

PARTNER

Gabrielle S. Friedman

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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

Gabi represents U.S. and international clients in matters ranging from cross-border criminal investigations and prosecutions to complex civil and regulatory matters, often with an international 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's practice has a strong focus on pre-indictment advocacy, 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 at trial, in investigations, and in the complex strategic negotiations that accompany a non-litigated resolution of criminal or regulatory charges. She has experience with extradition proceedings in foreign jurisdictions, and has represented clients facing parallel investigations in more than one country.

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. investigations.

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

- Represented a European executive arrested on an Interpol red notice and extradited to the United States on FCPA charges, obtaining a non-jail sentence.
- Served as pool counsel representing over three dozen potential witnesses in a federal investigation of potential tax and wire fraud involving a European tax authority in both criminal and civil arenas.
- 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.
- Represented 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 German financial traders in a cross-border investigation by the DOJ Fraud Section of alleged fraud and benchmark rate-rigging in the banking industry, resulting in no U.S. charges filed.
- Represented a Swiss banker in an investigation relating to the U.S.-Swiss Bank Program regarding use of foreign bank accounts to facilitate evasion of U.S. taxes and reporting requirements.
- 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.

Publications

Articles

"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 Daniel M. Gitner, Kan Nawaday)

"Must a Firm Report Child Porn on Company Server?," *New York Law Journal* (November 15, 2007) (co-author with Daniel M. Gitner)

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Recognition

Best Lawyers in America (2021)

- Criminal Defense: White Collar

Benchmark Litigation (2021)

- Local Litigation Star: White Collar Crime

Legal 500 (2020)

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

Activities

Professional Affiliations

New York City Bar Association

- Member, White Collar Crime Committee
- Member, Ethics Committee (2018-2019)
- Member, Committee on Federal Legislation (2010-2011)

New York State Bar Association

- Member, White Collar Crime Committee

Women's White Collar Defense Association

European Criminal Bar Association

- Member, European Fraud and Compliance Lawyers sub-association

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 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)

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

Gabrielle Friedman Moderates Judicial Panel on Recurring Ethics Issues, *American Bar Association* (August 10, 2017)