

Theresa Trzaskoma

Partner

+1212 202 3294
ttrzaskoma@shertremonte.com

Education

University of Texas School of Law,
J.D., 1997, with Honors; Order of the
Coif; Chancellors; Townes-Rice
Scholar; Articles Editor, *Texas Law
Review*
University of Michigan, B.A., 1990;
Honors College

Admissions

New York
U.S. Supreme Court
U.S. Court of Appeals for the Second,
Seventh, and Eleventh Circuits
U.S. District Courts for the Eastern,
Southern and Northern Districts of
New York

Clerkships

Hon. Stephen R. Reinhardt, U.S. Court
of Appeals for the Ninth Circuit



Theresa represents individuals and businesses in high-stakes white collar and commercial litigation, including some of the most significant investigations and prosecutions of the past 20 years. Clients rely on her strategic, creative, and thoughtful approach to complex issues and her battle-tested ability to achieve positive outcomes on their behalf.

A seasoned advocate and trusted advisor, Theresa defends individual and corporate clients in criminal investigations, prosecutions, and proceedings before regulatory agencies such as the SEC, FINRA, and the CFTC. She also conducts internal investigations on behalf of businesses, nonprofit organizations, and municipalities.

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Regarded as one of Manhattan's top white collar lawyers, Theresa skillfully guides clients through challenging circumstances and advocates fiercely on their behalf in matters involving securities and cryptocurrency fraud; corruption; money laundering; health care, accounting, tax, and insurance fraud; antitrust violations; Ponzi schemes; OFAC violations; embezzlement; and improper trading practices such as insider trading and market manipulation. Theresa is recognized in *Chambers USA*, where she is described as "an exceptional lawyer" who "maintains a wide-ranging criminal trial practice, regularly defending individual clients facing all manner of white collar allegations."

Theresa also represents corporations, limited liability companies, partnerships, and individuals in federal and state courts as well as international and domestic arbitrations. She has litigated a range of commercial cases, from securities and other class action litigation to contract matters and partnership disputes, with particular emphasis on matters involving complex financial transactions. She brings extensive, substantive experience to this work, understanding the broad range of issues her clients face and partnering with them to develop creative, effective legal strategies.

Experience

Bankruptcy court proceedings with \$1 billion at stake: Currently representing Lynn Tilton and her Patriarch entities in various adversary proceedings in U.S. Bankruptcy Court for the District of Delaware. The litigations involve complex distressed debt fund structures, investments in various portfolio companies across the country, and questions about collateral management and fiduciary duties.

Avoiding incarceration for a sports star: Represented a former NBA player and university sports coach in connection with a broader investigation into corruption in college basketball. As a result of Theresa's highly compelling and detailed sentencing submission, the client received probation instead of the three-year sentence sought by the government.

Gaining favorable terms where others have failed: Represented two clients in unrelated disputes with their former business partners, taking over from a prominent New York firm that had failed to produce results. In both cases, Theresa used discovery to develop litigation themes and prove wrongdoing, leading to significant settlements for her clients.

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Clearing a financial services client's name: Represented the former accounting director for a leading consumer financial services company in connection with an SEC enforcement action in the Southern District of New York (SDNY). The SEC alleged that the client had engaged in various intentional violations of the federal securities laws, including accounting fraud. The firm was able to resolve the matter on terms that made clear our client had not engaged in intentional wrongdoing. Separately, the DOJ brought criminal charges against this client's former colleagues in the Southern District of Florida. While both defendants were convicted, the firm's client was never charged.

Other notable work includes:

White Collar

- Represented financial institution employees in investigations relating to OFAC violations and anti-money laundering compliance issues.
- Represented a senior bond trader in connection with a CFTC investigation into bid rigging and market manipulation.
- Represented ratings agency employees in DOJ investigations relating to RMBS models and ratings.
- Represented a private banker in Switzerland in connection with a DOJ tax evasion investigation.
- Conducted an investigation on behalf of a municipal government into undisclosed conflicts of interest and financial improprieties.
- Represented a chief financial officer in connection with an SEC accounting fraud investigation.
- Represented a former hedge fund manager in multiple civil lawsuits related to mortgage-backed securities investments.
- Represented brokers in multiple civil cases related to tax fraud allegations.
- Defended a national media company in putative class action under the Telephone Communications Protection Act.
- Represented hedge funds in connection with SEC investigations into possible securities law violations.
- Represented an individual in connection with an SDNY insurance fraud investigation.
- Represented securities brokers in a FINRA insider trading investigation.

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Commercial and Securities Litigation

- Represented the former executive of a tech startup in connection with civil fraud claims brought by investors.
- Represented a litigation finance company in connection with a dispute with claimant.
- Represented the owner of a skilled nursing facilities business in connection with a dispute with former partners.
- Represented former officers and directors of financial institutions in lawsuits relating to mortgage-backed securities investments.
- Represented a major financial institution in an arbitration relating to an investment in a prominent New York real estate brokerage company.
- Counseled future claimants' representative in a large asbestos personal injury trust.
- Represented a corporate client in a private arbitration related to substantial investments in principal protected notes.

Recognitions

Band 4 in Litigation: White-Collar Crime & Government Investigations – New York, *Chambers USA* (2020-2021)

Named as a Top-Rated White Collar Crimes Attorney, Thomson Reuters' *Super Lawyers* (2010-2021)

Affiliations

White Collar Crime Committee, New York City Bar Association (2018-present)

Chair (2018-present) and Executive Committee Vice Chair (2019-present), New York Chapter, Women's White Collar Defense Association

University of Texas School of Law Alumni Association