

Danette R. Edwards

Partner and Co-Chair, Securities Enforcement Defense

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Practices

FOCUS: Securities Litigation

Corporate Governance

Cryptoassets and Blockchain Technology

Electronic Discovery and Information Governance

Environmental, Social and Governance

ESG and Sustainable Investing

ESG Litigation and Sustainability Compliance

ESG Risk and Investigations

Financial Markets Litigation and Enforcement

Securities Enforcement Defense

Special Purpose Acquisition Company (SPAC)

White Collar and Internal Investigations

As a former Senior Counsel in the U.S. Securities and Exchange Commission's (SEC) Enforcement Division, Danette Edwards offers clients deep insight into antifraud and other securities laws, and is a trusted resource for navigating investigations and enforcement matters.

Valuable perspective in the most complex cases

During her time with the SEC, Danette helped the agency obtain judgments ordering companies and individuals to pay more than \$595 million to investors and the U.S. Treasury. She received multiple awards from the Director of the SEC's Enforcement Division for her work on investigations and litigation, and a trio of cases that she recently prosecuted were included in a select group of matters highlighted in the SEC Enforcement Division's 2020 Annual Report to Congress.

Having recently rejoined the private sector after more than a decade on the front lines of the SEC's enforcement efforts, Danette offers sound guidance to companies and individuals on SEC-related matters of all types, including suspected financial and disclosure fraud; alleged misconduct by auditors, broker-dealers, and investment advisors; and violations in areas of new interest to the SEC. Her practice includes advising clients involved in SEC Enforcement Division investigations and litigation, with a related focus on internal, special committee and non-SEC government and regulatory investigations; securities class action defense; and complex economic litigation. Danette draws on her significant SEC experience in examining witnesses and analyzing complicated data sets, and she uses her former regulator mindset to identify potential risks and promising theories and defenses so that she can make sound recommendations to clients in high-stakes matters.

Danette's practice also includes a cross-disciplinary compliance and risk management component that is critical for public companies as well as private sector and nonprofit clients. Danette advises on records and information

Industries

Finance and Financial Markets

Education

JD, Syracuse University College of Law, *magna cum laude*

BA, Franklin & Marshall College, *magna cum laude*

Bar Admissions

District of Columbia

Maryland

Court Admissions

US District Court, District of Maryland

Community Involvements

Association of Securities and Exchange Commission Alumni

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The Edward Bennett Williams American Inn
of Court

management (RIM) best practices; cybersecurity; and environmental, social and governance (ESG) questions concerning environmentally sustainable finance, and diversity and inclusion as components of social governance.

Danette frequently writes and presents on topics such as enforcement risks related to SEC rulemaking, significant SEC enforcement actions and other cases involving challenges to core aspects of the SEC's enforcement program.

Prior to joining the SEC, Danette was a white collar and commercial litigator at a national law firm, where she defended market participants and other players in public and private actions, and helped to establish the firm's records management practice. She also worked for the Honorable Catherine C. Blake, Senior District Judge for the U.S. District Court for the District of Maryland.

Representative Experience

- Led an SEC investigation resulting in settled charges against a public company for allegedly recognizing false revenue, manipulating earnings and carrying intangible assets at amounts hundreds of millions of dollars above their true market value.*
- Led an SEC investigation resulting in charges against the former CEO and COO of a public company for alleged securities fraud violations. Related parallel criminal charges were also brought by another agency.*
- Led an SEC investigation resulting in settled charges in an administrative proceeding filed against a former public company CFO.*
- Successfully enforced an SEC administrative subpoena requiring investigative testimony from the founder of a fashion company with ties to a publicly traded licensing company.*
- Investigated and successfully litigated a federal court action on behalf of the SEC against a privately held company and its CEO for perpetrating a massive, cross-border Ponzi scheme victimizing thousands of overseas investors. This case culminated in a summary judgment win for the SEC

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and an order for more than \$580 million in monetary relief, one of the largest financial awards ever obtained by the SEC in a litigated matter. Related parallel criminal charges were also brought by another agency.*

- Led an SEC investigation resulting in settled charges in a pair of administrative proceedings filed against a foreign private issuer, senior accountants and an audit professional for alleged violations of auditor independence requirements and multiple U.S. GAAP provisions. Obtained a \$5 million corporate penalty and multi-year practice bars against the accountants.*
- Litigated and tried to successful verdict a multimillion-dollar market manipulation case in the Eastern District of New York.*

*Experience prior to Katten

Recognitions

Recognized or listed in the following:

- Benjamin R. Civiletti Pro Bono Lawyer of the Year
 - 2004
- Awards from the SEC Enforcement Director
 - multiple years

News

- Danette Edwards and Trisha Sircar Quoted by *FinOps Report* on New NY Cybersecurity Law (February 20, 2024)
- Danette Edwards Cited by *TechCrunch* and *CyberWire Daily* (January 25, 2024)
- Danette Edwards Notes the Stakes Are High for CFOs Under New Cybersecurity Rules (December 18, 2023)

