

## BRIAN D. LINDER

### PARTNER

[linder@clayro.com](mailto:linder@clayro.com)

### EDUCATION

George Washington University Law School

Cornell University

### ADMISSIONS

New York State Bar

New Jersey State Bar

Connecticut State Bar

U.S. District Courts:

Southern District of New York

Eastern District of New York

District of New Jersey

District of Connecticut

Appellate Courts:

United States Court of Appeals for the Second Circuit

United States Court of Appeals for the Third Circuit

United States Supreme Court



## Biography

Brian D. Linder has over thirty years' experience representing individuals and corporations in a wide variety of complex criminal and civil matters at both the trial and appellate level. His criminal practice includes the representation of individuals, small businesses, and multi-national corporations in investigations and in New York State and federal courts throughout the country on matters such as criminal tax fraud, securities fraud, commercial bribery, bank fraud, immigration fraud and money laundering. He has also conducted corporate internal investigations and advised individuals involved in them. Brian's civil practice includes the representation of corporations and individuals in the prosecution and defense of fraud claims and in a broad range of commercial disputes. He was a staff attorney at the Criminal Appeals Bureau of The Legal Aid Society before joining Clayman & Rosenberg LLP in 1985. He has been a partner at the firm since 1992 and has served as the firm's managing partner since 2006. Brian has been selected as a New York Metro Superlawyer in the field of White Collar Criminal

Defense since 2011.

## Representative Matters

Argued successfully for federal prosecutors to dismiss bank fraud charges against an accountant.

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Obtained the dismissal of a complaint alleging civil fraud in NY Supreme Court on behalf of business owner/investor.

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Persuaded the Queens District Attorney's Office to defer prosecution of an individual alleged to have failed to remit sales tax collections.

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Represented individuals and corporations targeted by NY Attorney General in False Claims Act investigations.

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Persuaded the Westchester County District Attorney's Office to decline to prosecute a CEO referred for prosecution by the N.Y. State Department of Taxation and Finance following a lengthy investigation for tax evasion.

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Conducted an internal investigation of a high-profile, multinational organization in connection with a criminal investigation by the Manhattan District Attorney's Office.

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Representation of a CFO in a securities fraud investigation and civil complaint.

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Represented at trial a construction company owner charged with commercial bribery in the United States District Court for the Southern District of New York.

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Negotiated for the New York Attorney General's Office to dismiss a 70-count scheme to defraud indictment against an attorney.

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Represented numerous small businesses and their owners in criminal tax investigations conducted by the New York State Department of Taxation and Finance and the New York City Department of Finance.

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Represented on appeal of a New York City tax assessment an international banking corporation.

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Represented the Chief Technology Officer of a venture capital firm in criminal tax investigation conducted by the Manhattan District Attorney's Office and the Internal Revenue Service.

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Represented individuals in FBAR/criminal tax investigations relating to foreign bank accounts.

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Persuaded the N.Y. State Department of Taxation and Finance to decline reference to criminal authorities of an attorney for failure to file income tax returns.

## Highlights

Brian has lectured on federal and state criminal practice in CLE courses for the New York State Bar Association and served as a faculty member of the Intensive Trial Advocacy Program at the Benjamin N. Cardozo School of Law.

Brian has been selected as a "Super Lawyer" in the New York City Metro area every year since 2011.

Brian is a member of the American Bar Association, the New York Council of Defense Lawyers and the New York City Bar Association.