



Michael J. Diver

Partner

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Practices

FOCUS: Securities
Litigation

Corporate Governance

Corporate Securities

Private Funds and
Investment
Management

Futures and
Derivatives

Broker-Dealer
Regulation

Financial Services
Regulatory and
Compliance

Government and
Public Finance

White Collar,
Investigations and
Compliance

Financial Services
Litigation

Fiduciary Litigation

Monitorships

Litigation

Industries

Finance and Financial
Services

Technology

Energy

Education

Michael J. Diver is the head of Katten's Chicago Securities Litigation and Enforcement practice. He represents public companies, financial services firms and other regulated entities, as well as their individual officers and directors, in securities litigation and regulatory matters. A former Branch Chief in the Division of Enforcement of the SEC's Chicago Regional Office, Diver's experience covers a broad array of securities litigation and enforcement matters. His recent engagements include matters related to investment adviser and hedge fund activities, broker-dealer sales practices, insider trading, municipal securities transactions, public company financial reporting and disclosure, securitization transactions, and the Foreign Corrupt Practices Act (FCPA). He also regularly advises clients in connection with corporate governance matters, shareholder claims, internal investigations, financial restatements, and Financial Industry Regulatory Authority, Inc. (FINRA) and stock exchange inquiries. Michael has been praised for his ability to "instill confidence that the client is in good hands" and for his "calm and rational" approach (*U.S. News – Best Lawyers®* "Best Law Firms").

While at the SEC, Michael was responsible for managing a team of SEC enforcement attorneys in investigating and prosecuting violations of the federal securities laws, including cases involving complex financial fraud, market manipulation, insider trading, and violations of broker-dealer, investment adviser and investment company regulations. He prevailed in a number of litigated enforcement proceedings, including a high-profile market manipulation and disclosure fraud case.

Michael writes and lectures regularly on various topics relating to his practice, including current enforcement trends and priorities, corporate and individual cooperation criteria, whistleblower complaints, insider trading and best practices in defending against regulatory inquiries.

Memberships

- American Bar Association
- Association of Securities Exchange and Commission Alumni
- The Chicago Bar Association



Pharmaceutical and
Life Sciences

Recognition

Chambers USA, 2018–
2019

Super Lawyers, Illinois,
2017–2019

Legal 500, 2015–2017

BTI Client Service All-
Star, 2014

Education

JD, Lewis & Clark Law
School

BA, Bucknell University

Bar Admissions

Illinois

New York

Court Admissions

US District Court,
Northern District of
Illinois

Advisories

- Eleventh Circuit Applies Five-Year Statute of Limitations to SEC Disgorgement Claims (June 13, 2016)
- Municipal Advisors and "Bank Purchase" Bonds: What's All the Commotion About? (April 23, 2015)
- The SEC's MCDC Initiative: Where To Go From Here (October 14, 2014)
- The SEC's Heightened Scrutiny of Broker-Dealer Municipal Securities Underwriting and Public Entity Sales Practices (February 29, 2012)
- SEC Adopts Final Rules for Whistleblower Program under Dodd-Frank Act (June 2, 2011)
- Dodd-Frank Wall Street Reform and Consumer Protection Act Corporate Governance and Disclosure Provisions (July 6, 2010)
- SEC Enforcement Director Robert Khuzami Announces Revamping of Enforcement Program (August 8, 2009)

Articles

- Co-author, PLI SEC Compliance and Enforcement, *Answer Book* (2015–2017)
- Co-author, Parallel Proceedings: Establishing the Boundaries, *Business Crimes Bulletin*, Vol. 13, Number 7 (March 2006)

Speaking Engagements & Presentations

- Panelist | Financial Services Litigation Symposium | New York, New York (October 2, 2018)
- Presenter | Navigating Ethics and Professionalism Requirements | Understanding the Securities Laws 2018 | Chicago, Illinois (September 27, 2018)
- Presenter | Navigating Ethics and Professionalism Requirements | Understanding the Securities Laws 2017 | Chicago, Illinois (September 28, 2017)
- Speaker | PLI Internal Investigations 2017 | Chicago, Illinois (June 7, 2017)
- Moderator | Navigating Ethics and Professionalism Requirements | PLI Understanding the Securities Laws | Chicago, Illinois (October 29, 2016)
- Speaker | PLI Internal Investigations 2016 | Chicago, Illinois (June 7, 2016)
- Presenter | SEC & IRS Enforcement in the Municipal Bond Market | Council of Development Finance Agencies—Illinois Roundtable | Chicago, Illinois (May 18, 2016)
- Speaker | PLI Understanding the Securities Laws | Chicago, Illinois (October 27–28, 2015)
- Panelist | Financial Services Litigation Symposium | New York, New York (October 6, 2015)



- Panelist | Mastering Disclosure in a Post-MCDC World: Hot Topics in SEC and IRS Bond Enforcement | Webinar (July 14, 2015)
- Speaker | PLI Internal Investigations 2015 | Chicago, Illinois (June 9, 2015)
- Panelist | Post-Issuance Compliance With SEC and IRS Bond Requirements | Council of Development Finance Agencies—Illinois Roundtable | Chicago, Illinois (May 12, 2015)
- Speaker | Disclosure Challenges and Current Hot Topics | PLI Understanding the Securities Laws Fall 2014 | Chicago, Illinois (October 23–24, 2014)
- Speaker | PLI Internal Investigations 2014 | Chicago, Illinois (June 10, 2014)
- Speaker | PLI Understanding the Securities Laws | Chicago, Illinois (October 24–25, 2013)
- Panelist | PLI Internal Investigations 2013 | Chicago, Illinois (June 11, 2013)
- Panelist | Engaging the SEC, Presented by the National Investor Relations Institute | Webinar (April 23, 2013)
- Speaker | The Gathering Storm: Equity Compensation and 10b5-1 Plans Under Attack | Webinar (January 15, 2013)
- Presenter | Ethics and Professionalism in Securities Law | PLI Understanding the Securities Laws 2012 | Chicago, Illinois (October 25–26, 2012)
- Critical Steps in Handling an SEC Investigation | NYSE Corporate Board Member Webinar | Webinar (June 1, 2012)
- Presenter | Insider Trading Compliance: Mitigating Risk in an Era of Heightened Scrutiny | Webinar (April 1, 2012)
- Panelist | 2011 Proxy Season Update: Insiders' Perspectives | Webinar (December 9, 2010)