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## Cryptocurrency and FinTech

Cahill's nationally recognized Cryptocurrency and Fintech team is led by some of the country's most accomplished and innovative trial lawyers, investigators, corporate advisors, and dealmakers.

The Cahill team has achieved prominence for providing exceptional representation to institutional and individual clients in connection with high-stakes criminal and regulatory enforcement matters, internal corporate investigations, and civil litigation relating to cryptocurrency and other FinTech. The group also advises institutional clients on structuring business lines, financial products and transactions to comply with U.S. securities, commodities, anti-money laundering, sanctions, and money transmitter laws, and provides them with guidance in connection with mergers, acquisitions, leveraged financings, securities offerings, and other complex transactions.

Since launching Cahill's Cryptocurrency and Fintech practice, one of its co-founders was recently named a national [Law360 MVP in FinTech](#) and a [National Law Journal Trailblazer](#) in Cryptocurrency, Blockchain, and FinTech.

Our clients include some of the world's leading digital asset trading platforms, market makers, broker-dealers, FinTech payment platforms, digital wallet-service providers, DeFi protocols, blockchain startups, and traditional financial institutions.

### A Track Record of Over 100 Years of Innovation and Excellence

Long recognized for innovation and excellence in guiding traditional financial institutions through some of their most challenging regulatory and enforcement matters, Cahill is now at the forefront of helping a new generation of businesses and entrepreneurs in the burgeoning FinTech industry to navigate ever-increasing scrutiny from regulators. Cahill's deep experience in matters involving cryptocurrency and blockchain technology as well as other FinTech applications, and tradition of creativity and success in defending financial services clients, have allowed us to continue Cahill's proud legacy of providing unparalleled representation to clients in the cryptocurrency, blockchain, and FinTech sectors.

### About the Cahill Team

Cahill's Cryptocurrency and Fintech group includes elite former federal prosecutors from the United States Attorney's Office for the Southern District of New York (SDNY) with extensive experience defending and prosecuting cryptocurrency enforcement matters, as well as litigation partners with experience at other U.S. regulatory agencies, including the Securities and Exchange Commission (SEC). Cahill's team, which has been recognized as among "The Elite" by *Chambers USA* for its work defending traditional finance clients in white-collar criminal and regulatory matters, routinely represents financial institutions and individuals in high-stakes investigations and prosecutions by federal and state authorities, including the Department of Justice (DOJ), the SEC, Commodity Futures Trading Commission (CFTC), Office of Foreign Assets Control (OFAC), Financial Industry Regulatory Authority (FINRA), New York Department of Financial Services (NY DFS), and state attorneys general. Cahill also frequently represents global banks and companies in internal investigations. As one Cahill client told *Chambers USA* about the firm's enforcement defense practitioners, "[i]t is hard to imagine being able to do my job without these lawyers."

### Noteworthy Representations

The Cahill team has extensive experience in cryptocurrency, blockchain, and other FinTech matters, including the following current or recent representations:

#### White Collar and Regulatory Enforcement

- Cahill is representing Coinbase as *amicus curiae* in the SEC's widely watched cryptocurrency enforcement action against Ripple Labs.
- Cahill is defending FinTech entrepreneur Ilya "Dutch" Lichtenstein, whom the DOJ has accused of allegedly conspiring to launder \$4.5 billion in stolen Bitcoin, in one of the most high-profile cryptocurrency cases in history, as featured in *The Wall Street Journal*, *The New York Times*, *New York Magazine*, *The Washington Post*, *Business Insider*, *Law360* and other news outlets.

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- Cahill is defending a former senior official of a now-bankrupt cryptocurrency lending platform in SDNY, SEC, CFTC, and other regulatory enforcement probes.
  - Cahill is representing the co-founder of a leading DeFi protocol in an SEC investigation concerning compliance with securities registration requirements.
  - Cahill successfully represented the former CFO of a cryptocurrency investment fund in avoiding criminal or civil charges in DOJ and SEC investigations.

