

Brian Kidd

Partner

+1202 997 5228
bkidd@shertremonte.com

Education

University of California, Santa Cruz,
B.A.
Benjamin N. Cardozo School of Law,
J.D.

Admissions

New York
District of Columbia
U.S. District Courts for the Eastern and
Southern Districts of New York
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of
Michigan

Clerkships

Hon. Aida M. Delgado-Colón, U.S.
District Court, District of Puerto Rico

Rankings



Brian Kidd is a partner in Sher Tremonte's Washington, D.C. office, where his practice focuses on solving clients' most difficult legal and regulatory challenges, often in the context of civil and criminal investigations and litigation.

Brian represents public and private companies and their executives in both civil litigation and government-facing investigations, achieving favorable resolutions and declinations, and advises boards on internal investigations and compliance reviews. He regularly guides clients through high-stakes civil disputes, sensitive matters, and corporate crises, as well as enforcement proceedings involving federal and state agencies, including DOJ, the SEC, CFTC, Department of Education, District Attorney's Offices, and state attorneys general. Brian has first-chaired more than a dozen federal trials and is admitted in New York and Washington, D.C.

Before joining Sher Tremonte, Brian was a partner at a top-rated international law firm and served as Chief of the Market Integrity and Major Frauds Unit in DOJ's Criminal Fraud Section, where he supervised roughly 40 prosecutors and oversaw major securities, commodities, cryptocurrency, and corporate fraud cases. As chair of DOJ's Securities and Commodities Fraud Working Group, he worked closely with senior leaders at the SEC, CFTC, FDIC, and Federal Reserve.

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Brian is a frequent speaker on DOJ, SEC, and CFTC enforcement trends, cross-border investigations, cryptocurrency fraud, COVID-19 relief fraud, and U.S. regulatory compliance.

Brian earned his J.D. magna cum laude from Benjamin N. Cardozo School of Law, where he was Editor-in-Chief of the Law Review, and his B.A. from the University of California, Santa Cruz. A three-time recipient of the Assistant Attorney General's Exceptional Service Award, he has taught as an adjunct professor at Georgetown University Law Center and the University of Puerto Rico School of Law.

Experience

Securities and Commodities Fraud:

- Representation of a start-up cryptocurrency company in proactive outreach to government agencies, including FinCEN.
- Representation of an executive of a major cryptocurrency exchange in a SEC and CFTC investigation into allegations of financial misconduct.
- Representation of an executive of a major broker-dealer in a DOJ and SEC investigation into allegations of financial misconduct by a former employer.
- Representation of a major cryptocurrency exchange in providing counsel on U.S. commodities laws.

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False Claims Act (FCA) and Misuse of Federal Funds:

- Representation of a private company in an FCA investigation involving allegations that the company improperly obtained PPP funds.
- Representation of a healthcare organization in an FCA matter involving kickback allegations.
- Representation of a large for-profit college in multiple investigations involving allegations that the company improperly received and used federal funds. Obtained a declination from DOJ in an FCA investigation.
- Representation of a large for-profit college in multiple civil suits claiming improper use of financial loan instruments.
- Representation of the board of a prominent advertising and marketing company in an investigation involving allegations that company insiders improperly obtained and used PPP funds. Obtained a declination from DOJ in a criminal investigation.
- Served as the internal reviewer in a post-merger, privileged investigation of a fintech company's conduct and business activities related to PPP loans to assess risk related to government and congressional investigations.
- Representation of a venture capital firm in reviewing a potential affiliate problem related to \$7+ million of SBA and PPP loan funds.

Other White Collar Defense and Compliance Matters

- Representation of an international professional services firm related to its work for opioid manufacturers, which involves complex, multidimensional work involving state attorneys general, DOJ, CPB, and congressional investigations, as well as more than 140 civil lawsuits.
- Representation of a national title insurance company in a criminal investigation being conducted by DOJ.
- Representation of an executive at a U.S. defense contractor in an investigation being led by the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives.
- Representation of a multinational technology company in conducting a risk assessment across the company's compliance program relating to anti-bribery and corruption, antitrust, anti-money laundering, data privacy and cybersecurity, sanctions, and export controls to recommend potential enhancements.
- Representation of a major broker-dealer in undertaking compliance risk assessments and providing related counseling.
- Representation of a former federal law enforcement officer in a House Oversight Committee investigation into allegations of misconduct.

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Government Service

- U.S. Department of Justice
 - Criminal Division, Fraud Section, Market Integrity and Major Frauds Unit, Chief, Assistant Chief, and Trial Attorney
 - Criminal Division, Fraud Section, DOJ's Securities and Commodities Fraud Working Group, Chair
 - Criminal Division, Public Integrity Section, Trial Attorney
- U.S. Attorney's Office for the District of Puerto Rico, Assistant U.S. Attorney

Recognitions

Recognized in District of Columbia White Collar Crime & Government Investigations – Chambers USA 2024

Recommended in Corporate Investigations and White Collar Criminal Defense – Legal 500 US 2024