute. Charges dismissed.

Gambling and Racketeering Allegations

Representation of individual charged with RICO conspiracy in federal prosecution alleging gambling and extortion. Client sentenced to 21 months in prison.

Representation of individual in federal joker poker prosecution. Client sentenced to nine months in prison.

Representation of individual in federal sports betting prosecution. Client sentenced to probation.

Representation of accountant accused of ties to individuals prosecuted for illegal high stakes poker games portrayed in movie, "Molly's Game." No prosecution.

Representation of cooperating defendant in federal Chinese gang case in sentencing negotiation and litigation, where defendant, who killed rival gangster as initiation into gang at age 15, still had not been sentenced nearly eight years after guilty plea. Client sentenced to 16 years despite initial recommendation of 20 years, most of which already had been served.

Four-week organized crime trial as prosecutor against captains from two different Italian organized crime families. All three defendants acquitted and then later murdered. Fourth individual later pled guilty to jury tampering.

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General Crimes Matters

Representation in complex, five-week trial of individual involved in serious, multiple-party videotaped brawl while on line at Empire State Building, waiting to get to observation deck, resulting in acquittal on all counts of indictment but conviction of one lesser included offense. Client served sentence of four months instead of mandatory eight years he potentially faced.

Representation as indigent defense counsel of homeless population case worker accused of robbing four cell phone stores.

Representation as indigent defense counsel of state parolee who allegedly threatened to shoot his parole officer. Client acquitted after trial.

Representation of magazine employee indicted federally in marijuana conspiracy with co-founder of well-known hip-hop record label. Client sentenced to brief period of community confinement despite sentencing guidelines of 12 to 18 months.

Representation of federal Witness Protection Program participant whose father was murdered by the Mafia.

Representation of emotionally fragile Guyanese immigrant in federal prosecution (and first criminal case as defense firm in 2001) for allegedly agreeing to pay undercover police officer to plot violence against estranged wife because of her bullying family. Client received capped sentence of 60 months.

Representation of owner of chain of exercise studios charged with felony assault after altercation with husband who had abused her for many years. Charges dismissed.

Representation of construction company CEO falsely accused of vandalizing neighbor's expensive car. Actual perpetrator later confessed on undercover tape. Charges dismissed.

Representation of information technology manager prosecuted for inadvertently leaving gun in luggage while flying out of LaGuardia Airport. Client sentenced to unconditional discharge.

Representation of sculptor arrested for possession of box cutter he used in his artwork. Criminal charges dismissed.

Government Contracts and Benefits

Supervised and personally prosecuted many cases of government fraud as federal prosecutor, including defense contractor fraud and health care fraud.

Pro bono involvement for more than 10 years on board of directors, and then as chairman of board, of non-profit settlement house that relies heavily on government contracts to serve largest collection of public housing in the United States.

Pro bono services for more than 10 years in helping to run eight-bed synagogue homeless shelter emmeshed in government benefit concerns.

Representation of senior executive at non-profit foster care agency under state criminal investigation for falsifying records to maintain city contracts. Prosecution declined.

Representation of government contractor in Davis-Bacon, prevailing-wage investigation. Prosecution declined in favor of civil settlement.

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Representation of co-owner of company with multi-million dollar schools contract under investigation for improper billing. No prosecution.

Representation of immigrant couple forced to pay bribe for subsidized housing. No prosecution.

Representation of Disadvantaged Business Enterprise (DBE) owner in audit of Hurricane Sandy monies received from federal government. No prosecution.

Representation of Texas businessman in federal False Claims Act case. Government declined to join lawsuit.

Representation of insurance brokerage employee in state investigation of fraud against Upstate New York county. No regulatory charges.

Representation of Japanese lawyer under investigation for improper receipt of American government benefits. Case settled administratively.

Convictions as prosecutor of more than three dozen members of large ring responsible for approximately $45 million in fraudulent welfare payments.

Assistance to government contractor in federal debarment proceeding.

