



Paul A. Lieberman

PARTNER

Chair: Cyber Security | Corporate Transactions &
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BIOGRAPHY

Paul A. Lieberman has a distinguished legal practice devoted to client-centric representation in the financial services industry, including broker-dealers, investments advisers, public and private investment companies, insurance companies, registered representatives, financial advisers, agents and associated staff. He regularly counsels clients on issues relating to formation and governance, regulation, litigation, compliance, employment, and risk management, supervision, cybersecurity and privacy. Mr. Lieberman also handles various commercial and corporate transactions; including venture capital financing, underwritings, and private placements.

Mr. Lieberman has more than three decades of experience preparing and revising policies and procedures, developing effective supervision structures, underwriting, research, Chinese Walls and insider trading requirements, assisting in firm training programs, mock exams, product development, leading and coordinating internal investigations and defending regulatory enforcement proceedings before the SEC, FINRA and state securities departments/commissions. He advises clients in effecting Broker Protocol compliant transitions, negotiating financial packages, and assists in a diverse range of employment/HR-related matters, including prehire due diligence, U4/U5 disclosures, restrictive covenants, and non-solicitation/non-competition provisions.

REPRESENTATIVE MATTERS

- Review and revision of firm's policies and procedures, Codes of Ethics and training programs
- Monitored compliance of client's undertakings in SEC settlement agreements, and assisted clients in development and implementation of revised compliance policies/procedures, including supervision matters.
- Counseled senior management and CCOs in meeting examination challenges and coordinating responses to document requests and reviews of internal risk assessments.
- Advised clients in a wide range of securities and advisory issues affecting broker-dealers, investment advisers and hedge funds, including supervisory, back-office/operations matters, and regulatory compliance affecting officers, directors, employees, independent contractors and staff.
- Represented producer teams and individuals in Broker Protocol transitions, prosecuting and defending cease

and desist actions, including protocol training, review of compensation packages forfeited and negotiation of new compensation arrangements.

- Addressed termination disclosures and State/FINRA registration issues.
- Registration and disclosure matters with state insurance departments
- Advised clients on carrier due diligence and selection, policy coverage, for D & O, E & O, fidelity bonds, and renewal/disclosure matters.
- Debt/Equity underwritings and private placements

REPRESENTATIVE LITIGATION MATTERS

- Successfully defended investor adviser during SEC regional office investigation and subsequent Wells submission and negotiations, resulting in adviser not being named in the proceeding.
- Represented clients in the defense of SEC, DOJ, CFTC, FINRA and State securities commission investigations and enforcement proceedings.
- Challenged enforcement recommendations with Wells-type mitigation responses.
- Defended BD, RIA's, Funds officers and affiliated brokers in customer disputes.
- Representation of witnesses/targets in all aspects of criminal/white collar crime investigations, including sanction negotiation.
- Defended CTA's, CPO's and FCM's before CFTC enforcement matters and customer-initiated reparations proceedings.
- Defended insurance agents and brokers in customer-related disputes and industry sales practices matters.
- Represented clients in the financial services sector and other commercial enterprises, in employment litigation, alternative dispute resolution proceedings, assertion of RICO and whistleblower actions.
- Utilizing Early Case Assessment Strategies (ECAS) and a client-centric, results oriented approach, generated solutions for commercial/business litigation, employment, trade secrets, and non-compete/non-solicitation issues, including prosecution and defense of applications for injunctive relief, in both state and federal courts.

- Represented BD/Investment Advisor clients in defense and prosecution of arbitrations and mediations involving breach of contract, wrongful termination/discharge, enforcement of restrictive covenants.
- Represented clients in defense or assertion of age/race discrimination claims before state EEOC commissions and in litigation.

BAR ADMISSIONS

- New Jersey
- New York
- Southern District of New York
- Eastern District of New York
- District of Columbia

EDUCATION

- American University, Washington College of Law, J.D.
- City College of New York, B.A.

AFFILIATIONS

American Bar Association

- Litigation Section

District of Columbia Bar Association

New Jersey State Bar Association

- Law and Employment Law Section
- Securities Litigation and Regulatory Enforcement Committee

New York State Bar Association

- Commercial and Federal Litigation Section
- Dispute Resolution Section
- Business & Commercial Law Committee Member
- Committee on Corporate Litigation Counsel
- ComFed Committee on Arbitration and ADR

SEC Alumni Association Member

SEC Enforcement Alumni Member

Former Member of PSA, Independent Firms Subcommittee

Society of Financial Services Professionals, Member

Corporate Counsel Association

- Association of Securities and Exchange Commission Alumni
- Securities Regulators Network

The National Society of Compliance Professionals, Inc., Member

Firm Representative, Monmouth County Bar Association