

## Christopher LaVigne

PARTNER | NEW YORK

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### Christopher is a partner in the litigation and arbitration team and is the Regional Division Leader for the US Dispute Resolution Division.

He is an experienced litigator and trial lawyer with a proven track record of navigating individuals and companies through high-stakes legal and business issues. Chris regularly handles complex litigation before federal and state trial courts, appellate courts, and arbitral bodies, as well as investigations involving the U.S. Department of Justice, the Securities and Exchange Commission, and other regulatory and prosecutorial agencies.

Chris represents and advises numerous digital asset companies, including some of the biggest digital asset exchanges in the world. He is listed in Band 3 for crypto-asset disputes in the 2024 Chambers FinTech USA Guide. One source says "Christopher is a leading light, and provides a very strategic and high level of service. He is phenomenal." Another states "Christopher is a strategic litigator, with very thoughtful attunement to client service." He has represented companies and individuals in a variety of civil and commercial disputes, including securities class actions, contract disputes, and personal and business tort actions. He also served as in-house counsel at a non-profit company, where he earned major court victories, negotiated multi-million dollar technology contracts, navigated and prevented litigation in thorny employee and HR situations, and advised on press strategy.

Chris represents entrepreneurs and individuals in the media and entertainment industries regarding personal and commercial disputes, and advises on the nuanced business issues faced by these individuals. He has represented company executives, boards, and individual board members facing or contemplating litigation and advised them regarding litigation risks of business decisions. He has also represented and advised law firms and lawyers facing professional liability lawsuits, fee disputes, sanctions hearings, and other matters.

Additionally, Chris has represented financial industry professionals - including corporate executives, investment

bankers, traders, brokers, investment advisers, compliance officers and back-office personnel - accused of securities, commodities or banking violations in civil actions and in proceedings before the Securities and Exchange Commission, the Commodity Futures Trading Commission, the Office of Foreign Assets Control, the Federal Reserve Board, the Office of the Comptroller of the Currency, the Office of the Inspector General, the Financial Industry Regulatory Authority, the New York Department of Financial Services, and other regulatory bodies. He has represented these professionals and other individuals facing criminal investigations and prosecutions brought by federal, state, and local law enforcement authorities in the United States and foreign venues.

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## Track record

### Complete defense victory after month long jury trial

Secured defense verdict for digital asset exchange Kraken after a month-long jury trial, defeating plaintiff's whistleblower claims against the company and securing verdicts that plaintiff misappropriated trade secrets from the company and breached his confidentiality obligations and duty of good faith and fair dealing to the company. Kraken stated "We're pleased with the outcome and thankful to testimony from happy Kraken employees and advocacy from our counsel at Withers." For more information on the trial, the verdict, and Withers' and the client's reaction, please read more [here](#).

### Crypto fraud dispute

Secured jurisdiction in the US over a long-running cross border commodities fraud dispute involving a top digital asset exchange and secured a ruling that a former customer breached the arbitration agreement in the exchange's binding terms of service by threatening to and actually suing the exchange in the UK.

### Financial fraud claims

Defeated financial fraud claims asserted by a former employee against a top digital asset exchange related to the exchange's allocation of company shares, and secured a judgment against the plaintiff for the costs of litigation.

### SEC civil lawsuit

Defeated claims of securities fraud, violations of the Commodities Exchange Act, and common-law fraud, among others, against one of the top digital asset exchanges in the world related to the exchange's decision to halt trading of a digital asset in light of an SEC civil lawsuit alleging the issuer of the asset conducted an unregistered securities offering.

### Hotly-contested cryptocurrency lawsuit

Secured a precedent-setting decision that the physical address associated with our client's business – one of the top digital asset exchanges in the world – may qualify as a trade secret and a former employee may be liable under the Defend Trade Secrets Act for their public disclosure of the company's address.

## Mueller investigation

Represented key figure in the Mueller investigation in connection with DOJ criminal proceedings and Congressional investigations, and secured complete dismissal of Democratic National Committee's lawsuit alleging that he conspired to hack DNC emails regarding the 2016 US presidential election.

