



Seth Farber

Partner

New York

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Seth Farber fue fiscal federal del Distrito Sur de Nueva York y enfoca su práctica en defensa de delitos de cuello blanco, investigaciones corporativas internas y litigios civiles relacionados. Seth también se enfoca en investigaciones de la SEC, litigios de valores negociables, litigios civiles RICO, litigios de gobernanza corporativa y litigios antimonopolio.

Seth ha litigado un gran número de casos federales ante jurados y es un abogado experimentado en apelaciones, habiendo presentado apelaciones civiles y penales en tribunales federales de circuito en todo el país. Además, ha proporcionado representación *pro bono* a acusados penales indigentes, tanto como miembro del Panel de la Ley de Justicia Penal en el Distrito Sur de Nueva York, como abogado designado en otras jurisdicciones. Antes de unirse a la firma, Seth trabajó durante cinco años como fiscal federal adjunto en el Distrito Sur de Nueva York, donde se especializó en delitos de cuello blanco, incluyendo fraude comercial y el fraude de valores.

Cuestiones clave

REPRESENTATIVE MATTERS

- Represents former chief executive officer of Discover Financial Services in securities and derivative litigation
- Represented Texas-based REIT in SEC enforcement investigation that was closed with no enforcement action taken
- Represents Binance.US in civil RICO litigation
- Represented former chief financial officer of the National Rifle Association in a two month jury trial of a civil enforcement action filed by the New York Attorney General
- Represented America's Rehab Campuses, LLC and its owner and affiliates in defense of SEC enforcement action filed in District of Nevada
- Represents GoITV in civil RICO litigation in Southern District of Florida relating to international soccer corruption scandal
- Represented Zoltek Companies, Inc. in investigation of violations of U.S. sanctions laws by Office of Foreign Assets Control
- Represented high-profile government official in SEC municipal bond investigation
- Represented Pennsylvania Attorney General Kathleen Kane in jury trial on charges of perjury, official oppression, and obstruction of justice
- Represented multinational corporations and executives in international criminal antitrust investigations of global cartels
- Represented multinational corporations and executives in parallel Foreign Corrupt Practices Act (FCPA) investigations by the U.S. Department of Justice (DOJ) and the SEC
- Represented senior executive of global investment bank in parallel investigations of foreign exchange markets by DOJ Fraud Section, DOJ Antitrust Division, and SEC
- Represented Deutsche Bank in criminal tax shelter investigations and parallel nationwide fraud and civil RICO litigation
- Represented BNP Paribas (BNPP) executive in connection with parallel criminal investigations of BNPP for violations of U.S. sanctions law
- Represented board of directors of a public company in connection with an FCPA investigation of one of its members
- Represented Gregory Bell, hedge fund manager and owner of Lancelot Investment Management, LLC, in parallel federal criminal prosecution and SEC enforcement action
- Represented the outside directors of Kmart Corporation in connection with investigations by the DOJ, the SEC, and Congress, as well as in breach of fiduciary duty litigation regarding Kmart's 401(k) plan
- Represented the controller of Dreier LLP in connection with investigations by the DOJ and SEC
- Representation of an investment bank in civil litigation and government investigations relating to the collapse of National Century Financial Enterprises, Inc
- Represented Omnicare, Inc. in its successful hostile tender offer for NCS Healthcare, Inc
- Internal investigation of accounting issues for the Audit Committee of a Fortune 500 company
- Internal investigation of suspected accounting errors for the Audit Committee of the Board of Directors of Warnaco
- Represented a mutual fund executive in connection with parallel investigations by the New York State attorney general and the SEC
- Represented an investment banker in connection with the research analyst investigations conducted by the New York State attorney general and the National Association of Securities Dealers

- Represented a former Arthur Andersen partner in Enron matters
- Represented a former CEO in an insider trading investigation
- Represented the CEO of a pharmaceutical distribution company in a federal grand jury investigation into counterfeit drugs

