

Douglas R. Jensen

Partner

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Education

New York University School of Law,
J.D.; Notes and Comments Editor,
Review of Law and Social Change
Columbia University, M.A., History
Colorado College, B.A., cum laude

Admissions

New York
U.S. District Courts for the Eastern
and Southern Districts of New York
U.S. Court of Appeals for the Second
Circuit



Douglas Jensen has more than 30 years' experience as a white-collar defense attorney, commercial litigator, criminal prosecutor and trial lawyer.

He has successfully represented executives and corporations caught up in the major criminal and regulatory investigations pursued over the past two decades by the US Department of Justice, the Securities and Exchange Commission and other government agencies. In all but a small number of cases Doug's clients have avoided the filing of any criminal charges, and in many instances have avoided regulatory charges. Doug has also obtained successful results for his clients in high-stakes civil litigations and arbitrations, conducted internal investigations and received appointments as an independent monitor for corporations subject to government investigations.

Prior to joining Sher Tremonte, Doug was a partner at a leading global law firm, and before that was co-founder and managing partner of a prominent boutique white collar defense firm. Earlier in his career, Doug served for 11 years as Assistant US Attorney in the Southern District of New York, where he was a member of the Securities and Commodities Fraud Task Force. He held multiple supervisory positions in the US Attorney's Office, including that of Deputy Chief of the Criminal Division, and Chief of the Narcotics Unit. Doug tried or supervised dozens of jury trials to successful verdict, including securities fraud, money laundering, narcotics and mail and wire fraud cases.

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Experience

White Collar Criminal/Regulatory Matters:

- Represented senior executive of global bank under investigation by DOJ for packaging and marketing of securities based upon what government contended were fraudulently obtained life insurance policies. No charges brought against client.
- Represented Big Four accounting firm and one of its partners in multi-year tax shelter investigation conducted by DOJ. No charges brought against clients.
- Represented CEO of investment firm under investigation by DOJ and SEC for marketing of limited partnership interests in offshore oil and gas wells based upon what government contended was false data. No criminal charges brought against client, and SEC charges resolved with nominal penalty.
- Represented treasurer of UK-based global bank under investigation by DOJ, SEC and CFTC for alleged manipulation of LIBOR rates. No criminal or civil charges brought against client.

Civil Litigations and Arbitrations:

- Represented global electronics manufacturer in international arbitration brought by licensor alleging unpaid installations of its software on manufacturer's devices. After completion of hearing on merits, arbitrators denied all contested claims brought by licensor.
- Represented investment firm and its CEO regarding investor claims alleging fraud in marketing of limited partnership interests in offshore oil and gas wells. Obtained dismissal of most claims on summary judgment.

Internal Investigations:

- Investigation of allegations of improper revenue recognition by global telecommunications company, reporting to outside auditors at Big Four accounting firm.
- Investigation of allegations of accounting improprieties by CFO of software firm, reporting results to outside auditors at Big Four accounting firm as well as DOJ.

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Monitorships:

- Appointed independent examiner for NYSE-listed technology corporation that had been the target of a major accounting fraud investigation conducted by DOJ and SEC. Responsible for monitoring the company's accounting practices, with particular focus on revenue recognition, as well as its compliance with non-prosecution agreements signed with the government.
- Appointed independent auditor for pharmaceutical corporation subject to investigation by DOJ and State Attorneys General over its marketing practices. Responsible for monitoring company's compliance with agreement with New York State Attorney General resolving investigation, as well as ongoing practices and procedure.

Recognitions

Band 5 in Litigation: White-Collar Crime & Government Investigations – New York , *Chambers USA*

Named as a Top-Rated White Collar Crimes Attorney, Thomson Reuters' *Super Lawyers*

Who's Who Legal: Business Crime Defense

News and Publications

With Raphael Friedman, "Can Wrongfully Convicted Defendants in the USA Recover Restitution Already Distributed to Victims?," *Chambers and Partners* (November 15, 2023)

United States Chapter of Global Legal Insights Guide to Bribery and Corruption Laws and Regulations (2021, 2022 and 2023)

How Digital Asset Innovators Can Manage the Risks of White-Collar Scrutiny in the US (Client Alert, Feb. 2022)

Deputy Attorney General Announces Reinvigorated Focus on Corporate Crime (Client Alert, November 2021)

SEC Statements Suggest Heightened Insider Trading Scrutiny Even if Using a Rule 10b5-1 Trading Plan (Client Alert, July 2021)

Payroll Protection Program and the Bank Secrecy Act: Balancing Aid to Small Businesses with Financial Crime Risks (*Bloomberg Law*, April 2020)

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How SPACs can Manage the Risks of White-Collar Scrutiny (Client Alert, March 2021)

The Use of Wiretaps to Investigate Financial Crimes Post-Rajaratnam, International Comparative Legal Guide to Business Crime (4th Ed 2014)

The Rights of Employee in Post-Stein Internal Investigations, International Comparative Legal Guide to Business Crime (3rd Ed 2013)