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John J. Kenney specializes in complex civil and criminal litigation, government investigations, and corporate governance and compliance law. He is a Fellow in the American College of Trial Lawyers and formerly the Executive U.S. Attorney for the Southern District of New York. Prior to joining the firm in 2007, he was a litigation partner at Simpson Thacher and Bartlett.

Mr. Kenney served as an Assistant U.S. Attorney in the Southern District of New York for nine years (1971-1980), the last three as the Executive Assistant U.S. Attorney. He became a Partner at Simpson Thacher in 1981.

Mr. Kenney has extensive experience in state and federal trials and appeals in both civil and criminal cases. His trials have included securities fraud, breach of contract and product liability cases. He has tried cases in 16 state and various federal courts, the great majority of which were jury trials, and argued appeals in the United States Courts of Appeals for the First, Second, Fifth and Eighth Circuits and various state appellate courts.

Mr. Kenney's recent engagements in the last four years have included:

- ▶ Represented a British Inspection Company, with co-counsel, in a two week non-jury Refinery Explosion case in Federal Court in Cheyenne, Wyoming.
- ▶ Represented the former Chief Financial Officer of a publicly held company in a ten week jury trial on criminal securities fraud charges in the Federal Court in Manhattan.
- ▶ Representing an international testing company against claims in a class action seeking recovery for personal injury and property damage arising from the explosion of an Oil Storage Terminal in Puerto Rico.
- ▶ Representing an officer and head U.S. dollar swaps trader at a major international bank in an investigation by the Department of Justice, the Commodities Futures Trading Commission and other regulating agencies into the setting of LIBOR Rates.
- ▶ Representing the head energy trader of a major international bank in a FINRA investigation into the receipt and use of rumor/inside information, subsequently found to be untrue.
- ▶ Representing a major U.S. asset management company in an investigation by the Securities and Exchange Commission into whether the method of obtaining funds from sovereign wealth fund and foreign pension funds violates U.S. laws and regulations under the Foreign Corrupt Practices Act.
- ▶ Represented several companies in connection with government investigations under the Foreign Corrupt Practices Act.

Mr. Kenney has conducted internal corporate investigations, including allegations of securities fraud, violations of the Investment Company Act of 1940 and the Investment Advisors Act, the Foreign Corrupt Practices Act, and bank fraud. He has represented clients before various government agencies including the Securities and Exchange Commission and the Office of Government Ethics. He has represented witnesses before various federal and state grand juries relating to securities fraud, the Foreign Corrupt Practices Act, anti-trust and environmental violations and other matters.

He has experience in foreign litigation issues including requests between foreign governments and the United States in aid of criminal investigations. He has also represented clients in connection with foreign criminal investigations including criminal tax charges by the Republic of Italy. Mr. Kenney has represented a number of witnesses in hearings and investigations by the committees of U.S. House of Representatives and U.S. Senate.

Mr. Kenney has served as the Chair of the American College of Trial Lawyers Committee on the Federal Rules of Evidence and is currently a member of the Committee on the Federal Rules of Criminal Procedure. He is formerly a member of the New York Departmental Disciplinary Committee, Appellate Division, First Department. He is a former member of the Executive Committee of the New York State Bar Association, formerly President of the Federal Bar Council and President of the New York County Lawyers' Association, and he is the former Chair of the Committee on Criminal Law of the Association of the Bar of the City of New York.

Mr. Kenney is listed in Best Lawyers in America (Business Litigation, Corporate Governance, Compliance Law, and Criminal Defense/White Collar Crime) and Super Lawyers in New York. He is a published author on legal topics.

Mr. Kenney is active in various charitable and educational institutions. He is a Director of the Fordham Law School Alumni Association and a Director of the American Association for the International Commission of Jurists, Inc. He is a Trustee of Bennington College, Vermont, a Director and Chairman of the Board of the Poetry Foundation, Chicago, Illinois and a past Trustee of Historic Deerfield, Inc., in Deerfield, Massachusetts.

He received his B.A. from St. Michael's College in 1966 and his J.D. from Fordham University Law School in 1969.

Education

- ▶ St. Michael's College (B.A. 1966)
- ▶ Fordham University Law School (J.D. 1969)

Admissions

State of New York

Southern District of New York

Eastern District of New York

First Circuit Court of Appeals

Second Circuit Court of Appeals

Fifth Circuit Court of Appeals

United States Supreme Court

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