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Subject: FDIC Staffer 'Accidentally' Took Bank Secrets, Jury Told

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Law360 White Collar

WHITE COLLAR

The Data-Driven Lawyer

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Wednesday, December 5, 2018

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TOP NEWS

FDIC Staffer 'Accidentally' Took Bank Secrets, Jury Told

Federal prosecutors and a lawyer for ex-FDIC employee Allison Aytes gave a Brooklyn jury competing narratives Tuesday about what drove Aytes to make copies of secret regulatory records before quitting, the feds saying she used them for job interviews and Aytes saying she accidentally swept them up with other personal files. [Read full article »](#)

2nd Circ. Nixes \$8.9M Restitution From Gambler Billy Walters

A Second Circuit panel on Tuesday vacated and remanded back to trial \$8.89 million in restitution ordered against professional sports gambler Billy Walters for insider trading. [Read full article »](#)

Epstein Ducks Victim Testimony With Eve-Of-Trial Settlement

Convicted billionaire sex offender Jeffrey Epstein on Tuesday settled a dispute with the attorney who represented his teenage victims, avoiding a trial that was to have featured testimony from the women. [Read full article »](#)

Flynn Gave 'Firsthand' Info, Could Avoid Time, Mueller Says

Former national security adviser Michael Flynn, who pled guilty to lying to the FBI about his conversations with Russia's ambassador, provided "firsthand information" about the contact between President Donald Trump's team and Russian officials and should be sentenced leniently, special counsel Robert Mueller said Tuesday. [Read full article »](#)

Secrets Spilled In Panama Papers Lead To Indictment Of 4

New York federal prosecutors announced the indictment of a lawyer and three other men on Tuesday on charges of wire fraud, tax evasion and money laundering, tying the case to the 2016 leak of documents from the law firm Mossack Fonseca called the Panama Papers. [Read full article »](#)

SERIES SPOTLIGHT

Data-Driven Lawyer: Littler's Scott Forman

Littler Mendelson PC shareholder Scott Forman's innovative case management platform helps his firm analyze litigation data, craft defense strategies, predict outcomes and greatly reduce client costs, earning him a spot on our 2018 list of Data-Driven Lawyers. [Read full article »](#)

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Holland & Knight
Jackson Lewis
K&L Gates
Kirkland & Ellis
Kramer Levin
Krieger Kim
Link & Rockenbach
Littler Mendelson

POLICY & REGULATION

DC Circ. Asks Why Gov't Legal Opinions Are FOIA-Exempt

The U.S. Justice Department faced pointed questions from D.C. Circuit judges Tuesday about its rationale for keeping legal advice to federal agencies from public view. [Read full article »](#)

SECURITIES

Fla. Broker To Serve 6½ Yrs For \$16M Precious Metals Fraud

Former Fort Lauderdale, Florida, broker Salvatore Colonna was sentenced to 6½ years in prison and ordered to pay \$13.1 million in restitution for his role in a \$16 million precious metals and securities fraud scheme, the U.S. attorney's office, the FBI and the IRS announced Tuesday. [Read full article »](#)

Fund Manager's Firms Ordered To Pay \$23M In Restitution

Three investment firms affiliated with admitted fraudster Haena Park were ordered to pay \$22.9 million in restitution by a New York federal judge Monday for their role in defrauding dozens of Park's friends and family out of more than \$23 million over a six-year span. [Read full article »](#)

Energy Broker Fights 'Misguided' CFTC Insider Trading Suit

A Houston-based energy commodities brokerage on Monday asked a New York federal judge to drop claims and dismiss one of its brokers entirely from a "misguided" U.S. Commodity Futures Trading Commission suit accusing the broker of using a friend's account to profit on nonpublic information about his clients' block trades. [Read full article »](#)

FCPA

NY Jury To Weigh Bribery Charges Against Hong Kong Doc

A Manhattan jury was on track Tuesday to begin deliberating bribery and money laundering charges against a Hong Kong doctor accused of boxing up \$2 million in cash for the president of Chad to facilitate an oilfield investment on behalf of a Chinese energy giant. [Read full article »](#)

PUBLIC INTEGRITY

1st Circ. Focuses On Extortion Benefit In Boston Aides' Case

The First Circuit on Tuesday peppered attorneys for both the government and a pair of Boston City Hall aides on whether prosecutors need to show that someone accused of extortion personally benefits from the alleged act, during a hearing seeking to revive indictments against the mayor's lieutenants. [Read full article »](#)