Health Care Matters/Mental Illness

Representation of veterinarian in federal racehorse doping case where 30 defendants, including horse trainers, veterinarians and pharmacists allegedly conspired to provide illicit drugs to racehorses and cheat the betting public.

Representation of pharmaceutical executive affiliated with Martin Shkreli, purported pharma whiz kid, where Shkreli was later convicted of fraud. No charges.

Representation of New Jersey internist in federal kickback investigation. Prosecution declined in favor of civil settlement.

Representation of cardiologist in combating allegations of medical research misconduct. No regulatory charges, and medical license renewed.

Representation of student indicted federally for interstate threats to literary agents. Client found incompetent to stand trial on mental illness grounds after hearing and granted deferred prosecution. Indictment later dismissed.

Representation, as pool counsel, of more than a dozen witnesses in federal criminal misbranding and civil False Claims Act investigations involving immunoassays and California medical testing company. Prosecution declined in favor of corporate civil settlement.

Representation, as pool counsel, of employees of large international corporation in Occupational Safety & Health Administration (OSHA) matter involving accidental death of security guard in “Black Friday” shopping frenzy. Prosecution declined in favor of corporate regulatory settlement.

Expertise developed through prosecution over several years of various health-care fraud cases, mostly involving durable medical equipment providers in Russian-émigré community.

Representation of psychiatrist in state investigation of his billing practices. No prosecution.

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Representation of podiatrist in two federal investigations of his billing practices. No prosecution in either case.

Representation of lawyer in Medicaid fraud investigation. No prosecution.

Co-representation of health benefits executive charged with fraud in federal court and initially sentenced to probation, but subsequently sentenced to prison in related case with different lawyer.

Representation of biochemist in federal criminal investigation of medical testing procedures at large diagnostics laboratory. Prosecution declined in favor of corporate civil settlement.

Representation in competency hearing of suicidal filmmaker who assaulted police officer. Case diverted into cutting-edge mental health court. Charges later dismissed.

Pro bono assistance to podiatrist under investigation for prescription orthotics fraud.

Pro bono service on board of directors of non-profit organization concerned with children's health issues.

International Matters/National Security

Representation of British national, one of seven original international soccer-related defendants indicted federally and extradited from Switzerland in the FIFA racketeering case concerning alleged bribes paid for media and marketing rights to World Cup qualifier matches. Client served three months in American prison on straight plea.

Represented electronic wholesaler indicted as part of multi-million-dollar export fraud and money laundering case involving nationals of Russia and Uzbekistan.

Served as expert witness on American criminal procedure in High Court of Hong Kong related to Canadian extradition proceedings involving Chinese national.

Served as first American resident legal advisor to Romanian government in criminal justice matters.

Served as domestic terrorism coordinator for several years during tenure as federal prosecutor.

Representation of individual whose father deposited millions of dollars in secret Swiss bank account and then died. Prosecution declined despite allegation that son aided father.

Deposition in federal criminal case taken under French law and used in American courtroom, in groundbreaking case affirmed by Second Circuit.

Prosecuted defendant convicted at trial of last successful transatlantic hijacking involving Lufthansa flight from Germany to the United States.

Representation of individual caught up in fallout from Operation Car Wash, a sweeping anti-corruption investigation that resulted in arrest of multiple Brazilian presidents. No prosecution.

Pro bono counseling of Chinese-American professors concerned about FBI investigations of foreign ties by similarly situated biomedical researchers.

Pro bono service as non-governmental organization observer at 9/11 military commission proceedings at Guantanamo Bay Navy Base in Cuba.

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Successfully extradited narcotics trafficker from South Africa as prosecutor.

Counsel to business that sought to import diamonds, gold and oil through Nigeria, in light of concern about running afoul of Foreign Corrupt Practices Act. No charges.

Advised Austrian national's European defense team on American fraud charges against their client.

Representation of foreign investor tied to Foreign Corrupt Practices Act claim against major hedge fund that has now been dismissed.

