

PARTNER

## Gabrielle S. Friedman

+1.212.930.1247

gfriedman@lswlaw.com



### GOVERNMENT SERVICE

Law Clerk, Hon. Gerard E. Lynch, U.S. District Court, SDNY (2003–2004)

### EDUCATION

Yale Law School (J.D., 2000)

- Articles Editor, *Yale Journal of Law & Humanities*; Student Director, Yale Law Clinic

Brown University (M.A., 1993)

Columbia University (B.A., 1992)

- *summa cum laude*; Phi Beta Kappa

### ADMISSIONS

New York

U.S. Court of Appeals, Second Circuit

U.S. District Court, SDNY

U.S. District Court, EDNY

U.S. District Court, DDC

Gabi represents U.S. and international clients, both individuals and corporates, in matters ranging from cross-border criminal investigations and prosecutions to complex civil and regulatory matters, often with a global dimension. She has obtained favorable results for clients in a wide variety of cases, including matters raising issues of corporate and securities fraud, accounting fraud, criminal antitrust law, contract disputes, entertainment and art law, and the Foreign Corrupt Practices Act. Gabi is ranked by Chambers USA in Litigation: White Collar Crime and Government Investigations.

With a strong focus on pre-indictment advocacy, Gabi explores all facts and strategies available, and in many cases her clients avoid charges altogether. Gabi also represents lawyers facing alleged ethics violations or other forms of potential professional misconduct. Her matters have involved investigative authorities such as various United States Attorney's Offices and state prosecutors offices, units of the Department of Justice including the Fraud Section, the FCPA Unit, the Antitrust Division and the Tax Division, and the Securities and Exchange Commission.

Gabi has represented clients in investigations, in the complex strategic negotiations that accompany a non-litigated resolution of criminal or regulatory charges, and when necessary at trial. She has had matters involving extradition proceedings, proceedings pursuant to MLATs, and has represented clients facing parallel investigations in more than one country. Such matters often involve coordinating the rights accorded suspects and witnesses in different criminal justice systems as well as complex issues of data privacy law.

A fluent German speaker who has lived and worked in Germany, Gabi brings a firsthand understanding of European cultural norms and business practices to her work. She has extensive experience representing citizens of foreign countries under investigation by U.S. authorities. Gabi works closely with foreign counsel and has attended proceedings conducted by German state prosecutors. She has lectured to German criminal defense lawyers and in German law schools about representing corporations and individuals in U.S. corporate internal and governmental investigations.

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After graduating from law school, Gabi received a Bosch Foundation Fellowship to conduct research in Berlin, Germany. Before joining LSW, she was a litigation associate at Cleary Gottlieb Steen & Hamilton, and served as a federal law clerk at the trial level to the Honorable Gerard E. Lynch in New York City.

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## Representative Matters

- Advised an international organization in relation to a U.S. DOJ investigation.
- Advised US-based C-Suite executive of a international bank in connection with European investigation into swap transactions and counterparty risk oversight.
- Represented a bank employee from the Middle East accused of violating U.S. sanctions under IEEPA, obtaining a no-jail sentence.
- Served as pool counsel representing over three dozen potential witnesses in investigations of potential tax and wire fraud involving European tax authorities and *adum ex* transactions.
- Advised a German manufacturing company and its U.S. subsidiary in connection with allegations of wire fraud arising from cross-border M&A transactions.
- Represented a European executive arrested on an Interpol red notice and extradited to the United States on FCPA charges, obtaining a non-jail sentence
- Defended a financial executive in a month-long federal criminal trial brought by the DOJ Antitrust Division involving allegations of conspiracy and fraud in the municipal bond industry, resulting in victory on appeal.
- Defended a German manufacturing executive on the U.S. side of a parallel cross-border criminal investigation of alleged fraud by the DOJ Fraud Section and European authorities, concluding with no U.S. charges filed.
- Represented a non-U.S. citizen CFO of an international insurance company in an FCPA investigation, achieving a resolution not involving any charges against the client.
- Represented Frankfurt-based trader employed by a major German bank in a DOJ Fraud Section investigation of alleged fraud and benchmark rate-rigging regarding LIBOR and EURIBOR, resulting in no U.S. charges filed.
- Represented managing board member of a Swiss private bank in an investigation relating to the U.S.-Swiss Bank Program regarding use of off-shore bank accounts by U.S. persons to facilitate evasion of U.S. taxes and reporting requirements.
- Represented UK-based forex trader of a major UK bank in connection with US and Latin American investigations of practices regarding FX pricing benchmarks.
- Represented a German artist in an investigation conducted by the Manhattan District Attorney's Office.
- Represented Japanese executives in connection with a DOJ Antitrust Division investigation of bid-rigging in the auto parts industry. No charges were filed.

