



Contact

Robert J. Cleary

Partner

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Bob Cleary is the immediate past co-chair of Proskauer's Litigation Department, a former member of the Firm's Executive Committee and co-chair of the White Collar Defense & Investigations Group. He joined the Firm in June 2002 after a lengthy career as a federal prosecutor, including service as the U.S. Attorney both in New Jersey and in Southern Illinois.

He has repeatedly been recognized in various publications as a leading practitioner, including *The Legal 500 United States*, in which clients describe him as "cool, calm and collected" and a "master strategist." The American College of Trial Lawyers recognized his trial expertise by inducting him as a Fellow in 2014.

Bob concentrates on white collar criminal defense, SEC and related enforcement matters, securities litigation, complex civil litigation, tax controversies and internal investigations. He has extensive experience in international criminal matters, including money laundering investigations and foreign extradition proceedings.

He has been retained in many high-profile corporate scandals of the past several years including, among others:

- The multi-billion dollar Petrobras scandal in Brazil, one of the two largest corruption investigations in the world

- The 1MDB international money laundering investigation
- A sweeping, multi-year federal criminal investigation into a multi-billion dollar investment portfolio for a leading global financial institution
- Numerous civil lawsuits and government investigations relating to the demise of Lehman Brothers
- Criminal investigations relating to allegations of manipulation and collusion in the LIBOR market
- Criminal investigations relating to allegations of manipulation and collusion in the foreign exchange and precious metals markets
- Air cargo criminal antitrust investigation and prosecutions
- Auto parts criminal antitrust investigation and prosecutions
- One of the largest Foreign Corrupt Practices Act cases ever indicted
- Tyco criminal investigation and SEC enforcement action
- New York Attorney General's criminal and civil investigation of investment bank trading practices
- Mutual fund investigations and enforcement actions
- Insurance industry investigations and enforcement actions
- Stock options backdating investigations and enforcement actions

Bob has 30 years of courtroom experience as a trial lawyer and appellate advocate. He recently served as lead trial counsel in what is believed to be the longest criminal antitrust trial in New York State history, representing the alleged architect of the charged antitrust and fraud scheme. After an almost year-long trial, Bob achieved complete vindication for the client by securing acquittals and dismissals on 36 of 37 felony charges, and got the lone count of conviction dismissed post trial.

In his capacity as U.S. Attorney in the District of New Jersey and the Southern District of Illinois from 1999 to 2002, Bob was the chief federal law enforcement officer in those districts, responsible for all federal prosecutions and lawsuits filed against the federal government. Prior to his appointment as U.S. Attorney, he was the lead prosecutor in the Unabomber case, *United States v. Theodore J. Kaczynski*. Bob and his team of six prosecutors and over 100 federal agents successfully

prosecuted Kaczynski for a string of bombings that Kaczynski perpetrated from 1978 until 1995. Kaczynski currently is serving a life sentence.

Bob began his prosecutorial career as a trial attorney for the Tax Division of the U.S. Department of Justice. While with the Tax Division, he tried numerous tax fraud cases to verdict in various jurisdictions throughout the country.

From 1987 to 1994, Bob served as an Assistant U.S. Attorney in the Southern District of New York, ultimately becoming the Chief of the Major Crimes Unit. During his tenure in the Southern District, he successfully prosecuted through trial and appeal many complicated white collar criminal cases involving, among other things, tax fraud, securities fraud and bank fraud.

From 1994 until his appointment as the Unabomber prosecutor in 1996, Bob was the First Assistant U.S. Attorney in the District of New Jersey, responsible for running the day-to-day operations of that 120-lawyer federal prosecutor's office.

The White House and the Department of Justice have consulted with Bob on homeland security and USA Patriot Act Issues on numerous occasions since he left government service.

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Practices

Litigation, Health Care Regulatory Compliance, Trial Strategies, Appellate, Asset Management Litigation, Securities Litigation, White Collar Defense & Investigations, Antitrust

Industries

Financial Services, Private Equity, Asset Management , Health Care

Education

Fordham University School of Law, J.D., 1980

College of William and Mary, B.B.A., 1977

Admissions & Qualifications

New York

New Jersey

Court Admissions

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, First Circuit

U.S. Court of Appeals, Third Circuit

U.S. District Court, New Jersey

U.S. District Court, New York, Southern District

U.S. District Court, New York, Eastern District

U.S. District Court, Michigan, Eastern District

Awards & Recognition

Global Elite Thought Leader, Who's Who Legal: Investigations 2020

Chambers USA: New York: Litigation: White Collar Crime & Government
Investigations 2012-2020

Fellow, American College of Trial Lawyers (inducted 2014)

Euromoney Expert Guides White Collar Crime 2018

The Legal 500 United States: Litigation: Commercial Litigation 2015

The Legal 500 United States: Litigation: White Collar Criminal Defense: 2009-2020

The Legal 500 United States: Litigation: Supreme Court & Appellate 2012

The Legal 500 United States: General Commercial Disputes 2020

New York Super Lawyers 2006-2020

Best Lawyers in America 2007-2021

Benchmark Litigation Local Litigation Star–New York 2011-2018

Benchmark Litigation National Litigation Star 2019-2021

Who's Who Legal: Investigations 2014-2017, 2019-2020

Who's Who Legal: Litigation 2018

Lawdragon "500 Leading Lawyers in America" 2006-2008, 2012

Lawdragon "3000 Leading Lawyers in America" 2010

Attorney General's Award for Distinguished Service 1998

Government Service

U.S. Attorney, Southern District of Illinois, 2002

U.S. Attorney, District of New Jersey, 1999-2002

First Assistant U.S. Attorney, U.S. Attorney's Office, District of New Jersey, 1994-1999

Lead Prosecutor, Unabomber Prosecution Team, 1996-1998

Chief, Major Crimes Unit, U.S. Attorney's Office, Southern District of New York, 1992-1994

Assistant U.S. Attorney, U.S. Attorney's Office, Southern District of New York, 1987-1992

Trial Attorney, Tax Division, Criminal Section, U.S. Department of Justice, 1984-1987