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John P. Nowak
Partner

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Represents private equity funds, hedge funds, broker-dealers, corporations, boards of directors and their principals and executives in internal investigations, government inquiries (by the SEC, DOJ, FINRA, CFTC and others) and bet-the-company litigation involving allegations of fraud, accounting disclosures, sales practice abuse, securities violations, conflicts of interest, related party transactions and violations of the Foreign Corrupt Practices Act (FCPA).

John also provides advice to investment advisers related to trading compliance, insider trading, examination concerns, and thorny disclosure issues, and John regularly counsels public and private companies on compliance procedures, enforcement response initiatives and proactive strategies designed to mitigate legal, regulatory and reputational risks.

He defends large-scale investigations of white collar and securities crimes in multiple domestic and foreign jurisdictions, has 22 federal white

collar and securities trials, and has argued more than a dozen cases before the Court of Appeals for the Second Circuit.

His significant representations have included a vast array of issues, including false or misleading disclosure allegations, insider trading, best execution, PIPE financings, breaches of fiduciary duties, adviser conflicts of interest, and accounting fraud.

John also has unique experience as a supervisor with the government, having previously served as the Deputy Chief of the Business and Securities Fraud Section of the US Attorney's Office for the Eastern District of New York and as a Branch Chief in the Enforcement Division of the US Securities and Exchange Commission.

Clients and government officials alike hold John in high esteem, and he is ranked in *Chambers USA*, with clients commenting that John is a "life adviser" and someone who is "knowledgeable, proactive and has good client service."

Practices

LITIGATION

SEC ENFORCEMENT AND WHITE COLLAR DEFENSE

Bar Admissions

New York

Massachusetts

Education

University of Richmond School of Law, J.D.

College of the Holy Cross, B.A.

Publications

- “Forecasting Potential Outcomes in *SEC v. Jarkesy* Based on Recent Oral Arguments,” *Private Equity Law Report*, March 2024 (quoted)
- “Key Takeaways From Agencies’ Tri-Seal Compliance Note,” *Law360*, Aug. 25, 2023
- “Sanctions Update: OFAC Encourages Voluntary Self-Disclosure for Sanctions Violations,” *Schulte Alert*, Aug. 2, 2023

Speaking Engagements

- “Enforcement and Examinations,” 33rd Annual Schulte Private Capital Forum, January 2024

Distinctions

- *Chambers USA*

Prior Experience

- Paul Hastings
- US Attorney’s Office, Eastern District of New York
- US Securities and Exchange Commission