## Federal charges

Convinced U.S. Attorney's Office to drop federal charges carrying a mandatory minimum sentence against client. Secured 5-year probationary sentence for the same client who faced 8-10 years imprisonment.

## Leading health care professional

Represented leading health care professional from New York hospital facing health care fraud investigation by U.S. Attorney's Offices. Client was never charged with any wrongdoing.

## Probationary sentence

Secured 6-month probationary sentence for client facing 12-15 years imprisonment for mob-related crimes.

## Breach of contract action

Secured dismissal of former trading desk COO's breach of contract action against leading fintech company.

## SEC

Secured no-action letters from the SEC for several corporate managers and in-house counsel who faced simultaneous internal and federal criminal investigations into fraudulent financial transactions.

## Motion to compel

Won motion to compel against Glassdoor, Inc., forcing Glassdoor to turn over identification information regarding anonymous individuals that posted reviews in violation of non-disparagement and confidentiality provisions in severance agreement.

## Mobile phone carrier

Secured first ever unequivocal ruling holding that mobile phone carrier can be held liable for its complicity in allowing customers' mobile accounts to be SIM swapped.

## NY charter schools

Defeated injunction sought against major charter school network for alleged due process violations that would have drastically changed how NY charter schools operate.

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## Talks

- '[When Can a Crypto Exchange Be Found Negligent for Failing to Prevent Fraud of a Customer/Shareholder?](#)' ThoughtLeaders4 FIRE - June 9, 2023, speaker
- '[Crisis Management: From a Press Hit Piece to Regulatory Inquiries to High Profile Litigation - What to Do When Crisis Hits?](#)' TechGC Fullstack GC Conference - May 19, 2023, speaker