Worked with Royal Canadian Mounted Police as prosecutor on international credit card fraud prosecution.

Representation of Micronesian company accused of profiting from allegedly illegal tax shelters promoted by former KPMG tax partner. No prosecution.

Representation of Muslim-American businessman in interactions with Transportation Security Administration over repeated airport detentions related to his business interests in the United Arab Emirates.

Representation of Pakistani immigrant in FBI inquiry growing out of unwitting tie to international terrorism suspect. No prosecution.

Representation of Israeli merchant mariner in persuading state prosecutor to dismiss old, outstanding warrant, arising out of disputed facts, that prevented renewal of his visa.

Pro bono representation of Italian immigrant arrested and ultimately deported by ICE.

Miscellaneous Matters

Briefed and argued more than a dozen appeals to the U.S. Court of Appeals for the Second Circuit, including more recent appeals in mail fraud and securities fraud prosecutions.

Co-representation of West Point cadet and member of its football team for alleged misconduct that subjected him to general court martial. Client permitted to resign Army commission.

Representation of private foundation in examination by the Charities' Bureau of the New York State Attorney General's Office of its controls in handling charitable assets. Corrective measures proposed and implemented.

Representation of Michigan radio program director in New York State Attorney General music industry "payola" investigation. No charges.

Pro bono representation that successfully induced federal probation officials to release inmate to live with his sister in California after repeatedly denying the request for more than a year.

Indigent defense representation during COVID-19 pandemic, seeking compassionate release for prisoner with asthma.

Money Laundering Allegations

Representation, as pool counsel, of department managers at American Express Bank International in Florida, alleging Bank Secrecy Act/anti-money laundering compliance issues involving Columbian businesses. Public settlement by bank.

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Representation of British national and former soccer official in federal appeal of restitution imposed following money laundering conspiracy conviction. Appeal dismissed as moot and restitution order deemed satisfied.

Representation of check cashing intermediary in large federal money laundering prosecution. Client sentenced to probation despite guidelines of 24-30 months and prosecutor's litigated refusal to provide 5K letter.

Representation of non-profit group in federal investigation involving use of entity to allegedly facilitate suspected money laundering schemes. No charges.

Representation of Ivy League college student charged federally with laundering marijuana proceeds. Client sentenced to probation despite sentencing guidelines of 30-37 months.

Co-representation of Panamanian jewelry company indicted for money laundering. Convicted after trial with another attorney.

Representation of tobacco industry wholesaler who, after months of negotiation, received formal immunity in federal fraud and money laundering investigation.

Representation of former investment banker for violation of supervised release stemming from money laundering conviction.

Property and Estate Matters

Representation of client over several years in three separate state court lawsuits involving inter-family property dispute after father's death. Favorable outcome in all three suits.

Representation of family member in state court litigation over daughter's unlawful appropriation of elderly parents' property. Civil settlement.

Representation of estate in state court commercial division litigation over alleged six-figure debt by decedent. Settled for approximately one-third of claimed amount.

Representation of individual in estate litigation who sued deceased mother's guardian later found to have engaged in misconduct. Civil settlement.

New York State Appellate Division appeal in estate litigation that was partially successful.

Representation of investment bank managing director in defeating frivolous state court lawsuit by disgruntled tenant over sublet of luxury apartment.

Representation of building inspector in state criminal investigation of death of two firefighters trapped in property under demolition near former World Trade Center. No charges.

Pro bono representation of individual in successfully recovering rent overcharges by landlord.

Pro bono representation of tenant who feared apartment ceiling would collapse due to construction work nearby. Civil settlement.

Representation of real estate attorney who did closings on properties allegedly bought through mortgage fraud. No civil suit or regulatory charges.

Pro bono service for more than 10 years on legal committee, engineering committee and board of directors of Manhattan co-op.

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Public Corruption, Obstruction and Misconduct Allegations

Served as chief of public corruption section as federal prosecutor.

