



## David Erroll

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David Erroll is a Practice Area Attorney in the firm's Litigation department. Prior to joining the firm, Mr. Erroll spent over 15 years in private practice, including at a New Jersey-based national law firm, and two New York-based law firms. Prior to attending law school, Mr. Erroll served in the U.S. Army Intelligence Corps. as a Cryptologic Linguist.

### Admissions

- New York

### Education

- Michigan State University (M.B.A., 2008)
  - Eli Broad Scholar
- University of Chicago (J.D., 2001)
- Golden Gate University (B.A., *summa cum laude*, 1997)

## Blog Posts: Securities Enforcement & Litigation Insider

April 27, 2026

### SEC Enforcement Results for FY 2025: “Unique Period of Transition”

The Securities and Exchange Commission issued a press release on April 7, 2026, announcing the agency's enforcement results for transitional period under the new presidential administration.[1] Describing FY 2025 as “a unique period of transition,” the statement pointed to...

July 30, 2025

### Prediction Markets Set to Benefit from U.S. Enforcement Shift

Among the changes to the regulatory oversight and enforcement priorities that have accompanied the first six months of Donald Trump's second term has been an embrace of cryptocurrencies and business models that rely on them. As we discussed in...

April 22, 2025

### President Trump's SEC Trims Crypto Oversight

As we recently reviewed in *The First Two Months of the SEC Under President Trump* , since taking office for the second time, President Trump has moved quickly to make changes throughout the federal government in keeping with his...

March 5, 2025

#### **DraftKings NFT Settlement Leaves Securities Question in Limbo**

A class action lawsuit brought against online gaming company DraftKings Inc. relating to the company's short-lived marketplace for non-fungible tokens, or NFTs, is likely to settle.[1] Because the case will not proceed to a trial on the merits, the...

December 2, 2024

#### **UPDATE: District Court Win Lets “Flash Boy” Traders Avoid SEC Registration – For Now**

On November 21, 2024, a Northern District of Texas court ruled[1] that the Securities and Exchange Commission had overstepped its authority when the agency had implemented a rule (the “Dealer Rule”) requiring a broader group to register as “Dealers”...

September 25, 2024

#### **UPDATE: Shadow Trading Conviction Draws Maximum Penalty**

On September 9, 2024, the Hon. William Orrick of the District of Northern California imposed the maximum penalty sought by the Securities and Exchange Commission (“SEC”) against Defendant Matthew Panuwat—a civil fine of three times Panuwat's profits and a...

June 4, 2024

#### **UPDATE: Shadow Trading Court to Weigh Competing Post-Trial Motions**

On May 29, 2024, the Securities and Exchange Commission filed a motion for final judgment, seeking to impose civil penalties in its first enforcement action brought on the theory of “shadow trading.”[1] The SEC secured a jury verdict...

April 9, 2024

#### **UPDATE: SEC Wins Shadow Trading Trial But Court Will Get a Second Look**

On April 5, 2024, after an eight-day trial, a jury found Matthew Panuwat liable for violating insider trading laws. [1] Commenting on the Securities and Exchange Commission's victory, Gurbir Grewal, the agency's Director of the Division of Enforcement stated: “As...

February 23, 2024

#### **UPDATE: Shadow Trading Case Heads to Trial**

In November 2023, in *Issue Lines Drawn in SEC Shadow Trading Case* , we revisited the case *Securities and Exchange Commission v. Panuwat* ,[1] the SEC's first enforcement action brought on the theory of “shadow trading.” Shadow trading is...

January 3, 2024

#### **Markets Promptly See Effect of New SEC Cybersecurity Disclosure Rules**

On December 18, 2023, prior to the trading session, VF Corp. (NYSE:VFC) issued a press release disclosing that the company was investigating unauthorized activity on its computer systems – and that the intrusion had encrypted some systems and compromised...

November 7, 2023

#### **UPDATE: Issue Lines Drawn in SEC Shadow Trading Case**

In February 2022, in *SEC Shadow Trading Case Breaks Ground* , we discussed *Securities and Exchange Commission v. Panuwat* ,[1] the SEC's first enforcement action brought on the theory of “shadow trading.” Shadow trading is the premise that securities...

August 17, 2023

#### **Third Time's the Charm: Goldman Sachs Secures Class Decertification in Latest 2nd Circuit Clash Over Tainted CDO**

On August 10, 2023, the Second Circuit Court of Appeals granted an emphatic victory to Goldman Sachs, Inc. in its long-running battle to snuff a securities fraud class action arising from conflicts of interest related to collateralized debt obligations...

July 13, 2023

### **SEC Moves to Strengthen Money Market Funds**

On July 12, 2023, in a closely-watched meeting, the Securities and Exchange Commission approved new requirements on the \$5.8 trillion money market fund (MMF) industry, a popular class of mutual funds that balance high liquidity, stable value, and returns that...

May 31, 2023

### **New York Looks to Bolster Its Lead as Digital Regulator with CRPTO Act**

New York State Attorney General Letitia James has announced new proposed amendments to the state's General Business Law that would roll out a number of protections to cryptocurrency investors that are currently enjoyed by traditional securities investors. [1] The...

March 13, 2023

### **NBA-Branded NFTs May Be Securities S.D.N.Y. Finds**

On February 22, 2023, a judge in the Southern District of New York ruled that a class action lawsuit may proceed alleging that Dapper Labs, Inc. violated federal securities laws when it issued a series of non-fungible tokens...

October 11, 2022

### **SEC Moves Against \$300 Million Crypto Ponzi Scheme**

In March 2022, as it does every year, the Securities and Exchange Commission's Division of Examinations (EXAMS) published its Examination Priorities, designed to highlight areas that the Agency views to be worthy of heightened scrutiny. Among these, EXAMS included...

July 20, 2022

### **Notable SEC Decisions: 2022 H1**

Each year, the U.S. Securities and Exchange Commission (SEC) publishes its enforcement priorities – a reminder that, although the Division of Examinations (EXAMS) remains committed to monitoring compliance with (and penalizing violations of) all regulations, the Agency recognizes that...

April 18, 2022

### **The SEC Proposes a Revised Definition of “Dealer” Intended to Capture, Among Others, High Frequency Traders a/k/a “Flash Boys”**

On March 28, 2022, the Securities and Exchange Commission announced proposed changes to Exchange Act Rules that would expand the scope of which market participants the SEC considers to be a “dealer” or “government securities dealer.” [1] Most investors...

March 21, 2022

### **ESG Funds Must Tread Carefully as Russia Sanctions Bite**

The full-scale invasion of Ukraine by a revanchist Russia continues to dominate headlines as the war enters its second month. While the sometimes-terrible choices facing those living in the conflict zone are unparalleled, investors around the world also have...

February 10, 2022

### **SEC Shadow Trading Case Breaks Ground – But There Remains a Trail to Blaze**

A California Court recently allowed the Securities and Exchange Commission (the “SEC” or “Commission”) to proceed with its first insider trading prosecution based on a theory of “shadow trading.” [1] On January 14, 2022, Judge William H. Orrick, sitting...