



## James J. McGuire

*Partner*

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James J. (Jim) McGuire is a partner in the Litigation practice group at Greenspoon Marder LLP. With over 30 years of experience, he focuses his diverse practice on complex civil litigation, white-collar criminal and regulatory proceedings, and international arbitration. Mr. McGuire has successfully tried over 30 cases to verdict and argued over 25 appellate matters before federal and state courts.

Mr. McGuire has extensive experience representing major corporations, financial institutions, and individuals both as defendants and plaintiffs in a wide array of cases in federal and state tribunals across the country. Those cases have spanned a multitude of subject matter areas, including accounting fraud, common law fraud, securities fraud, banking, contract, RICO, employment, trade secrets, copyright and trademark infringement, defamation, conversion, partnership, and product liability among others.

As a former federal prosecutor, Mr. McGuire has represented over 100 entities and individuals who are under some form or threat of government investigation in white-collar and criminal law proceedings. He has represented clients across the gamut of federal and state laws, including securities fraud, bank, wire and mail fraud, money laundering, tax violations, bribery, antitrust, embezzlement, extradition, habeas corpus, Foreign Corrupt Practices Act and various crimes against the individual. Consequently, Mr. McGuire regularly interacts with federal and state prosecutors and governmental agencies. He has conducted numerous internal investigations for corporate clients of diverse sizes and focus and advised sundry firms on their audits, crime prevention activities, and in-house compliance.

Mr. McGuire also focuses his practice on international (as well as domestic) arbitration. He has been active in such matters under the auspices of the American Arbitration Association, International Chamber of Commerce, International Centre for Dispute Resolution, and London Court of International Arbitration, among other bodies. Mr. McGuire has represented both respondents and claimants in such proceedings, the vast majority of which have raised complicated contractual and financial issues.

Prior to joining the firm, Jim served, among other positions, as an Assistant U.S. Attorney for the Southern District of New York in its Criminal Division, a Partner of White & Case, and the Founding and Managing Partner of the New York office of the London-based firm Mishcon de Reya.

### Court Admissions

- State of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, District of Colorado
- U.S. Courts of Appeals, First Circuit
- U.S. Courts of Appeals, Second Circuit

- U.S. Courts of Appeals, Fourth Circuit
- U.S. Courts of Appeals, Fifth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- Supreme Court of the United States

## **Bar Admissions**

- New York

## **Education**

- J.D., *cum laude*, Harvard Law School
- LL.M., London School of Economics and Political Science (Rhodes Scholar)
- B.A., Honours, New College, University of Oxford, M.A. (Rhodes Scholar)
- B.A., *cum laude* with distinction, Yale College

## **Practice Areas**

- Litigation
- White Collar and Criminal Defense

## **Representative Experience**

### **I. Criminal/White Collars Matters**

- Secured a complete acquittal of an investment banker and quasi-governmental agency head in a multi-week trial on criminal tax fraud charges in the Boston, Massachusetts Superior Court.
- Served as lead counsel on a team that secured both Preliminary and Permanent Injunctions striking down as violative of the Due Process Clause of the Constitution of the State of Nevada key provisions of a newly enacted Nevada criminal statute threatening the continued existence of the client.
- Served as lead counsel to a major Islamic financial institution as to a multi-year international tax, fraud, and money laundering federal grand jury investigation. The matter was settled, and no criminal charges of any kind were lodged.
- Successfully represented numerous clients designated by prosecutors as either “targets” or “subjects” of federal and state criminal/grand jury investigations across the country, against which clients no charges of any kind were ever brought.
- Conducted a lengthy internal investigation for a celebrated public company focused on one of its most senior officers. At the close of the investigation, that officer voluntarily departed the company without event or subsequent repercussions.
- Won a complete reversal on appeal, before the U.S. Court of Appeals for the Second Circuit, of a U.S. District Court denial of a habeas corpus petition brought by the former Bosnian Ambassador to the United States, whom Bosnia/Herzegovina was attempting to extradite.
- Negotiated and obtained, on behalf of a former international fund manager, the least onerous settlement then granted by the SEC in the spate of “market timing” prosecutions.
- Secured dismissal of New Jersey State larceny charges, post-Indictment, on behalf of a foreign national.
- Secured dismissal of New Jersey State fraud, embezzlement, and theft charges against two foreign nationals.

### **II. Civil/Commercial Matters**

- Won a jury verdict of \$159.9 million in the U.S. District Court for the District of Maryland (Greenbelt) in a three-year-old highly complex contract case, in which Jim and his team were substituted in as lead counsel several months before trial.
- Secured summary judgment on all claims against defendant clients after six years of litigation in the U.S. District Court in Fort Worth, Texas alleging fraud and other civil wrongs in connection with an alleged real estate development contract valued at least \$100 million.

- Won dismissal of all claims brought under the Alien Tort Claims Act against former President of the Republic of South Korea in the District of Columbia.
- Acted as lead counsel on two large teams of lawyers representing two groups of major Saudi Arabian entities and individuals. secured the dismissal of all claims against clients in the celebrated class actions and consolidated litigations in the Southern District of New York arising out of the events of September 11, 2001.
- Obtained early dismissal of all claims against “celebrity chef” client and related entities, who were facing substantial monetary exposure in a lawsuit in the Illinois State Chancery Court.
- Prevailed at a preliminary injunction hearing in U.S. District Court in Dallas by securing a mandatory injunction compelling return of a client's private, L 1011 aircraft.
- Obtained an affirmance from the New York Supreme Court, Appellate Division, First Department of a lower Court Judgment in favor of a public telecommunications client, denying a seven -figure claim brought by Verizon New England, Inc.

### III. Arbitration Matters

- Secured an arbitral Award providing injunctive relief against a counterparty, who had violated confidentiality and non-disparagement provisions of a litigation settlement agreement. Also, secured an Award of damages and costs against the same counterparty for further violations of the same settlement agreement.
- Secured an Award of damages and costs for breach of a Shari’a compliant credit agreement entered into between an offshore investment fund and a U.S. real estate investment management firm.

### Recognitions

- *Lawdragon*, "500 Leading Litigators in America," 2023-2024

### News

- Six Greenspoon Marder Attorneys Selected as 2024 Lawdragon 500 Leading Litigators in America
- Greenspoon Marder Announces Five Attorneys Have Been Recognized & Named in Lawdragon Magazine’s Inaugural Guide of “500 Leading Litigators in America”

