Robert G. Heim

Co-Chair of White Collar and Regulatory Enforcement Practice

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Robert G. Heim is the co-chair of the Firm's White Collar and Regulatory Enforcement Practice and a partner in the Securities & Financial Services Litigation and Investment Management Practices. Robert focuses on all aspects of corporate and investment fund transactional and compliance including corporate formation and capital raising, hedge fund formation, registration of new broker-dealers and investment advisers, securities regulatory work, securities, and commercial litigation and FINRA arbitrations.

Clients benefit from his background as an Assistant Regional Director of the U.S. Securities and Exchange Commission (SEC) in New York City. With his unique perspective, Robert provides a strategic and sensitive approach to navigating white-collar defense. In his federal criminal defense practice, Robert represents individuals and organizations in grand jury investigations, criminal prosecutions, plea agreements, cooperation agreements, proffer agreements, and sentencing matters, as well as prosecutions involving market manipulation, insider trading, securities fraud, the Foreign Corrupt Practices Act, bank fraud, and other matters.

With over 25 years of experience, Robert represents clients throughout the country in all phases of SEC investigations, securities and commercial litigation, and appeals. He has broad experience advising clients on insider trading, market manipulation, accounting fraud, broker-dealer sales practices, penny stock trading, and the unregistered sale of securities. Robert also represents clients at trial in SEC litigation in U.S. District Courts as well as in SEC administrative proceedings. Robert is also an accomplished appellate litigator having argued cases in the U.S. Supreme Court (*Lorenzo v. SEC*), the U.S. Courts of Appeals for the D.C. Circuit and the Second Circuit, and the New York Appellate Division.

A frequent commentor on newsworthy topics, Robert has made numerous appearances on outlets including CNN, CNBC, Fox News, CBS News, MSNBC, and the BBC and is often quoted by *The New York Times*, *New York Newsday*, *New York Post*, *Insider*, *Bloomberg,* and *Reuters*. Robert is also an author, having published the guide, “Going Public in Good Times and Bad, A Legal and Business Guide,” which provides a roadmap for any firm considering moving towards private or public equity funding.

As a former SEC attorney, Robert prosecuted several high-profile cases, including the SEC's case against eight New York Stock Exchange floor brokers and the SEC's case

Related Services

- White Collar Defense & Regulatory Enforcement
- Securities & Financial Services Litigation
- Investment Management
- Corporate, Securities, and M&A

against Orlando Joseph Jett. He was responsible for cases involving accounting fraud, fraudulent sales practices, insider trading, and market manipulation. Robert received the SEC's prestigious Capital Markets Award in 1999. In 2018, he argued an important SEC enforcement case before the U.S. Supreme Court: *Lorenzo v. SEC*. Robert has also argued cases in the D.C. Circuit, the 2nd Circuit Court of Appeals, and before the Commissioners of the SEC.

Representative Matters:

- Convinced the SEC to close without action an investigation involving a trader who traded ahead of a large contract announcement by the Department of Education.
- Represented a Fortune 100 banking institution in obtaining a dismissal with prejudice of a commercial lawsuit brought in New York State Supreme Court.
- Advised a Fortune 100 investment bank in a complex FINRA investigation, which was settled favorably with only a letter of caution.
- Represented a former bond trader in major parallel criminal and civil investigations brought by the U.S. Attorney's Office and the SEC.
- Convinced the SEC to close without action an investigation involving a trader who purchased shares ahead of a major acquisition announcement by a public company.
- Advised a manager of a Fortune 500 company in one of the largest criminal investigations conducted by the U.S. Attorney's Office, FBI, and SEC into potential violations of the Foreign Corrupt Practices Act.
- Represented the head of investment banking of a New York-based broker-dealer in obtaining a dismissal with prejudice of a complex federal securities fraud lawsuit brought in the Southern District of New York.
- Represented a multinational hedge fund in the negotiation of a complex side letter agreement with a large strategic investor.
- Represented a certified public accountant in a federal criminal prosecution for insider trading.
- Represented a hedge fund administration company in a complex federal grand jury investigation.

Education

- Fordham University (B.A.)
    - Phi Beta Kappa
- Fordham University School of Law (J.D., *cum laude*)

Bar Admissions

- New York
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York

Professional Affiliations

- New York City Bar Association
- National Association of Criminal Defense Lawyers

Awards & Honors

- U.S. Securities and Exchange Commission's Capital Markets Award
- *New York Super Lawyers* 2019-2025