

## THOMAS C. ROTKO

PARTNER

rotko@clayro.com

### EDUCATION

University of Pennsylvania Law School

Union College

### ADMISSIONS

State Bar of New York

U.S. District Courts:

Southern District of New York

Eastern District of New York



## Biography

Thomas C. Rotko practices in the areas of criminal defense and regulatory investigations. He has successfully represented individuals and entities in a wide range of cases and investigations undertaken by federal and state prosecutors. He also has significant experience representing individuals under investigation by the U.S.

Department of Justice, the U.S. Securities and Exchange Commission, the Commodity Futures Trading Commission, the New York City Department of Investigation and other regulatory agencies. Tom's recent cases have involved allegations of mortgage fraud, tax fraud, telemarketing fraud, government corruption, securities fraud, insider trading, bank fraud, healthcare fraud, violations of OFAC and the Foreign Corrupt Practices Act, environmental crimes, and antitrust violations. He also has conducted internal investigations and represented numerous individuals involved in them.

In addition to his white-collar defense work, Tom is routinely called upon to defend individuals accused of criminal offenses by state and local prosecutors. Recent matters have involved charges of sexual assault, domestic violence, animal abuse, perjury, grand larceny, forgery, identity theft, assault, and narcotics trafficking.

Before joining Clayman & Rosenberg LLP, Tom served as an Assistant District Attorney in the Manhattan District Attorney's Office. He was initially assigned to the Trial Division, where he handled hundreds of felony cases ranging from violent crime to fraud. Tom also was a member of the District Attorney's Office's Official Corruption Unit, where he investigated and prosecuted numerous public integrity cases involving police and government

corruption, including bribe receiving, extortion, official misconduct, police brutality, perjury, and insurance fraud.

## Representative Matters

Obtained acquittal on all counts after six-month jury trial of former manager of community bank charged with mortgage fraud and grand larceny.

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Represented executives of advertising agency in a federal anti-trust investigation into the alleged big-rigging in commercial production industry.

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Successfully represented individual in connection with multi-agency investigation into Fyre Media and Fyre Festival.

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

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Represented employees of Long Island municipality in connection with lengthy federal investigations into government misconduct.

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Represented law firm in connection with federal investigation of the advertising industry.

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Successfully represented NYC Department of Environmental Protection employee in connection with allegation of contracting fraud.

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Represented corporation targeted by New York Attorney General in False Claims Act investigations.

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Persuaded the New York County District Attorney's Office to decline to prosecute numerous individuals accused of sexual assault and related offenses.

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Successfully represented individual in jury tampering investigation by the New York County District Attorney's Office.

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Persuaded NYC Office of Special Narcotics not to pursue charges against nurse accused of unlawful procurement and distribution of opioids.

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Obtained misdemeanor disposition for Australian rugby player accused of burglary and felony assault.

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Persuaded Nassau County District Attorney Office to decline to prosecute teacher accused of unlawfully re-grading Regents exams.

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Represented financial advisors accused by Department of Justice and Securities & Exchange Commission of insider trading.

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Represented executives at several foreign financial institutions in connection with federal and state benchmark rate manipulation investigation.

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Obtained misdemeanor disposition for doctor accused of insurance fraud involving several hundred thousand dollars in claims.

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Represented executives at several foreign financial institutions in connection with federal and state sanctions and OFAC investigations.

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Represented executive at several foreign financial institution in connection with CDO investigation arising from 2008 financial crisis.

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Represented electronics distributor accused by the New York District Attorney Office of procurement fraud.

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Represented NYMEX oil trader in connection with allegations of front running in connection with multi-agency investigation.

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Represented former Goldman Sachs trader in hundred million dollar fraud case brought by the US Attorney's Office and Commodity & Futures Trading Commission.

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Represented CEO of debt collection company in federal case brought by the US Attorney's Office for the District of Connecticut.

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Obtained misdemeanor disposition for roofing contractor in accused of failing to prevailing wages.

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

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Successfully represented individual accused by US Attorney's Office of re-selling computer goods on the "grey market."

## Highlights

- Member of the New York Council of Defense Lawyers, the American Bar Association, the New York State Bar Association, the New York State Association of Criminal Defense Lawyers, and the Association of the Bar of the City of New York, where he previously served on the Criminal Advocacy Committee and the Criminal Courts Committee.
- Sits on the Advisory Board of Quattrone Center for the Fair Administration of Justice at the University of Pennsylvania Law School, which is a national research and policy hub created to catalyze long-term structural improvements to the U.S. criminal justice system.
- Selected as "Super Lawyer" in the New York City metro area every year since 2013.