

Robert J. Giuffra, Jr. – Partner

New York



Robert J. Giuffra, Jr. joined Sullivan & Cromwell in 1989 after serving as a law clerk to Chief Justice William H. Rehnquist of the United States Supreme Court (1988 to 1989) and Judge Ralph K. Winter, Jr. of the United States Court of Appeals for the Second Circuit (1987 to 1988). He graduated from Yale Law School (J.D. 1987) and Princeton University (A.B. 1983). Mr. Giuffra became a partner of the Firm in 1998.

Robert Giuffra is a partner in Sullivan & Cromwell's Litigation Group. His practice focuses on complex securities, white-collar criminal, class action, commercial, insurance, banking, and tax litigation. He is the Coordinator of the Firm's Securities Litigation Practice and is the Co-Head of Business Development for the Firm.

He has represented corporations and individuals at trial and on appeal in federal and state civil and criminal litigation, before arbitration panels, and in investigations and proceedings involving the Securities and Exchange Commission, the U.S. Department of Justice, the U.S. Congress, the Internal Revenue Service, and the New York State Attorney General. He regularly advises senior executives and boards of directors on significant litigation and regulatory matters.

Mr. Giuffra's corporate clients have included The Bank of New York, Computer Associates, Exxon Corporation, Goldman Sachs, ING Group, Oxford Health Plans, Philips Electronics, Tudor Investment Corporation, UBS, UnitedHealth Group, Van der Moolen, and Vornado Realty Trust. His individual clients have included prominent executives, lawyers, and public officials.

He currently represents clients in government investigations and securities class actions arising out of the bankruptcy of Enron; the accounting fraud at HealthSouth Corporation; and specialist trading on the New York Stock Exchange.

Selected Cases: Corporate Clients

- Counsel to the Audit Committee of the Board of Directors of Computer Associates in an internal investigation of accounting fraud and obstruction of justice by senior executives. Then, represented Computer Associates in resolving Department of Justice and SEC investigations, including negotiating a deferred prosecution agreement.
- Represented UBS in obtaining the dismissal of a federal securities action by an investment management company seeking ¥18.5 billion in alleged damages for an investment in Enron credit-linked notes, as well as the dismissal of an NASD arbitration brought by UBS customers involving Enron securities.
- Counsel for Oxford Health Plans in government investigations and related securities class action and derivative litigation arising out of the 1997 collapse of Oxford's stock price; in the successful arbitration of a claim seeking rescission of a multi-million dollar reinsurance contract; and in class actions by Oxford customers and medical providers challenging various Oxford business practices.
- Following trial, obtained judgment for Philips Electronics in Lanham Act action brought by Gillette over advertising for electric razors.
- Represented The Bank of New York in litigation over a merger agreement with Northeast Bancorp.

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Selected Cases: Individual Clients

- Represented Steven Roth, Chairman & CEO of Vornado Realty Trust, at trial and on appeal in obtaining the dismissal of civil federal securities claims.
- Counsel to lawyer Armand D'Amato, brother of then U.S. Senator Alfonse D'Amato, in obtaining the dismissal by the U.S. Court of Appeals for the Second Circuit of all federal criminal charges against him.
- Represented E. Robert Wallach, counsel to former U.S. Attorney General Edwin Meese (Wedtech investigation), in connection with reversal by U.S. Court of Appeals for the Second Circuit of his federal criminal conviction and, after a jury failed to reach a verdict at his retrial, the subsequent dismissal of all charges against him.
- Represented David Duncan, former lead Arthur Andersen engagement partner for Enron. Following reversal of Arthur Andersen's conviction, federal court granted motion to vacate Mr. Duncan's guilty plea.
- Defended Albert Pirro, husband of then Westchester County, N.Y. District Attorney Jeanine Pirro, in federal criminal tax trial. Obtained pre-trial dismissal, affirmed on appeal, of portion of indictment.

Government Service

- Since 1998, Mr. Giuffra has served as one of the five Commissioners of the New York State Ethics Commission, which interprets, administers and enforces the ethics law governing the Executive Branch of New York State Government.
- From 1995 to 1996, Mr. Giuffra served as the Chief Counsel of the U.S. Senate Committee on Banking, Housing, and Urban Affairs. He was a primary drafter of the Private Securities Litigation Reform Act of 1995.
- In 1994, Mr. Giuffra served on the Criminal Justice Advisory Committee of New York Governor-Elect George E. Pataki.
- From 1991 to 1992, while at Sullivan & Cromwell, he served as a Special Assistant District Attorney, County of New York.

Professional and Not-for-Profit Activities

- The Federal Bar Council – President-Elect
- *The New York Law Journal* – Board of Editors
- Second Circuit Judicial Conference Planning and Programming Committee – Member
- Yale Law School Center for the Study of Corporate Law – Board of Advisors
- American Ballet Theatre – Trustee
- Frequent speaker on securities class actions and government and internal investigations.

Rankings and Recognition

- *Chambers USA: America's Leading Lawyers For Business* – Recognized as a leading litigator in both Securities and White-Collar Crime & Government Investigations. (2004, 2005, and 2006)
- *The Best Lawyers in America and The Best Lawyers in New York* – Recognized for both Commercial Litigation (General) and White-Collar Criminal Defense (2005, 2006 and 2007)
- *Lawdragon* – Selected as one of "500 Leading Litigators in America" (March 17, 2006)
- *New York Super Lawyers* – Selected as one of "The Top 100 New York Super Lawyers" and recognized in Securities Litigation (July 2006)
- *Crain's New York Business* – Profiled as one of "five top white-collar defense attorneys working in New York City today." (September 23, 2002)
- *Roll Call* – Identified as a "key member of the Congressional Ethics Bar." (January 15, 2001)
- *Los Angeles Times* – Identified as one of six leading "Capital Counselors" who represent "some of the nation's best known clients." (July 30, 1998)
- *The National Law Journal* – Selected as one of 40 lawyers under 40 who are "Rising Stars in the Law." (November 20, 1995)