CYBERSECURITY

Hilton Sued Over Secret Filming Of NY Bar Exam Taker

A law school graduate who stayed at a New York hotel before taking the bar exam has sued Hilton and its affiliates for \$100 million in Virginia state court, claiming that secretly filmed footage of her showering in her room was posted on pornographic websites and emailed to her friends and colleagues. [Read full article »](#)

LEGAL ETHICS

Former DA Didn't Mean To Intimidate Witness, Pa. Panel Told

A former Allegheny County prosecutor did not intend to intimidate a defendant's possible character witness when he phoned her during a trial in 2016, but only meant to see what traits she intended to testify to and how

McDermott Will
Murphy & King
Murphy & McGonigle
Paul Hastings
Searcy Denney
Shapiro Arato
Shipley Snell
Sidley Austin
Tucker Ellis

COMPANIES

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Reed Elsevier
Tampa Bay Buccaneers
The American Legion
The Florida Bar
Twitter Inc.
UnitedLex Corp.
Wayfair LLC
YouTube Inc.
Zillow Inc.

GOVERNMENT AGENCIES

Commodity Futures Trading Commission

well she really knew the defendant, a Pennsylvania Superior Court panel heard Tuesday. [Read full article »](#)

HEALTH

6 NECC Workers Had Role In Drug Fraud, Feds Say In Closing

Prosecutors on Tuesday urged a jury after seven weeks of testimony to convict six former employees of the Massachusetts compounding pharmacy whose steroids sparked a deadly meningitis outbreak in 2012, saying they participated in a scheme to defraud federal regulators and ship out unsafe drugs to medical facilities around the country. [Read full article »](#)

Pain Doc's 'Fame' Questioned In TM Suit Over Same Name

A doctor accused of running a pill mill told an Illinois federal court Monday that a same-named pain doctor isn't "famous" enough to maintain claims for unfair competition alleging his business suffered due to confusion after the indictment. [Read full article »](#)

PEOPLE

Carlton Fields Picks Up K&L Gates Litigator In Miami

Carlton Fields said Monday it has added a K&L Gates LLP trial lawyer as a shareholder in its business litigation and white collar crime practice groups in Miami. [Read full article »](#)

EXPERT ANALYSIS

A Welcome DOJ Shift On Cooperation Credit

Changes announced last week by Deputy Attorney General Rod Rosenstein will likely make it easier for a company to obtain cooperation credit in criminal and civil cases, while also potentially reducing some of the costs and burdens associated with complying with the prior U.S. Department of Justice policy, says John Nowak of Paul Hastings LLP. [Read full article »](#)

Crypto Addresses As OFAC Identifiers

Last week, the Office of Foreign Assets Control took the significant step of adding two digital currency addresses to its list of identifiers for certain individuals related to an Iranian hacking enterprise. This should immediately alert entities that transact in digital assets, says Maxwell T.S. Thompson of Murphy & McGonigle PC. [Read full article »](#)

LEGAL INDUSTRY

Feature

NewLaw Is Wooing BigLaw's Young Talent

In search of new experiences and more flexibility, some young lawyers are pointing their career paths toward alternative legal service providers. [Read full article »](#)

Scottie Pippen Claims Atty-Comedian Trashed Fla. Mansion

NBA Hall of Famer and former Chicago Bulls star Scottie Pippen hit a South Florida attorney-comedian and her husband with a lawsuit in state court Monday, accusing them of trashing his \$10 million mansion, stealing cutlery and allowing their pets to urinate all over the property. [Read full article »](#)

Litigation Funder Validity Poaches Pair From Bentham IMF

Litigation funder upstart Validity Finance LLC said Tuesday it has poached two ex-litigators from rival Bentham IMF to oversee risk management and underwriting. [Read full article »](#)

Insights From 2017-2018 High Court Term And What's Ahead

Federal Bureau of Investigation
Federal Deposit Insurance Corp.
Federal Reserve System
Food and Drug Administration
Internal Revenue Service
Office of Foreign Assets Control
Social Security Administration
U.S. Attorney's Office
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of the Treasury
U.S. Patent and Trademark Office
U.S. Supreme Court
United Nations

Many expect the U.S. Supreme Court's new conservative majority to track rightward, while others wonder if any justices might assert a moderating influence as the new "swing vote." The court's recent decisions and upcoming docket provide the best clues about its trajectory, says Chad Eggspuehler of Tucker Ellis LLP. [Read full article »](#)

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