## External publications

- 'Withersworldwide Secures Victory in Kraken's Gender Pay Bias Lawsuit,' Daily Journal - April 4, 2024, featured
- 'Representing Individuals in Interviews: The US Perspective,' Global Investigations Review - January 10, 2024, co-author
- 'Sins of the Father: Could Joe Bankman Go to Jail for Helping His Son Run FTX?,' Fortune Crypto - November 13, 2023, quoted
- 'What's next for Sam Bankman-Fried and FTX executives and investors,' NBCNews - November 4, 2023, quoted
- 'Sam Bankman-Fried Will Testify in His Own Trial. It's a Legal Hail Mary,' Wired - October 25, 2023, quoted
- 'Sam Bankman-Fried Is a Terrible Client,' Wired - October 3, 2023, quoted
- 'SBF's trial promises to be just as riveting as the rest of the FTX drama,' TechCrunch - October 2, 2023, quoted
- 'Prosecutors Have Damning Evidence of Sam Bankman-Fried's Fraud: Why Isn't He Pleading Guilty?,' Fortune Crypto - September 29, 2023, quoted
- 'The FTX Trial is Bigger than Sam Bankman-Fried,' The Verge - September 28, 2023, quoted
- 'Bankman-Fried's lawyers Wants To Tell the Jury About his ADHD—But Prosecutors Are Suspicious,' Fortune Crypto - September 19, 2023, featured
- 'Analysis: Grayscale Victory Big Boost for Decade-long Spot Bitcoin ETF Push,' Reuters - August 30, 2023, quoted
- 'Waivers may be ignored after Titan sub disaster,' The Times - June 28, 2023, quoted
- 'Victories Hone DOJ Playbook for Crypto Trading Crackdown,' Law 360 - May 9, 2023, quoted
- '1 big thing: The SEC names a few more securities,' Axios - April 18, 2023, quoted
- 'The Credit Suisse AT1 bond crisis – 5 things investors need to know,' The Edge - March 24, 2023, co-author
- 'Circle Stablecoin's Wild Weekend Raises Risk of Regulatory Scrutiny,' Bloomberg - March 13, 2023, quoted
- 'Silicon Valley Bank collapse: What you need to know,' Withers Insight - March 12, 2023, co-author
- 'Sam Bankman-Fried Cannot Shut Up,' Quartz - January 18, 2023, quoted
- 'SEC Charges Over Gemini, Genesis Earn Program Latest Shot at Crypto Lending,' The Block - January 17, 2023, quoted
- 'Global investigations: Representing individuals in investigative interviews in the UK and US,' Global Investigations Review - January 9, 2023, co-author
- 'FTX collapse - 5 ways in which investors can seek recourse,' Withers Insight - November 18, 2022, co-author
- '[If Sam Bankman-Fried Committed Fraud, He'll Face the Music in the U.S. Legal Experts Say](#),' MarketWatch - November 14, 2022, quoted
- '[FTX Faces Growing Regulatory, Criminal Scrutiny Amid Fallout](#),' Law 360 - November 14, 2022, quoted
- '[First Mover Asia: Bitcoin Struggles Following Inflation Report; California Crypto Bill Is an Overstep. Say Legal Experts](#),' CoinDesk - September 13, 2022, quoted
- '["Securities" Label in SEC Insider Case May Have Broad Crypto Impact](#),' Roll Call - August 2, 2022, quoted
- '[SEC Tests Its Reach With Coinbase Insider Trading Case](#),' Law360 - July 25, 2022, quoted
- '[What Does the SEC's Warning Shot at Crypto Mean?](#),' TechCrunch - July 22, 2022, quoted
- '[Unpacking the Latest Bitcoin ETF Rejections](#),' CoinDesk - July 8, 2022, quoted
- '[Proposed Bipartisan US Crypto Bill Could Be 'Sigh of Relief' for the Industry](#),' TechCrunch - June 8, 2022, quoted
- '[Senate Crypto Bill Eyes Bigger Role For CFTC](#),' Law360 - June 7, 2022, quoted
- '[First Mover Asia: The Metaverse Is Subject to Earth's Boring Old Rules](#),' CoinDesk - April 24, 2022, quoted
- '[OpenSea Stops Gambling Apes NFT Trading From Sand Vegas Casino Club](#),' PYMNTS - April 22, 2022, quoted

*'OpenSea Suspends Trading of Sands Vegas Casino Club NFTs,'* CoinDesk - April 22, 2022, quoted

*'2022 - The year of regulation of digital assets,'* Withers Insight - April 11, 2022, co-author

*'Finding calm in the storm: dealing with a professional crisis can be life changing,'* Withers Insight - January 13, 2022, co-author

*'Interest-Earning Crypto Crackdown Is Bigger Than Coinbase,'* Law360 - September 24, 2021, quoted

*'With Approach to Coinbase, SEC Shows its Hand on Cryptocurrency,'* Compliance Week - September 21, 2021, quoted

*'Coinbase Probe Shows SEC Game To Play Hardball On Crypto,'* Law360 - September 10, 2021, quoted

*'A digital art gold rush? - the regulators are watching,'* Withers Insight - April 1, 2021, co-author

*'Withers talks: cryptocurrency | Ep 2 - What is the future of crypto regulation?,'* Withers podcast - March 19, 2021, speaker

*'XRP delisted on more platforms following SEC's Ripple complaint,'* Business Insider - December 31, 2020, quoted

*'Cryptocurrencies: What Type Of Gamble Are They?,'* WealthBriefing - October 30, 2020, co-author

## Admissions

State of New York, 2010

Southern District of New York, 2010

Eastern District of New York, 2017

Second Circuit Court of Appeals, 2019

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## Education

Fordham University School of Law, JD

SUNY Geneseo, BA Political Science and Government

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## Languages

English

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## Memberships

Federal Bar Council

Young Lawyers Committee of the New York Courts' Historical Society

Board Member, Fordham Law Alumni Association

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## Federal Clerkship

Law Clerk, Honorable Vincent L. Briccetti, United States District Court for the Southern District of New York

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## Key dates

Year joined: 2020

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