



Bill Martin

Counsel

New York
D: +1-212-728-5942
wmartin@omm.com

William Martin has a wealth of government and private practice experience that enables him to guide financial services companies, blockchain and other fintech companies, audit and special committees, officers and directors, and others in connection with internal investigations, government and regulatory inquiries and enforcement actions, and litigation.

A former senior counsel in the US Securities and Exchange Commission's Market Abuse Unit, Bill has investigated and prosecuted securities cases involving matters such as insider trading, market structure practices, the Foreign Corrupt Practices Act (FCPA), failure-to-supervise, investment advisors, and cybersecurity. In these matters, Bill worked closely with, among others, the Justice Department, FBI, IRS, and FINRA.

Before entering public service, Bill spent six years in the litigation practice of a major New York law firm, advising clients in shareholder derivative and securities litigation and investigations. His practice included a significant cross-border component and notable litigation brought under the FCPA.

Experience

Private Practice Experience

- Representing one of the largest digital assets trading platforms in enforcement investigations by the Securities and Exchange Commission into potential registration violations
- Advising digital assets trading platforms and digital asset project teams with respect to potential legal and regulatory issues

Admissions

Bar Admissions

New York

Court Admissions

US Court of Appeals, Second Circuit

US District Court, Eastern and Southern Districts of New York

Education

University of Chicago Law School, J.D., *with honors*; Comment Editor, *University of Chicago Law Review*

Princeton University, Princeton School of Public and International Affairs, M.P.A., Domestic Public Policy

Carleton College, B.A., *magna cum laude*, Economics and Political Economy

- Representing digital asset project teams in investigations by DOJ, SEC and/or state financial services regulators
- Represented a US bank in FINRA investigation into business referral practices of investment adviser affiliate; FINRA closed matter with no action taken
- Represented a global bank in DOJ, SEC & IRS investigations into cross-border tax fraud; prepared for trial on enforcement of IRS "John Doe" summons
- Represented a US bank in separate investigations by DOJ, OCC, Federal Reserve, FDIC, multiple state AGs, and congressional committees into alleged foreclosure and mortgage servicing deficiencies
- Defended major corporation against shareholder securities fraud claims, derivative and books and records cases brought against it in state and federal court relating to potential FCPA violations and/or rejected merger offer; won five dismissals

Selected Government Experience

- FCPA, internal accounting controls, and books and records action related to conduct in India, China, and Kuwait
- Insider trading action with profits in excess of \$40 million
- Investigated and led enforcement action charging antifraud violations of the Securities Exchange Act of 1934 and the Investment Advisers Act of 1940

Government Experience

- Senior Counsel, Division of Enforcement, Market Abuse Unit, US Securities and Exchange Commission (2015-2019)

Professional Activities

Clerkships

- Honorable Chester J. Straub, US Court of Appeals, Second Circuit
- Honorable P. Kevin Castel, US District Court, Southern District of New York

Author

- "Dismantling the SEC's Federal Court Disgorgement Authority," *New York Law Journal* (January 10, 2020)
- "The SEC's Crypto Moves are at Odds with its Own Mission," *PaymentsSource* (July 2019)
- "Is SEC disgorgement endangered? Supreme Court to decide," *Investment News* (June 2019)
- "DC Circuit Upends SEC's Low 'Willful' Standard for Securities Violation," *Bloomberg Law* (May 2019)
- "Supreme Court Rules That Class Was Not Properly Certified Because Plaintiffs Did Not Establish That Damages Could Be Measures on a Class-wide Basis," *Securities Reform Act Litigation* (April 2013)

Honors & Awards

- Three-time recipient of Director of Enforcement Division Award, Securities and Exchange Commission
- Paul R. Carey Award, Securities and Exchange Commission