



Robert J. Cleary

Of Counsel

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Bob Cleary is Of Counsel in the firm's Litigation department and is a member of its White Collar Defense and Investigations practice. Prior to private practice, Bob had a lengthy and distinguished career as a federal prosecutor, including service as the U.S. Attorney both in the District of New Jersey and in the Southern District of Illinois. Bob concentrates his practice on white collar criminal defense, SEC and related enforcement matters, securities litigation, complex civil litigation, tax controversies, and internal investigations. He has extensive experience in international criminal matters, including money laundering investigations and foreign extradition proceedings.

In March 2024, Bob was appointed to serve as the independent Examiner in the FTX Trading Ltd. bankruptcy case. As Examiner, he was tasked with compiling a report to summarize the findings and status of all prior investigations into FTX's collapse and to recommend future investigations. Bob was also directed to investigate potential conflicts of interest related to the retention of a prominent law firm as counsel to FTX and to determine whether FTX employees who played a role in the widespread fraud that came to light after the bankruptcy are still employed by the company. Bob filed his initial 210-page Examiner Report in May 2024. In it, he recommended that the court authorize him to conduct three additional investigations relating to FTX. Upon obtaining the court's approval, Bob conducted those investigations and summarized his findings in a 119-page Report, which he filed in September 2024.

Bob has over 40 years of courtroom experience as a trial lawyer and appellate advocate and has also been retained in numerous high-profile corporate criminal matters. He has repeatedly been recognized in various publications as a leading practitioner, including *The Legal 500 United States* Hall of Fame in the area of Corporate Investigations and White Collar Criminal Defense, in which clients describe him as "cool, calm and collected" and a "master strategist." He is also recognized in *Chambers USA* as "a go-to attorney for individuals and corporate clients facing high-stakes criminal proceedings and complex regulatory investigations." Clients say, "He has stellar credentials, great experience and a phenomenal set of contacts in the legal profession. What sets him apart is the way that he is able to distill down complex situations for people." They add that "he is adept at blending the technical legal analysis with commercial context." The American College of Trial Lawyers recognized Bob's trial expertise by inducting him as a Fellow in 2014. He was recognized in *Benchmark Litigation's* 2025 Guide as a Litigation Star and a National Practice Area Star. Bob was named in *Who's Who Legal's* Business Crime Defence 2024 in the areas of Corporates and Individuals and in Commercial Litigation 2024 and to *Lexology's* 2025 and 2026 Thought Leaders Global Elite. He was also named to *Lawdragon's* 2025 and 2026 lists of 500 Leading Litigators in America and to the 2025 Lawdragon Hall of Fame.

Prior to joining Patterson Belknap, Bob served in various senior management positions of a major international law firm, including as Co-Chair of the firm's global Litigation Department and as a member of the firm's Executive Committee.

In his capacity as U.S. Attorney for the District of New Jersey and the Southern District of Illinois, Bob was the chief federal law enforcement officer in those districts, responsible for all federal prosecutions and lawsuits filed against the federal government. Prior to his appointment as U.S. Attorney, he served as an Assistant U.S. Attorney in the Southern District of New York, ultimately becoming the Chief of the Major Crimes Unit. During his tenure as First Assistant U.S. Attorney in the District of New Jersey, he was appointed the lead prosecutor in the Unabomber case, *United States v. Theodore J. Kaczynski*. Mr. Cleary began his prosecutorial career as a trial attorney for the Tax Division of the U.S. Department of Justice.

Representative Experience

- Served as court-appointed Examiner in FTX Trading Ltd. bankruptcy case, investigating potential conflicts of interest and fraudulent transfers. The findings of this investigation were submitted in two Examiner Reports.
- Served as lead trial counsel in what is believed to be the longest criminal antitrust trial in New York State history, representing the alleged architect of the charged antitrust and fraud scheme. After an almost year-long trial, complete vindication for the client was achieved by securing acquittals and dismissals on 36 of 37 felony charges, and in getting the lone count of conviction dismissed post trial.
- Served as lead counsel in the multi-billion dollar Petrobras matter in Brazil, one of the two largest corruption investigations in the world
- Served as lead defense in the 1MDB international money laundering investigation
- Served as lead counsel in a sweeping, multi-year federal criminal investigation into a multi-billion dollar investment portfolio for a leading global financial institution
- Served as lead counsel in numerous civil lawsuits and government investigations relating to the demise of Lehman Brothers
- Served as lead counsel in numerous criminal investigations relating to allegations of manipulation and collusion in the LIBOR market
- Served as lead counsel in numerous criminal investigations relating to allegations of manipulation and collusion in the foreign exchange and precious metals markets
- Served as lead counsel in an air cargo criminal antitrust investigation and prosecutions
- Served as lead counsel in an auto parts criminal antitrust investigation and prosecutions
- Served as lead counsel in one of the largest Foreign Corrupt Practices Act cases ever indicted
- Served as lead counsel in the Tyco criminal investigation and SEC enforcement action
- Served as lead counsel in the New York Attorney General's criminal and civil investigation of investment bank trading practices
- Served as lead counsel in numerous mutual fund investigations and enforcement actions
- Served as lead counsel in numerous insurance industry investigations and enforcement actions
- Served as lead counsel in numerous stock options backdating investigations and enforcement actions

Education

- Fordham University School of Law (J.D.)
- The College of William and Mary (B.B.A.)

Admissions

- New York

- New Jersey
- U.S. Court of Appeals, First Circuit; Second Circuit; Third Circuit
- U.S. District Court, Eastern and Southern Districts of New York; District of New Jersey; Eastern District of Michigan

Professional Activities

HONORS: Recognized by *Chambers USA* in the area of Litigation: White Collar Crime & Government Investigations; *Legal 500* in the areas of Dispute Resolution, Corporate Investigations and White Collar Criminal Defense (Hall of Fame), Litigation: White Collar Criminal Defense, General Commercial Disputes, Litigation: Commercial Litigation, and Litigation: Supreme Court & Appellate; Listed as a "Practice Area Star" and a "Litigation Star" for New York in Euromoney Institutional Investor PLC's *Benchmark: America's Leading Litigation Firms and Attorneys*; Recognized in *Who's Who Legal* for Business Crime Defence, Corporates and Individuals and Commercial Litigation; Recognized in *Lawdragon's* 2025 List of 500 Leading Litigators in America; Recognized in *The Irish Legal 100*; Recognized as one of *Lexology's* 2025 and 2026 Thought Leaders Global Elite; Recipient of the Attorney General's Award for Distinguished Service (1998)

MEMBERSHIPS: Fellow, American College of Trial Lawyers

SPEAKING ENGAGEMENTS: Speaker, "Crime and Punishment: Ethical Quandaries in Insolvency Proceedings," Commercial Law League of America's 2025 Hon. Frank Koger Memorial Education Program (September 18, 2025); Panelist, "Formal and Informal Cooperation with Enforcement Authorities," IBA's Transnational Crime Conference (May 9, 2024); Panelist, "Is crime the solution? Criminal issues as artillery against arbitral awards," IBA's When Arbitration Meets Crime Conference (February 2, 2024)