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Publications

*Articles*

“Dubin v. US: Broader Implications Of High Court’s Identity Theft Law Ruling,” *Law360* (June 16, 2023) (co-author with Zachary Baron Shemtob)

“International executives facing a US internal investigation: what to consider,” *Financier Worldwide*, (January 25, 2023) (co-author with Ramya Kasturi)

“EU Double Jeopardy Ruling May Complicate US Extraditions,” *Law360 -- Expert Analysis* (January 24, 2023)

“How the CARES Act Will Affect Federal Criminal Justice,” *LinkedIn* (March 31, 2020) (co-author with Jeannie Rose "Rosie" Rubin)

“The Legal Ethics of Multiple-Client Representations,” *New York Law Journal* (June 18, 2019) (co-author with Jeffrey Udell)

“Challenging the Guidelines’ Loss Table,” *Federal Sentencing Reporter* (February 1, 2008) (co-author with Kan Nawaday)

“Must a Firm Report Child Porn on Company Server?,” *New York Law Journal* (November 15, 2007)

Recognition

Chambers USA

- Litigation: White Collar Crime and Government Investigations

Legal 500

- Next Generation in Corporate Investigations and White-collar Criminal Defense: Advice to Individuals

Benchmark Litigation

- Local Litigation Star: White Collar Crime

Best Lawyers in America®

- Criminal Defense: White Collar

Super Lawyers

- Criminal Defense: White Collar; International

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## Activities

### *Professional Affiliations*

New York Council of Defense Lawyers

- Member

New York City Bar Association

- White Collar Crime Committee Member
- Ethics Committee Former Member
- Committee on Federal Legislation Former Member

International Bar Association

- Criminal Law Committee

New York State Bar Association

- White Collar Crime Committee Member

Women's White Collar Defense Association

- Member

European Criminal Bar Association

- European Fraud and Compliance Lawyers

German American Lawyers Association

- Deutsch-Amerikanische Juristen-Vereinigung e.V.

Global Criminal Law Counsel

Federal Bar Council

American Bar Association

Law Firm Antiracism Alliance

## Speaking Engagements

Gabi Friedman Speaks at WWCDCA Annual Meeting on Multiple Individual Representation in International Investigations, (March 5, 2024)

Gabi Friedman speaks at 2023 ABA Annual Meeting on The Ethics of Simultaneous Representation: Navigating Pool Counsel Waters, (August 4, 2023)

Gabrielle Friedman Presents CLE on the Ethics of "Pool Counsel" for ABA Criminal Justice Section, (October 25, 2022)

Gabrielle S. Friedman Moderates Ethics Panel on Social Media at "Trial By Jury" Program at the Practising Law Institute, (October 20, 2022)

Gabrielle Friedman Speaks at AWI on Investigations that Cross Borders, (July 26, 2022)

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Gabrielle Friedman discusses Cross-Border Workplace Investigations on Ethics Panel at U.C. Berkeley School of Law 2022 Conference on New Developments in Workplace Harassment, (January 28, 2022)

Cross-Border Internal Investigations: Online Seminar with Frank Wohl and Gabi Friedman, *Lawline.com* (May 27, 2021)

Gabi Friedman and Frank Wohl Host Program on Ethics in Corporate Internal Investigations, *Lawline.com* (December 17, 2020)

Gabrielle Friedman Invited to Hamburg to Speak on Cross-Border Criminal Investigations (in German), *Bucerius Law School, Hamburg, Germany* (November 6, 2019)

Gabrielle Friedman Featured Speaker at Berlin Symposium on Internal Investigations (in German), *Humboldt University, Berlin, Germany* (November 7, 2018)