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- Danette Edwards Discusses SEC's New Cybersecurity Risk Management and Disclosure Rules With *Wolters Kluwer* (October 16, 2023)
- Danette Edwards Shares Thoughts on New SEC Cybersecurity Rules With *The Wall Street Journal* (August 7, 2023)
- *The American Lawyer*, *Law360*, *Savoy* Feature India Williams and Katten's New ESG Practice (February 17, 2023)
- Katten Launches New Practice Focused on ESG Risk and Investigations (February 14, 2023)
- Katten Expands NYC Securities Litigation Group with Sarah Eichenberger (October 17, 2022)
- *Law360*, *Securities Law360*, *Bloomberg Law* and Others Tout the Arrival of Danette Edwards at Katten (September 23, 2022)
- Katten Lands Former SEC Senior Counsel Danette Edwards (September 21, 2022)

Publications

- Privacy, Data and Cybersecurity *Quick Clicks* | Issue 14 (February 2024)
- Privacy, Data and Cybersecurity *Quick Clicks* | Issue 12 (December 2023)
- Privacy, Data and Cybersecurity *Quick Clicks* | Issue 11 (November 2023)
- Financial Markets and Funds *Quick Take* | Issue 20 (November 2023)
- FINRA Settles First Significant CAT Reporting Enforcement Action (September 7, 2023)
- Privacy, Data and Cybersecurity *Quick Clicks* | Issue 8 (August 2023)
- Financial Markets and Funds *Quick Take* | Issue 16 (July 2023)
- Privacy, Data and Cybersecurity *Quick Clicks* | Issue 7 (July 2023)
- Financial Markets and Funds *Quick Take* | Issue 15 (June 13, 2023)
- *Capital Markets Compass* | Issue 6 (May 2023)

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- *ESG Guidepost* | Issue 2 (May 2023)
- *ESG Guidepost* | Issue 1 (April 27, 2023)
- Financial Markets and Funds Quick Take | Issue 11 (February 21, 2023)
- How Companies Can Reduce Risk of DEI-Related Enforcement Actions (January 19, 2023)
- Financial Markets and Funds Quick Take | Issue 9 (December 13, 2022)
- Financial Markets and Funds Quick Take | Issue 8 (November 14, 2022)
- *United States v. Nicholas*: Expanding the Upjohn Suppression Remedy | *BNA White Collar Crime Report* | Co-Author (May 22, 2009)
- Maryland Commission on Capital Punishment, Final Commission Report to the General Assembly | Contributor (December 12, 2008)
- Navigating the Perils of FCPA Investigations in Emerging Markets | New York City Bar Center for CLE | Co-Author (September 19, 2008)
- Pay No Attention to the Man Behind the Curtain: *United States v. Stringer* and the Government's Obligation to Disclose | *BNA White Collar Crime Report* | Co-Author (May 23, 2008)
- Avoiding the Next "Spygate": Critical Records Management Advice for Your Company in the Wake of the Destruction of the NFL and CIA Tapes | *Mealey's Litigation Report: Discovery* | Author (April 18, 2008)
- When Used Responsibly, Instant Messaging Can Be a Valuable Tool | *Baltimore Business Journal* | Co-Author (December 12, 2003)

Presentations and Events

- Brave New World: Examining the Early Response to the SEC's New Cybersecurity Incident, Governance, and Risk Management Reporting Requirements (April 25, 2024)
- Shmoocon (January 12–14, 2024) | *Speaker* | *CISO Risk Dumpster Fires: SEC Turns Up the Heat*

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- Securing Success: Decoding SEC and Other Cybersecurity Requirements in an Intensifying Threat Environment (October 26, 2023)
- Securities Enforcement Forum Central 2023 (September 19, 2023) | *Panelist* | *Insider Trading 360° – Enforcement Trends, Key Cases and Prosecutions (and Crypto!)*
- Cyber Sip | Presented by Mid-Atlantic Gigabit Innovation Collaboratory (MAGIC) (Thursday, September 14) | *Speaker*
- SEC Update: Regulatory and Enforcement Developments for Asset Managers (June 22, 2023)
- Katten's Annual Financial Markets Litigation and Enforcement Symposium (October 13, 2022)
- SEC Enforcement Attorneys and Accountants Seminar: Working with Criminal Authorities (January, 2021) | *Panelist*
- Records and Information Management and Retention | Harvard Club, New York City (June 5, 2008) | *Panelist*
- Document Retention and Destruction in Maryland | Lorman Education Services (June 29, 2005) | *Panelist*
- What Nonprofits Need to Know About the Sarbanes-Oxley Act | Maryland Association of Non-Profit Organizations (June 7, 2005) | *Panelist*
- Working With Sarbanes-Oxley: Applying New Corporate Governance Rules to Payroll, Benefits, and Human Resources | Lorman Education Services (January 19, 2005) | *Panelist*