

# 2023 Year in Review

This year at Ford O'Brien Landy LLP, we had the honor of representing international and domestic clients across a diverse array of business sectors in complex and novel matters. Together, we achieved groundbreaking victories and helped shape the law. We are grateful to our clients, whose trust and collaboration have been instrumental in our accomplishments.

## 2023 Significant Cases in the Press

### **1: Victory in SEC v. Govil Greatly Limits SEC's Disgorgement Power**

The firm brought an appeal to the Second Circuit on behalf of Aron Govil, the defendant in an SEC enforcement action. In the appeal, we argued that the district court's disgorgement order should be vacated because the SEC failed to show actual injury to investors and that the resulting order therefore violated traditional equitable limitations, and that disgorgement must be limited to victims who suffered pecuniary harm from a defendant's fraud. In a groundbreaking ruling, the Second Circuit agreed, which was not only a win for our client, but also reset the rules in SEC enforcement actions going forward by making sure that the SEC's efforts actually help the investors they are law-bound to protect.

*Read article: [Law360](#)*

### **2: Unsanctioned Russian Billionaire Challenges Wrongful Seizure and Asserts his Ownership of \$300 Million Motor Yacht Amadea**

The firm represents a foreign individual whose yacht was unlawfully seized by the U.S. government as the result of a politically-motivated and hastily-conducted investigation. The vessel was seized in Fiji in June 2022 and is currently docked in San Diego, with taxpayers paying the high monthly maintenance bills. A year and a half later, the U.S. government is now seeking forfeiture of the yacht, alleging that it is owned, not by our client, but by a different sanctioned Russian. We have recently filed a claim challenging the forfeiture and seeking the return of the €300 million vessel to its rightful owner. The case is pending in the Southern District of New York.

*Read article: [Forbes](#)*

*Read article: [CBS8](#)*

### **3: Money Laundering Charges against Meme Stock Trader Eddie Constantin Dismissed**

The firm represents Edward Constantinescu, the so-called “meme stock” trader who was indicted on securities fraud and money laundering charges alleging that he used Twitter to engage in a pump-and-dump scheme. After we challenged the government’s flawed theories in court, the government voluntarily dismissed the money laundering charge. Our efforts also prevented the government from basing its prosecution on profit calculations that were misleadingly inflated by approximately \$90 million in the criminal complaint, which served only to garner headlines. The case is pending in the Southern District of Texas.

*Read article: [Law360](#)*

#### **4: Doctor Acquitted In 14 Patient Deaths Sues Health System for Malicious Prosecution following Acquittal**

The firm represents Ohio doctor William Husel, who was acquitted of 14 murder counts related to his treatment of near-death patients, in a malicious prosecution suit against Trinity Health Corp. Trinity was the operator of the hospital where Husel worked. Husel was accused of ordering “lethal” doses of fentanyl for patients who were terminal and already actively dying. He was found not guilty after a criminal trial. The case is pending in the Eastern District of Michigan. A separate defamation lawsuit against Trinity is also pending in the Franklin County Court of Common Pleas, in Columbus, OH.

*Read article: [Seattle Times](#)*

#### **5: Trial Set for July 2024 for Former Mozambique Finance Minister in \$2B "Tuna Bond" Case**

The firm represents Mozambique's former finance minister, Manuel Chang, who has been jailed for almost five years without trial over the \$2 billion "tuna bonds" scandal. Chang spent most of this time in a South African prison, mostly in solitary confinement without proper medical care, before finally being extradited to the United States. We have moved to dismiss the charges against him, arguing that the U.S. violated his constitutional right to a speedy trial. The case is pending in the Southern District of New York.

*Read article: [Law360](#)*

## **2023 Awards, Recognitions, and Events**

**June 1, 2023:** Ford O’Brien Landy LLP expanded to Miami, with the hiring of partner Gabriela M. Ruiz.

**July 24, 2023:** Ford O’Brien Landy LLP hosted a luncheon at our new Miami office for a presentation organized by the Women’s White Collar Defense Association titled “*Lessons From The Trial Trenches*,” given by Margot

Moss and Katherine Miller, during which they discussed their recent trial victory in the Andrew Gillum case.





**July 2023:** Gabriela M. Ruiz, a Partner at Ford O'Brien Landy LLP, was selected this year to Latinvex's new ranking of Latin America's Top 100 Lawyers. Latinvex singles out the top foreign lawyers in Latin America.

[Read more](#)

**August 2023:** Gabriela M. Ruiz, a Partner at Ford O'Brien Landy LLP, was ranked by Chambers in 2024 for Latin America International Counsel Corporate Crimes & Investigations.

[Read more](#)

**August 2023:** Ford O'Brien Landy LLP was named a "Best Law Firm" in the 2024 Best Lawyers edition. Austin-based Partner Mike Piazza, Austin-based Associate Julian Alejandro Rios, New York-based Associate (now Counsel) Stephen Halpin, former Associate Nicolette Beuther, and Associate Bryan McCracken were all selected as "Best Lawyers" and "Ones to Watch."

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**September 2023:** Ford O'Brien Landy LLP attorneys Adam C. Ford, Robert S. Landy, Kevin J. O'Brien, Matthew Aaron Ford and Nicolette Beuther were selected as 2023 New York Metro Super Lawyers and Rising Stars. This list, curated by Super Lawyers, a part of Thomson Reuters, recognizes excellent lawyers across 70+ practice areas. The selection involves a rigorous patented process, including peer nominations, independent research, and evaluations from a distinguished panel of lawyers.

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**November 2023:** Ford O'Brien Landy LLP was ranked in the 2024 Chambers Regional Spotlight Guide in New York City for White Collar Crime & Government Investigations.

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