

PARTNER

## Charles T. Spada

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cspada@lswlaw.com



### GOVERNMENT SERVICE

Law Clerk, Hon. Roger J. Miner, U.S. Court of Appeals, Second Circuit (1991-1992)

### EDUCATION

Cornell Law School (J.D., 1990)

• *cum laude*

Boston College (B.S., 1987)

• *magna cum laude*

### ADMISSIONS

New York

Connecticut

U.S. Supreme Court

U.S. Court of Appeals, Second Circuit

U.S. District Court, SDNY

U.S. District Court, EDNY

Charlie represents individuals and organizations in complex business and financial litigation, regulatory enforcement, and white collar criminal matters. Over the course of more than two decades at LSW, he has successfully handled complex litigation before federal and state trial courts and appellate courts, as well as investigations involving the Department of Justice, the Securities and Exchange Commission, the offices of various district attorneys and attorneys general, and other regulatory agencies.

A wide range of clients—from corporations and financial institutions to boards of directors, special committees, chief executive officers, chief financial officers, general counsels, compliance officers, traders, portfolio managers, public accountants, lawyers, theatrical production companies, celebrities and Tony Award-winning directors and artists—have relied on Charlie for representation in their most sensitive and high-profile matters. His litigation and investigatory experience cuts across a broad array of industries, including investment and commercial banking (loan syndications and participations), securities and derivatives (sales and trading), investment advisors, hedge funds, private equity, mutual funds, accounting, law, technology (software and hardware), intellectual property licensing, arts and entertainment, tax (corporate and individual income/sales tax), financial news and media, advertising, commercial and municipal bond insurance, oil and gas, industrial chemicals, health care, consumer products, commercial real estate, construction, government and government contracting, education, and nonprofit corporations. In addition, Charlie frequently advises companies and their boards on corporate governance and compliance matters.

Prior to joining LSW, Charlie served as the deputy head of compliance in Reuters' (now Thomson Reuters) Americas division. In this role, he was responsible for developing and implementing global compliance programs, handling investigations and litigations, and facilitating antitrust approval for global acquisitions (including the company's acquisition of Bridge Information Systems).

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Representative Matters

*Civil Litigation and Other Disputes*

- Represented senior accounting officer at public energy firm in civil enforcement action in federal court brought by the SEC concerning allegations of fraudulent and inappropriate classification of well repair and maintenance costs.
- Represented celebrity music performer, producer and influencer in federal securities class-action lawsuit and SEC investigation concerning the promotion of cryptocurrency.
- Represented Tony-Award winning Broadway director in federal litigation against producers of Broadway musical *Spider-Man: Turn Off The Dark*, concerning allegations of copyright infringement, breach of contract and declaratory judgment arising out of termination and unauthorized use and modification of musical book.
- Represented investment bank in breach of participation agreement lawsuit against international bank concerning the allocation of distributions in furtherance of the restructuring of an unsecured, syndicated loan.
- Represented agent bank for syndicated loan facility in federal lawsuit against member bank arising out of failure to fund draw down of a distressed credit facility.
- Represented health services corporation in federal breach of contract lawsuit brought by client concerning allegations of false representation and warranties relating to the timing and ability to render services.
- Represented CEO of fashion apparel company in lawsuit brought by lender arising out of a settlement agreement and personal guarantee of a loan.
- Represented former president of for-profit educational company in lawsuit brought by the New York Attorney General concerning allegations of fraudulent misrepresentation, false advertising and improper business practices.
- Represented executive at oil company in lawsuit brought by investors concerning allegations of fraud and breach of contract.
- Represented CFO of global telecommunications provider in SEC enforcement action in federal court concerning allegations of accounting fraud and the improper booking and release of reserves.
- Represented Big Four accounting partner in SEC enforcement action in federal court concerning allegations of improper revenue recognition at international public company.
- Represented international bank in federal lawsuit against global asset management firm concerning allegations of fraudulent and improper management of a bond trading account.
- Represented founders of home goods start-up company in connection with investigation concerning representations made during fund raising.
- Represented founder of beauty start-up company in federal litigation concerning employee's alleged equity stake and Fair Labor Standard Act claims.

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*White Collar and Regulatory Matters*

- Represented chief compliance officer at Bernard L. Madoff Investment Securities, LLC in investigation and subsequent prosecution relating to the Madoff Ponzi scheme.
- Represented medical practice in connection with False Claims Act and related kickback investigation by U.S. Attorney's Office, and provided advice with respect to internal controls and related policies, kickback issues and compliance.
- Represented high-level accounting executive of public software company in FCPA/bribery investigations conducted by the DOJ and the SEC.
- Represented high-level executive of global securities trading services company in connection with DOJ and SEC investigations into allegations relating to excessive mark-ups and disclosures to customers.
- Represented media company in connection with investigation by the Manhattan District Attorney's Office into alleged misrepresentations to lenders to obtain loans.
- Represented broker in connection with market timing and late trading of mutual funds investigations and prosecutions by the New York Attorney General and the SEC.
- Represented independent directors of reciprocal insurer in connection with N.Y. Department of Financial Services investigation into alleged financial misconduct and mismanagement.
- Represented foreign exchange trader in connection with DOJ investigation.
- Represented sales executive at water chemicals company in connection with DOJ antitrust investigation.
- Represented high-level executives of bank in DOJ investigation concerning money laundering and suspicious activity reporting.
- Represented employees of media company in connection with investigation by the U.S. Attorney's Office into allegations of blackmail and extortion.

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### *Internal Investigations*

- Represented public utility company in connection with investigations by the U.S. Attorney's Office and the SEC, as well as an investigation by special committee of the board of directors, that included broad array of corporate governance issues, political contribution and bribery issues and allegations of fraud by top-level executives.
- Represented special committee of board of directors of public telecommunications company in connection with investigation into various accounting, internal control and corporate governance issues, including advising on executive/employee discipline.
- Represented special committee of board of directors of non-public food wholesale and retail company in investigation of executive expense, travel and entertainment, and gift issues, including evaluating and advising the company with respect to procedures and internal controls.
- Represented Independent Consultant, appointed pursuant to settlements with the SEC, the New York Attorney General, and the New York Department of Insurance, of financial insurance company in review of accounting for tax lien securitizations and design of compliance program.
- Represented large university in connection with attorney general investigations and compliance code review, revisions and training with respect to its student loan, health insurance and study abroad practices.

### Activities

#### Federal Bar Council

- Inn of Court

#### American Bar Association

#### New York State Bar Association

#### New York City Bar Association