



PARTNER

John G. Moon

NEW YORK

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A former SEC branch chief and enforcement attorney, and a former federal prosecutor of financial crimes for the U.S. Department of Justice, litigator John Moon brings unrivaled skill and perspective in representing clients in securities regulatory matters, complex civil litigation, and white-collar criminal defense cases.

John represents financial institutions, public companies, and executives in wide-ranging and game-changing commercial litigation, and in civil and criminal investigations and proceedings brought by grand juries, the SEC, DOJ, CFTC, FINRA and state governmental entities. John has successfully represented institutions and individuals caught up in some of the largest financial fiascos of this century: FTX, Enron, S.A.C. Capital and Madoff. His civil litigation experience also includes a focus on structured finance, securitizations, and proposed multibillion-dollar "private label" RMBS settlements. Further, he has represented financial institutions in civil disputes involving CDOs, CLOs and warehouse agreements.

A recognized authority in his field, John is often quoted by leading national publications and news outlets such as *PBS Frontline*, *Vanity Fair*, *The New York Times*, *Law360*, *USA Today*, *The Philadelphia Inquirer*, and *The Washington Post*, which have covered many of his high-profile wins over the years.

Before joining Olshan, in addition to his roles at the SEC and as a DOJ prosecutor, John was a partner in the Financial and Securities Industries Practice at a New York-based law firm. He also served as an executive director of litigation for the Americas Region for UBS Investment Bank in New York and as a Principal Consultant in the Banking, Finance and International Group of PricewaterhouseCoopers LLP.

#### PRACTICE AREAS

Litigation  
Cross-Border  
Securities Litigation & Enforcement  
White Collar Defense & Investigations

#### EDUCATION

LL.M., Harvard Law School

J.D., American University  
Washington College of Law

- Law Review Contributing Author
- Dean's Fellow

B.A. *magna cum laude*, Dickinson College

- Dana Scholar
- Recipient, Charles M. Nisbet Memorial Scholarship.

#### ADMISSIONS

New York

District of Columbia

Pennsylvania (inactive)

U.S. Court of Appeals for the  
Second Circuit

U.S. District Court for the Southern  
District of New York

U.S. District Court for the Eastern  
District of New York

During his tenure at the DOJ, John received a special achievement award from the U.S. Attorney General.

U.S. District Court for the Eastern District of Pennsylvania

## EXPERIENCE

- *Short Swing Profit Rule: Packer v. Raging Capital Mgmt., LLC*, No. 19-2703 (2d Cir. 2020).
- *Structured Finance Litigation: UBS Securities LLC et al. v. Highland Capital Management, LP et al.*, Index No. 650097/2009 (Architect of collateralized debt obligation case resulting in \$1 billion judgment on behalf of UBS in 2019).
- *RMBS litigation: In re Residential Capital LLC, 12-12020-mg* (Bankr. S.D.N.Y. 2012) (successfully represented financial institution revising allocation formula distributing \$8.7 billion allowed claim); *In the Matter of the Application of the Bank of New York Mellon*, Index No. 651786 (N.Y. Sup. 2011), prevailed after a nine-week trial in proposed \$8.5 billion RMBS “private label” settlement).
- FINRA arbitration: *Jones v. Cantella & Co., Inc.*, No. 18-00166 (2019) (successfully tried \$2.9 million claim resulting in a \$0 award on claims that broker-dealer violated trading restrictions on common stock spun off from a corporate combination).

## FINANCIAL ACCOUNTING:

- *SEC v. Gemstar-TV Guide International, et al.*, CV-03-4376NM (C.D. Cal. 2004).
- *In the Matter of USA Detergents, Inc.*, SEC Rel. Nos. 33-8112, 34-46225, AAE-1597 (2002).

## INSIDER TRADING, BROKER-DEALER OPERATIONS, AND MARKET MANIPULATION:

- *United States v. Charles H. Howard III*, Cr. No. 92-74-01-D (D.N.H. 1992) (conspiracy to commit securities fraud, bank fraud, and bank bribery in connection with the failure of Thomson McKinnon Securities Inc.).

## OFFSHORE FINANCIAL TRANSACTIONS TO CONCEAL A PONZI SCHEME:

- *United States v. John Edward Hayes, Jr., et al.*, 40 F.3d 362 (11th Cir. 1994) (wire fraud, interstate transportation of stolen property, and conspiracy).

**CIVIL LITIGATION INVOLVING SECURITIES:**

- *Nomura Securities International, Inc. v. E\*Trade Securities, Inc.*, 2003 WL 22058235 (S.D.N.Y.) (contract and fraud claims and counterclaims involving a \$41 million stock loan).

**OPERATIONS OF AN INVESTMENT ADVISER:**

- *SEC v. Steadman Management Corp. et al.*, 1991 WL 30794 (D.D.C. Feb. 27, 1991), *rev'd in part*, 967 F.2d 636 (D.C. Cir. 1992).