Prosecuted and convicted 30 New York City taxi inspectors (more than one third of total force) for taking bribes from taxi owners to overlook safety and emissions violations.

Representation for nearly six years of Army officer charged in federal criminal case with steering government contracts to relative. Guilty plea to gratuity rather than bribery charge, allowed to resign with honorable discharge, and sentenced to time served (one day) despite sentencing guidelines of 70-87 months.

Multiple corruption trials and other prosecutions as federal prosecutor, including police officers, fireman, and politically-connected lawyer. Also prosecuted businessman convicted after trial of paying bribes to environmental inspector, and immigration officer convicted after trial of receiving bribes.

Co-representation of lobbyist in North Carolina state and federal criminal prosecutions growing out of state lottery legislation. Client sentenced to probation.

Co-representation of real estate developer charged in federal election crimes conspiracy indictment involving allegations of false voter registration forms. Client sentenced to 10 months.

Representation of senior political operative in state campaign finance investigation of Kings County (New York) Democratic Party boss. No prosecution.

Representation of FBI agent under investigation for misconduct. No prosecution.

Representation of close friend of IRS agent, where agent was indicted for corruption. No charges.

Representation of legislative official in investigation of stipends paid to state senators, allegedly for positions they did not hold. No charges.

Representation of high-ranking police official in federal obstruction of justice investigation. Secured formal immunity order.

Representation of former national political operative in state criminal investigation of city council campaign irregularities. No charges.

Representation of lawyer prosecuted for openly admitting to prosecutor in another case that he destroyed gun sent to him by client. Client sentenced to unconditional discharge in return for resigning from bar.

Representation of lawyer who was target of criminal investigation for allegedly aiding and abetting submission of misleading information to federal regulators. Prosecution declined.

Representation of New York City official in federal investigation of criminally negligent homicide involving crash of Staten Island Ferry. No charges.

Representation of employee at construction company alleged to have paid bribes to federal procurement officer. No prosecution.

Representation, as pool counsel, of employees of media company under investigation for election law violations. No charges.

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Representation of individuals involved in making questionable campaign contributions to presidential primary candidate. No charges.

Counsel to class action law firm in federal criminal investigation of payments by lawyers to witnesses to procure potential lawsuits. No prosecution.

Pro bono service on fact gathering teams for national non-profit investigating ethics code violations by its members.

Securities and Commodities Matters

Representation of hedge fund chief operating officer and general counsel charged, along with Hollywood producer, in federal securities and investment advisor fraud indictment. Client received sentence of no prison time despite Sentencing Guidelines range of 97-121 months.

Representation of employee at Bernard L. Madoff Investment Securities in six separate cases over more than nine years (See main case under Cybercrime Allegations).

Representation of former Canadian bank executive in connection with mutual fund “market timing” and “late trading” investigations conducted by SEC and New York State Attorney General. No prosecution; closely related indictment later dismissed.

Representation of health products corporation under investigation for securities fraud.

Representation after trial of health care CEO in federal prosecution and related SEC action charging market manipulation. Client sentenced to 33 months in prison.

Eleven-week market manipulation trial as federal prosecutor; all three defendants convicted, and convictions upheld by Second Circuit.

Representation, as pool counsel, of more than a dozen employees of New York Stock Exchange specialist firm in federal investigation and prosecution of “front-running” and “interpositioning.” No prosecution; related indictments later dismissed.

Representation of middle manager charged in SEC enforcement action related to inflated sales figures. Civil settlement nearly 10 years after complaint filed.

Representation of in-house lawyer at financial services company in federal criminal and regulatory investigation of fraud by brokers and hedge funds in three states. Civil settlement.

Representation in Commodity Futures Trading Commission (CFTC) investigation of investment bank executive who worked at firm accused of rigging key interest rate benchmark in global derivatives market. Civil settlement by bank.

Co-representation of president of grocery business in SEC enforcement action. Civil settlement.

Representation of ex-Galleon hedge fund executive in insider trading investigation. No charges.