Reconocimientos

Seth was selected to *Lawdragon's* "500 Leading Litigators in America" for White Collar, Investigations, and Securities Litigation (2023–2025) and to *Lawdragon's* 2025 "500 Leading Global Antitrust & Competition Lawyers." He was ranked by *Chambers USA* for Antitrust in New York (2021–2024), named a "Recognized Practitioner" for New York Litigation: White-Collar Crime & Government Investigations (2018–2019), and named as one of the nation's top lawyers in tax fraud practice (2012–2014). He was recognized by *Who's Who Legal: Competition* in 2024 and by *Super Lawyers* (New York-Metro) in the fields of White Collar Criminal Defense, Business Litigation, and Securities Litigation (2006–2024). *The Legal 500 US* has recognized him for Cartel, Corporate investigations & White-Collar Criminal Defense, and International Litigation; and he was part of the group awarded the "2015 Team of the Year" in Cartel Defense. Seth also received the "Burton Award for Legal Achievement" in 2007.

Actividades

Seth is a member of the American Bar Association's Litigation, Criminal Justice, and Antitrust sections and a member of the Executive Committee of the New York State Bar Association's Antitrust Section, as well as a former chair of that section's Cartel and Criminal Practice Committee. He is also a member of the Federal Bar Council, as well as a former Trustee of the Council, former Chair of the Council's Program Committee, and former Vice-President of the Federal Bar Foundation.

Credenciales

EDUCACIÓN

Seth received a J.D., *cum laude*, from Harvard Law School in 1989, where he was an editor for the *Harvard Law Review*. He received a B.A., *summa cum laude*, from Harvard University in 1986.

ADMISIÓN EN EL COLEGIO DE ABOGADOS

- Massachusetts
- New York

CLERKSHIPS

- USDC - District of MA for the Honorable Joseph L. Tauro

Información y noticias relacionadas

SPEECHES AND PANELS

- “Compliance Rewired: U.S. Enforcement and Latin America in a New Political Era,” New York City Bar Latin American Summit, Panelist, June 11, 2025
- “2024 Supreme Court Preview,” Federal Bar Council, Coordinator, Sept. 18, 2024
- “The Newest, Biggest Extra-Territorial FCPA Risks Confronting Industry in Mexico: Former DOJ Officials Discuss the Intensifying Landscape,” Summit on Anti-Corruption & Compliance Programs Mexico, American Conference Institute, Panelist, March 13, 2024
- “Money Laundering and Asset Forfeiture: Navigating the Risks and Challenges in an Evolving Landscape,” White Collar Crime 2024, American Bar Association, Panelist, March 6, 2024
- “Good Faith, Advice of Counsel, Lawyers in the Room and the Sam Bankman-Fried Trial,” Federal Bar Council, Nov. 15, 2023
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 20, 2023
- “Compliance and White-Collar Challenges: Are We Seeing a Greater Focus Towards US-MX Enforcement?” El Encuentro en México, Hispanic National Bar Association / La Barra Mexicana, Jun. 12, 2023
- “Update on Anti-Corruption Efforts in Mexico,” New York City Bar Association, May 18, 2023
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 13, 2022
- “*United States v. Glencore Ltd.* – Victims’ Rights to Restitution,” ABA International Law Section Anti-Corruption Committee Meeting, Dec. 15, 2022
- “Combating Corruption in Mexico: What’s Happening with Mexico’s National Anti-Corruption System?” New York City Bar Association, Apr. 21, 2022
- “Perspectives on FCPA Enforcement, Compliance Expectations and External Oversight from former DOJ officials and Defense Counsel: What’s on the Horizon for Industry in Mexico,” ACI Mexico Summit on Anti-Corruption and Compliance, Mexico City, Mexico, Mar. 23, 2022
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 28, 2021
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Oct. 6, 2020
- “A Discussion with the Antitrust Division’s New Deputy AAG for Criminal Enforcement,” New York State Bar Association Antitrust Section Annual Meeting, Jan. 17, 2019
- “Cross-border Transactions: The Importance of Proactive Risk Management Under the U.S./Mexico Regulatory Framework,” Winston & Strawn and Kaye Trueba Abogados Co-Hosted Program, Mexico City, Mexico, Aug. 7, 2018
- “Criminal Practice: Recent Leniency Developments in North America,” New York State Bar Association Antitrust Section Annual Meeting, Jan. 25, 2018
- “I’ve Got Your Back: The Ethics of Indemnified Representations,” Pennsylvania Association of Criminal Defense Lawyers 2017 White Collar Seminar, Nov. 3, 2017
- “Successful Crisis Management,” Latin Lawyer – GIR Anti-Corruption & Investigations Conference, Sao Paulo, Brazil, Nov. 1, 2017
- “Recent Developments in Cartel Enforcement,” New York State Bar Association Antitrust Section, Cartel and Criminal Practice Committee, Oct. 27, 2017
- “Avoiding the Front Page: Drawing the Lines Between Aggressive Tax Positions and Criminal Conduct,” 29th Annual All Hands Meeting, Oct. 17, 2017
- “Public Corruption,” Federal Bar Council, Program Coordinator, Oct. 3, 2017
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 14, 2017
- “Topics in Cartels and Criminal Enforcement,” New York State Bar Association Antitrust Section Annual Meeting, Jan. 26, 2017

- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 14, 2016
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 29, 2015
- “The Rules of the Game: The Role of Federal Litigation in Governing Sports in the 21st Century,” Federal Bar Council, Program Coordinator, Sept. 18, 2014
- “The Brazilian Courts and Damages Claims Involving Competition Infringements,” Instituto Brasileiro de Estudos de Concordancia, Consumo e Comercio Internacional (IBRAC) Conference (Iguassu Falls, Brazil), Oct. 31, 2013
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 11, 2014
- “Sanctions Enforcement,” Federal Bar Council, Program Coordinator, Jun. 4, 2013
- “Supreme Court Review,” Federal Bar Council, Program Coordinator, Feb. 26, 2013
- “Navigating the Globe: Cartel Enforcement Around the World, Chapter 3: Japan,” ABA Antitrust Section, Cartel and Criminal Practice Committee and International Committee, May 17, 2012
- “Practical and Strategic Considerations – International Cartel Investigations,” ABA Antitrust Section, Cartel and Criminal Practice Committee, May 27, 2010
- “Partnering with the Board for Proper Tax Risk Oversight,” Tax Director Roundtable, May 25, 2010
- “Standards for Corporate Criminal Liability,” Federal Bar Council, Program Coordinator, Mar. 11, 2010
- “The Intertwined Roles of Attorneys and Forensic Accountants,” NYU School for Continuing and Professional Studies: Prevention and Detection of Fraudulent Financial Reporting, Guest Lecturer, Jun. 29, 2009
- “Lawyers as Criminal Defendants: Have the Rules Changed?” American Bar Association Annual Meeting, Aug. 2004
- “*Omnicare, Inc. v. NCS Healthcare, Inc.*,” Healthcare Transactions 2003, Apr. 1, 2003
- “Defending the Corporation Against Indictment: Cooperation or Confrontation?” American Bar Association Annual Meeting, Aug. 2002

PUBLICATIONS

- “The New DOJ Enforcement Policy for Digital Assets: Why Compliance Programs Still Matter,” New York Law Journal, Co-Author, May 13, 2025
- “What Now for White Collar? As the DOJ Steps Back, Will Others Step Up?,” New York Law Journal, Co-Author, March 14, 2025.
- “Restitution in Corporate Criminal Cases: An Underappreciated But Effective Remedy,” New York Law Journal, Co-author, Sept. 17, 2023
- “Bail the Rich: Armed Guards, Private Prisons, and Special Treatment for the Wealthy Under the Bail Reform Act,” New York Law Journal, Co-author, Mar. 29, 2019
- “Why the Public (and the President) Are Wrong About What It Means to Take the Fifth,” New York Law Journal, Co-author, Dec. 7, 2018
- “Criminal Antitrust Fines and Penalties: Reductions Based on Ability to Pay,” Antitrust Magazine, American Bar Association, Spring 2017
- *Commercial Litigation in New York State Courts, (4th ed.) (2024–25 supp.), Vol. 3, Ch. 13*, Co-author
- “Corporate Remediation: One Justice Department, Two Approaches...And Now a Third?” American Bar Association, Section of Antitrust Law, Cartel & Criminal Practice Committee Newsletter, Fall 2014
- “Buyer Beware: Understanding and Mitigating Parent Company FCPA Liability in the Context of Private Equity Acquisitions,” The FCPA Report, Co-author, Jul. 24, 2013