**ASSET FORFEITURE, AND PARALLEL SEC AND GRAND JURY INVESTIGATIONS:**

- *SEC v. Health South Corporation and Richard M. Scruschy*, CV-03-J-0615-S (N.D. Ala. 2003).

**MUTUAL FUND DISCLOSURE:**

- *In re Mutual Funds Investment Litigation*, 04-MDL-1586 (D. Md. April 20, 2011) (MDL regarding alleged mutual fund timing and late trading).

**GAAP INTERPRETATION AND OFF-BALANCE SHEET ACCOUNTING:**

- *In the Matter of PNC Financial Services Group, Inc.*, SEC Rel. Nos. 33-8112, 34-46225, AAE-1597 (2002).

**NEWS & INSIGHTS****NEWS****11.02.2023 | [Accolade](#)**

Olshan Ranked by Best Law Firms® 2024 for Securities/Capital Markets, Real Estate, Commercial Litigation, Advertising, Trusts & Estates, Copyright Law and Employee Benefits

**11.03.2022 | [Accolade](#)**

Olshan Recognized as "Best Law Firm" by U.S. News-Best Lawyers® for Securities/Capital Markets, Real Estate, Commercial Litigation, Advertising, Trusts & Estates and Employee Benefits

**11.03.2022 | [Accolade](#)**

Olshan Recognized as "Best Law Firm" by U.S. News-Best Lawyers® for Securities/Capital Markets, Real Estate, Commercial Litigation, Advertising, Trusts & Estates and Employee Benefits

**11.04.2021 | [Press Release](#)**

Olshan Recognized as "Best Law Firm" by U.S. News-Best Lawyers® for Securities/Capital Markets, Real Estate, Commercial Litigation, Advertising, Trusts & Estates and Employee Benefits

**11.04.2021 | [Accolade](#)**

Olshan Recognized as "Best Law Firm" by U.S. News-Best Lawyers® for Securities/Capital Markets, Real Estate, Commercial Litigation, Advertising, Trusts & Estates and Employee Benefits

[11.30.2020 | Firm News](#)

Olshan Prevails Before the Second Circuit in Major Short Swing Profit Ruling

[11.05.2020 | Press Release](#)

Olshan Recognized as “Best Law Firm” by U.S. News-Best Lawyers® for Securities/Capital Markets, Real Estate, Litigation, Advertising, Trusts & Estates and Employee Benefits

[11.05.2020 | Firm News](#)

Olshan Recognized as “Best Law Firm” by U.S. News-Best Lawyers® for Securities/Capital Markets, Real Estate, Litigation, Advertising, Trusts & Estates and Employee Benefits

[10.22.2019 | Firm News](#)

Insightful Event With Delegation of the Shenzhen Bar Association Hosted at Olshan

[10.02.2019 | Firm News](#)

Law360 Reports on Alleged Bank Bond Price-Fixing Conspiracy

[12.03.2018 | Firm News](#)

Law360 Reports on \$10.8M Suit Against Underwriters of Tokai Pharmaceuticals Inc.

[06.20.2018 | Firm News](#)

Olshan Represents Founder George Feldenkreis in Taking Perry Ellis Private

[03.01.2018 | Firm News](#)

Olshan Represents George Feldenkreis in Bid to Acquire Perry Ellis

[02.22.2018 | Firm News](#)

Olshan Frome Adds Ex-Miller & Wrubel Securities Pro

[02.01.2018 | Press Release](#)

Olshan Litigation Practice Adds John G. Moon as Partner

[05.12.2016 | Firm News](#)

Judge opens ‘big spigot’, approves Countrywide RMBS payments

[01.2014 | Firm News](#)

PBS Frontline, To Catch a Trader

[06.2013 | Firm News](#)

Vanity Fair, The Hunt for Steven Cohen

[09.2012 | Firm News](#)

New York Times, How To Find Weeds in a Mortgage Pool

#### SPEAKING ENGAGEMENTS

10.22.2019 | Event | New York, NY

Introduction to United States Business Law: From an International Perspective

[Olshan Hosts Delegation of the Shenzhen Bar Association](#)

Panelist: ACI's 8th National Forum on Controlling Litigation Costs (New York 2013)

Frequent speaker at conferences concerning regulatory and securities issues

Panelist: Stafford Publications, In-House Counsel's Evolving Duties (New York 2011)

Panelist: ACI, Forum on Reducing Legal Costs (Philadelphia 2009, 2010)

Co-Chair: ACI, Advanced Forum on Securities Litigation (New York 2009, 2010)

#### PUBLICATIONS

1984 | Article | [American University Law Review](#)

The Freedom of Information Act: A Fundamental Contradiction

1986 | Article | [New Mexico Law Review](#)

An Essay on Local Critique

2000 | Article | [Northwestern Journal of International Law & Business](#)

Dangerous Territoriality of American Securities Law: A Proposal for an Integrated Global Securities Market

#### PROFESSIONAL

- Former Officer and Member of the Board of Managers, Harvard Club of New York City
- Former Trustee, Village of Tuxedo Park
- Former Board of Education Member, Tuxedo Union Free School District