#### **Internal Investigations and Regulatory Compliance Advice**

- Cahill is advising one of the world's largest digital asset trading platforms concerning compliance with U.S. laws, including the Bank Secrecy Act, OFAC sanctions, the Securities Act, the Securities Exchange Act, the Commodity Exchange Act, and state money transmitter laws.
- Cahill has conducted several internal regulatory compliance reviews of U.S. subsidiaries of a foreign digital asset exchange relating to U.S. securities, commodities, and anti-money laundering laws and regulations.
- Cahill is representing a blockchain company in an internal regulatory compliance review relating to a Regulation S offering.
- Cahill advised a leading cryptocurrency liquidity provider on compliance with U.S. securities laws relating to secondary market making in Ethereum staking and DeFi lending protocol governance tokens.
- Cahill advised a leading U.S. digital asset trading exchange and trained multiple banks on preventing regulatory enforcement risks from insider trading in cryptocurrency assets.
- Cahill advised an SEC-registered broker-dealer on structuring a Regulation A offering of tokenized assets to comply with the Investment Company Act and Investment Advisers Act.
- Cahill advised a foreign FinTech payments platform on structuring U.S. cryptocurrency-to-fiat exchanges to comply with the Bank Secrecy Act, OFAC sanctions, and state money transmitter laws.
- Cahill advised a digital asset wallet-service provider on U.S. regulatory compliance.
- Cahill advised a global mining pool on compliance with New York BitLicense regulations.
- Cahill advised a cryptocurrency market data aggregator on compliance with SEC and CFTC regulations, including those concerning broker-dealers, futures commission merchants, and introducing brokers.
- Cahill advised a prominent U.S. digital asset trading platform on Securities Act compliance concerning cryptocurrency lending and interest-yielding products.

#### **Transactional Due Diligence and Disclosure Advice**

- Cahill advised a global asset manager and a leading non-profit organization on due diligence pertaining to anti-money laundering, the Bank Secrecy Act, and OFAC sanctions risks relating to certain transactions involving cryptocurrency.
- Cahill advised a foreign digital asset exchange on due diligence associated with a minority investment in a U.S. prime broker.

#### **Unparalleled Defense and Government Experience**

The Cahill team includes former SDNY prosecutor Samson Enzer, who was recently described by *The National Law Journal* as “one of the leading cryptocurrency enforcement practitioners to come out of government service in recent years,” and by *Law360* as the “SDNY Crypto Ace.” Enzer was recently named a national *Law360* MVP in FinTech and a *National Law Journal* Trailblazer in Cryptocurrency, Blockchain, and FinTech. During Enzer’s tenure as a federal prosecutor on the SDNY’s prestigious Securities and Commodities Fraud Task Force, he worked with the FBI, SEC, and CFTC on groundbreaking enforcement matters involving novel applications of federal securities, commodities, and money laundering laws to cryptocurrency transactions. Enzer’s noteworthy cryptocurrency enforcement matters at SDNY include:

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- Leading the multi-year DOJ investigation and prosecution of McAfee antivirus software founder John D. McAfee on commodities fraud, securities fraud, wire fraud, and money laundering charges arising from deceptive cryptocurrency promotions.
  - Spearheading the DOJ investigation and prosecution of the co-founders of a purported cryptocurrency debit card company called Centra Tech, Inc., in the first criminal securities fraud case in SDNY history, based on an initial coin offering (ICO) of cryptocurrency tokens.
  - Handling the blockchain tracing and seizure of \$33.4 million in cryptocurrency fraud proceeds and litigation over their forfeiture for remission to fraud victims by DOJ's Money Laundering and Asset Recovery Section (MLARS).

Please find press coverage of our practice and representations below.

- [SDNY Crypto Ace Joins Cahill's White Collar Defense Team](#), *Law360*
- [Cahill Gordon hires ex-prosecutor in McAfee crypto case](#), *Reuters*
- [Cahill Gordon & Reindel Represents Couple Accused of Laundering Billions in Stolen Bitcoin](#), *The National Law Journal*
- [Woman Gets Pretrial Release For Bitcoin Laundering Scheme](#), *Law360*
- [Ilya Lichtenstein Ordered Detained Until Crypto Trial; Heather Morgan Released](#), *The Wall Street Journal*
- [Justice Dept. Seizes \\$3.6 Billion in Bitcoin and Arrests Married Couple](#), *The New York Times*