



## Hayley Trahan-Liptak

### Associate

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## OVERVIEW

Hayley Trahan-Liptak is an associate in the Investigations, Enforcement, and White Collar practice group. Her practice focuses on government investigations, regulatory enforcement actions, internal investigations, white-collar defense, and complex civil litigation matters.

Hayley represents public companies, individuals, investment advisors, and financial institutions before various state and federal regulators and enforcement authorities, including the Securities and Exchange Commission (SEC), the U.S. Department of Justice (DOJ), and the Financial Industry Regulatory Authority (FINRA). Her experience includes defending and guiding clients through each juncture of a government investigation, from subpoena responses and interviews through negotiations with the government and settlement.

Her experience includes, among other things:

- Foreign Corrupt Practices Act (FCPA) and other anti-corruption and anti-bribery laws;
- Insider trading, accounting fraud, and other securities fraud allegations;
- Data privacy and cross-border transfer of data in compliance with global data privacy laws;
- Internal investigations and compliance program reviews;
- Securities fraud claims stemming from the sale of unregistered digital assets.

Hayley is an active participant with Kids in Need of Defense (KIND) and the Political Asylum/Immigration Representation (PAIR) project, representing unaccompanied immigrant children in immigration proceedings. She serves as a Executive Board Member for the Massachusetts 4-H Foundation.

## PROFESSIONAL BACKGROUND

In addition to her time as a member of the Investigations, Enforcement, and White Collar practice group Hayley has a background in financial service litigation, class action defense, appellate advocacy, and general business litigation cases. She also has experience in the firm's corporate department, assisting with mergers and acquisitions, stock financings, IPOs, and commercial contracts. While a student at Boston College Law, Hayley

worked in the Trial Division of the Massachusetts Office of the Attorney General. She was a Summer Associate at K&L Gates in 2013.

## PROFESSIONAL / CIVIC ACTIVITIES

- Executive Board Member, Massachusetts 4-H Foundation

## EDUCATION

- J.D., Boston College Law School, 2014 (*cum laude*; *National Mock Trial Team*; *Journal of Law and Social Justice*, *Executive Note Editor*)
- B.A., Boston College, 2011 (*cum laude*)

## ADMISSIONS

- Bar of Massachusetts
- United States District Court for the District of Massachusetts

## THOUGHT LEADERSHIP POWERED BY HUB

- 8 March 2021, Voluntary Disclosure: Deep Dive - They Still Know What You Did Last Summer—Phase 2 of the U.S. Government's Response to the Paycheck Protection Program (*Podcast*)
- 25 February 2021, Qui Tam Quarterly (*Alerts/Updates*)
- 23 February 2021, Voluntary Disclosure: Deep Dive - They Know What You Did Last Summer—Phase 1 of the U.S. Government's Response to the Paycheck Protection Program (*Podcast*)
- 18 December 2020, HHS OGC Weighs in on Sub-Regulatory Guidance in Advisory Opinion: What It Might Mean for False Claims Act Cases After *Azar v. Allina Health Services* (*Alerts/Updates*)
- 30 November 2020, HHS OIG Highlights "Inherent Fraud and Abuse Risks" of Company-Sponsored Speaker Programs in Rare Special Fraud Alert (*Alerts/Updates*)
- 22 October 2020, SEC Speaks 2020: Enforcement and Examination Highlights (*Alerts/Updates*)
- 5 October 2020, Voluntary Disclosure: Newsflash – 5 October 2020 (*Podcast*)
- 15 September 2020, Voluntary Disclosure: Newsflash - 15 September 2020 (*Podcast*)
- 3 August 2020, Voluntary Disclosure: Newsflash 3 August 2020 (*Podcast*)
- 16 July 2020, Voluntary Disclosure: Newsflash - 16 July 2020 (*Podcast*)
- 2 June 2020, COVID-19: Still Open for Business, and Business is Booming: What Companies Should Expect from the SEC in the Time of COVID-19 (*Alerts/Updates*)

- 28 April 2020, COVID-19: Federal Stimulus Today, Federal Investigation Tomorrow: What TARP Can Tell Us about the Coming Wave of CARES Act Enforcement (*Alerts/Updates*)
- 17 February 2020, Russian Competition Regulators, Mount Up: Russian Authorities Crack Down on Anti-Competitive Agreements With Uptick in Criminal Liability for Antitrust Violations (*Alerts/Updates*)
- 7 March 2019, Another Cop on the International Beat: The CFTC Announces Expanded Focus on Foreign Corruption (*Alerts/Updates*)
- 11 April 2018, Another Shot at the Target: CFPB Payday Loan Rule Faces New Challenge from Trade Groups (*BlogPost*)
- 17 October 2017, Payday Loan Rule Finalized: “Ability to Repay” Requirements Narrowed, but Challenges and Risks Loom Large (*Alerts/Updates*)
- 6 June 2016, Payday Loans Under Attack: The CFPB’s New Rule Could Dramatically Affect High-Cost, Short-Term Lending (*Alerts/Updates*)

## OTHER PUBLICATIONS

- Note, *Prohibiting Barriers to the Booth: The Case for a Limited Extension of Nationwide Preclearance*, 34 B.C. J.L. & SOC. JUST. (2013).
- Contributing Author, *Breaking Barriers, The Unfinished Story of Women Lawyers and Judges in Massachusetts* (Patti Saris, Margot Botsford, Barbara Berenson eds., 2012)

## AREAS OF FOCUS

- Investigations, Enforcement, and White Collar
- Complex Commercial Litigation and Disputes

## REPRESENTATIVE EXPERIENCE

- Represented investment manager and its principles in investigation by the SEC into alleged Advisors Act violations.
- Represented a major international construction company in a responding to FCPA and related inquiries from the DOJ and SEC FCPA units.
- Represented medical devices company in internal investigation involving foreign subsidiary.
- Defended national financial servicing company in series of class actions alleging violations of state and federal consumer protection statutes.
- Represented an individual in SEC-led cross-border accounting fraud investigation.

- Defended financial servicing company in claims brought under the Uniform Commercial Code for purported factoring of accounts
- Represented biomedical engineering company in affirmative suit for tortious interference and unfair competition matters
- Represented public agricultural company in responding to SEC inquiry related to potential accounting misstatements.
- Responded to SEC subpoena on behalf of publicly traded medical device company seeking information related to potential insider trading.
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- Conducted internal review of client's overseas vendor with multi-national operations to confirm compliance with client's policies.
- Advised client on proper usage of Paycheck Protection Plan funds following COVID-19 Pandemic.
- Represented multiple third-party witnesses in high-profile SEC suits regarding sale of unregistered digital assets.
- Represented a financial services client in responding to an SEC sweep investigation into accounting and financial reporting issues.