- “Sentencing in Criminal Antitrust Cases: The Judiciary Has The Last Word After All,” American Bar Association, Section of Antitrust Law, Cartel & Criminal Practice Committee Newsletter, Mar. 2013
- “The Policy Case For Eliminating The Public Identification Of Carve-Outs In Antitrust Plea Agreements,” Bloomberg BNA, Antitrust & Trade Regulation Resource Center, Mar. 2013
- “Klein Conspiracies In The Wake Of US v. Coplan,” Law360, Mar. 4, 2013
- “An Unnecessary Complication to Defending International Cartel Investigations: Is it Really Necessary for U.S. Counsel To Travel Overseas To Review Foreign Documents?” American Bar Association, Section of Antitrust Law, Cartel & Criminal Practice Committee Newsletter, 2010
- “War on Tax Fraud and in Afghanistan: Who Knew They Were Linked?” New York Law Journal, May 10, 2010
- “Definitely Avoid ‘Utter Failure’: Dodging Risk Can Be a Taxing Job,” Corporate Counsel at law.com, Apr. 7, 2010
- “Antitrust Enforcement: Focus on Criminal Cartels,” Co-editor
- “Facing Criminal Price-fixing Investigations in the U.S.,” Law360, Feb. 17, 2009
- “New Risk in Employee Interviews,” National Law Journal, Jul. 24, 2006
- “Shoring Up Compliance Programs In the Wake of ‘Booker/Fanfan,’” GC New York, Oct. 11, 2005
- “Corporate Internal Investigations in the Age of Cooperation: Strategies for Limiting Disclosure of Confidential Information,” *Andrews Securities Litigation & Regulation Reporter*, Vol. 9, No. 17, Dec. 31, 2003
- “Corporate Internal Investigations in the Age of Cooperation: Strategies for Limiting Disclosure of Confidential Information,” *Andrews Corporate Officers & Directors Liability Litigation Reporter*, Vol. 19, No. 10, Dec. 1, 2003
- “Cooperating with the Government In Corporate Criminal Investigations: Has Andersen Changed the Landscape,” American Bar Association Annual Meeting, Section of Litigation Written Materials, Aug. 2002

BLOG

DOJ’s June 9, 2025 FCPA Guidelines: A Recalibration of U.S. Anti-Corruption Enforcement

JUNE 16, 2025

ARTICLE

The New DOJ Enforcement Policy for Digital Assets: Why Compliance Programs Still Matter

MAY 13, 2025

CLIENT ALERT

The CFTC’s Mitigation Credit Matrix: New Guidelines for a New Context

APRIL 29, 2025

ARTICLE

What Now for White Collar? As the DOJ Steps Back, Will Others Step Up?

MARCH 17, 2025

RECOGNITIONS

Winston Attorneys Featured on the 2025 *Lawdragon* 500 Leading Global Antitrust & Competition Lawyers List

JANUARY 30, 2025

PRO BONO IN ACTION

Winston Helps Secure Release of Binance Executive Imprisoned on Bogus Charges in Nigeria
OCTOBER 30, 2024

RECOGNITIONS

Winston Attorneys Featured on the 2025 *Lawdragon* 500 Leading Litigators in America List
SEPTEMBER 6, 2024

RECOGNITIONS

Winston & Strawn Antitrust Partners Recognized in *Who's Who Legal: Competition* 2024
AUGUST 1, 2024

RECOGNITIONS

Winston & Strawn Recognized in *Chambers USA* 2024
JUNE 6, 2024

IN THE MEDIA

Seth Farber Discusses International Corporate Criminal Defense in Q&A with *Corporate Crime Reporter*
OCTOBER 10, 2023

ARTICLE

Restitution in Corporate Criminal Cases: An Underappreciated But Effective Remedy
SEPTEMBER 17, 2023

RECOGNITIONS

Winston & Strawn Partners Recognized in 2024 *Lawdragon* 500 Leading Litigators in America
SEPTEMBER 8, 2023

Capacidades

Antitrust/Competition

Litigation/Trials

Class Actions & Group Litigation

Commercial Litigation & Disputes

Compliance Programs

Crisis Management

White Collar & Government Investigations

Government Program Fraud, False Claims Act & Qui Tam Litigation

Financial Services

Professional Services