Representation of wife of former Forbes 400 member in SEC stock manipulation case. Civil settlement.

Representation of hedge fund COO concerning valuation of securities under scrutiny by SEC. No charges.

Representation of Platinum Partners hedge fund employee in Ponzi scheme case. No charges.

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Federal appeal of securities fraud conviction. Conviction affirmed by Second Circuit.

Counsel to individual who received stock tip in SEC insider trading investigation of electronics firm. No prosecution.

Representation of COO at small securities firm, which traded on British exchanges, indicted federally for participating in stock manipulation scheme. Client pled guilty with another lawyer.

Representation of author who alleged insider trading by prominent investment advisor and faced retaliation. No lawsuit.

Representation of executive at advertising firm that had non-public information used to engage in insider trading. No charges.

Representation of ex-girlfriend of target in SEC insider trading investigation of officers and affiliates of Greek shipping company. No charges.

Tax Liability

Multiple tax evasion trials as federal prosecutor.

Supervised tax prosecutions of Hall of Fame baseball player (Willie McCovey) and beloved Dodger (Duke Snider) for hiding income obtained by signing autographs at organized baseball card shows.

Representation of firm internationally prominent in art world on charges related to non-payment of state sales tax on artworks. Client paid fine.

Representation of second art dealer, more than a decade later, in state tax investigation of similar allegations. Obtained misdemeanor plea with no prison time.

Representation of energy industry executive in federal criminal tax evasion prosecution involving more than four million dollars. Client sentenced to six months in prison camp.

Representation of tax preparer in federal prosecution involving allegations of improper deductions and credits. Client sentenced to probation on straight plea and was permitted by IRS to keep his tax practice.

Representation of media personality sentenced to probation for failure to file tax returns over multiple years.

Representation of husband and wife in federal tax evasion investigation involving several small companies.

Representation of co-owner of family laundry business in federal tax investigation involving allegations of off-the-books payments to dozens of workers. Charges only against second family member.

Representation of real estate broker on state criminal charges involving failure to file income tax returns. Client sentenced to conditional discharge.

Representation of elderly window washing company executive in criminal and civil state income tax investigations. No charges.

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Representation of bank employee in settlement of federal and state tax liabilities on several million dollars of unreported income.

Representation of internet jewelry company accused civilly of failure to pay state sales tax. No prosecution in favor of civil settlement.

Representation of lawyer/tax preparer investigated for complicity in false sales tax returns. No prosecution.

Representation of two individuals connected to defunct Connecticut hedge fund in federal civil tax matter related to demise of fund. Civil settlement.

Recognitions

500 Leading Litigators in America, *Lawdragon* (2024)

Best Lawyer, Criminal Defense: White-Collar, *U.S. News-Best Lawyers in America* (2021, 2022) [see selection methodology here]

Activities

Gordon has published articles on legal topics (*American Lawyer*, *National Law Journa*l, *New York Law Journa*l and others), as well as more general topics (in *The Atlantic*, *Newsweek*, *The New York Times*, *The Wall Street Journal*, *Chicago Tribune*, *Miami Herald* and others) and specialized non-legal topics (in *The Annals of Internal Medicine*, *The Chronicle of Philanthropy*, *The South American Explorer* and others). He is the lead author of a practitioner's treatise on federal criminal procedure, and formerly one of four members of the board of editors for the second edition of a treatise on New York criminal practice. Both works are published by *Lexis Nexis* Matthew Bender. He has also participated as a speaker on legal and other topics in a variety of forums.

Publications

Co-Author (with John Gleeson, David James and Alicyn Cooley), "Federal Criminal Practice: A Second Circuit Handbook" (*Lexis Nexis* Matthew Bender 22nd ed. 2022, 1691 pages), the only treatise on federal criminal practice in the courts of the Second Circuit (New York, Connecticut, Vermont).

Board of Editors, "New York Criminal Practice" (*Lexis Nexi*s Matthew Bender 2d ed. 2005), the most extensive work on New York State criminal practice.