



Seth Farber

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PRACTICES White Collar and Investigations, Criminal Investigations and Defense, Internal Investigations, Litigation, Antitrust and Competition

Seth Farber is a partner in the White Collar and Investigations Practice Group at Haynes Boone's New York office. As a former federal prosecutor for the Southern District of New York, Seth focuses his practice on white collar criminal defense, corporate internal investigations, and related civil litigation. He also represents clients in SEC and CFTC enforcement investigations, matters before state attorneys general, securities litigation, civil RICO litigation, corporate governance litigation, and antitrust litigation.

QUALIFICATIONS

EDUCATION

- J.D., Harvard Law School, 1989, Cum Laude; *Harvard Law Review*, Editor
- A.B., Harvard University, 1986, summa cum laude

CLERKSHIPS

- Law Clerk to the Honorable Joseph L. Tauro, United States District Court for the District of Massachusetts

ADMISSIONS

- Massachusetts
 - New York
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

Speeches and Panels

- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 16, 2025
- “Compliance Rewired: U.S. Enforcement and Latin America in a New Political Era,” New York City Bar Latin American Summit, Panelist, June 11, 2025

- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 18, 2024
- “The Newest, Biggest Extra-Territorial FCPA Risks Confronting Industry in Mexico: Former DOJ Officials Discuss the Intensifying Landscape,” Summit on Anti-Corruption & Compliance Programs Mexico, American Conference Institute, Panelist, March 13, 2024
- “Money Laundering and Asset Forfeiture: Navigating the Risks and Challenges in an Evolving Landscape,” White Collar Crime 2024, American Bar Association, Panelist, March 6, 2024
- “Good Faith, Advice of Counsel, Lawyers in the Room and the Sam Bankman-Fried Trial,” Federal Bar Council, Nov. 15, 2023
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 20, 2023
- “Compliance and White-Collar Challenges: Are We Seeing a Greater Focus Towards US-MX Enforcement?” El Encuentro en México, Hispanic National Bar Association / La Barra Mexicana, Jun. 12, 2023
- “Update on Anti-Corruption Efforts in Mexico,” New York City Bar Association, May 18, 2023
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 13, 2022
- “United States v. Glencore Ltd. – Victims’ Rights to Restitution,” ABA International Law Section Anti-Corruption Committee Meeting, Dec. 15, 2022
- “Combating Corruption in Mexico: What’s Happening with Mexico’s National Anti-Corruption System?” New York City Bar Association, Apr. 21, 2022
- “Perspectives on FCPA Enforcement, Compliance Expectations and External Oversight from former DOJ officials and Defense Counsel: What’s on the Horizon for Industry in Mexico,” ACI Mexico Summit on Anti-Corruption and Compliance, Mexico City, Mexico, Mar. 23, 2022
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 28, 2021
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Oct. 6, 2020
- “A Discussion with the Antitrust Division’s New Deputy AAG for Criminal Enforcement,” New York State Bar Association Antitrust Section Annual Meeting, Jan. 17, 2019
- “Cross-border Transactions: The Importance of Proactive Risk Management Under the U.S./Mexico Regulatory Framework,” Winston & Strawn and Kaye Trueba Abogados Co-Hosted Program, Mexico City, Mexico, Aug. 7, 2018
- “Criminal Practice: Recent Leniency Developments in North America,” New York State Bar Association Antitrust Section Annual Meeting, Jan. 25, 2018
- “I’ve Got Your Back: The Ethics of Indemnified Representations,” Pennsylvania Association of Criminal Defense Lawyers 2017 White Collar Seminar, Nov. 3, 2017
- “Successful Crisis Management,” Latin Lawyer – GIR Anti-Corruption & Investigations Conference, Sao Paulo, Brazil, Nov. 1, 2017
- “Recent Developments in Cartel Enforcement,” New York State Bar Association Antitrust Section, Cartel and Criminal Practice Committee, Oct. 27, 2017
- “Avoiding the Front Page: Drawing the Lines Between Aggressive Tax Positions and Criminal Conduct,” 29th Annual All Hands Meeting, Oct. 17, 2017
- “Public Corruption,” Federal Bar Council, Program Coordinator, Oct. 3, 2017
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 14, 2017
- “Topics in Cartels and Criminal Enforcement,” New York State Bar Association Antitrust Section Annual Meeting, Jan. 26, 2017
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 14, 2016
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 29, 2015
- “The Rules of the Game: The Role of Federal Litigation in Governing Sports in the 21st Century,” Federal Bar Council, Program Coordinator, Sept. 18, 2014
- “The Brazilian Courts and Damages Claims Involving Competition Infringements,” Instituto Brasileiro de Estudos de Concordancia, Consumo e Comercio Internacional (IBRAC) Conference (Iguassu Falls, Brazil), Oct. 31, 2013
- “Supreme Court Preview,” Federal Bar Council, Program Coordinator, Sept. 11, 2014
- “Sanctions Enforcement,” Federal Bar Council, Program Coordinator, Jun. 4, 2013
- “Supreme Court Review,” Federal Bar Council, Program Coordinator, Feb. 26, 2013

- “Navigating the Globe: Cartel Enforcement Around the World, Chapter 3: Japan,” ABA Antitrust Section, Cartel and Criminal Practice Committee and International Committee, May 17, 2012
- “Practical and Strategic Considerations – International Cartel Investigations,” ABA Antitrust Section, Cartel and Criminal Practice Committee, May 27, 2010
- “Partnering with the Board for Proper Tax Risk Oversight,” Tax Director Roundtable, May 25, 2010
- “Standards for Corporate Criminal Liability,” Federal Bar Council, Program Coordinator, Mar. 11, 2010
- “The Intertwined Roles of Attorneys and Forensic Accountants,” NYU School for Continuing and Professional Studies: Prevention and Detection of Fraudulent Financial Reporting, Guest Lecturer, Jun. 29, 2009
- “Lawyers as Criminal Defendants: Have the Rules Changed?” American Bar Association Annual Meeting, Aug. 2004 “Omnicare, Inc. v. NCS Healthcare, Inc.,” Healthcare Transactions 2003, Apr. 1, 2003
- “Defending the Corporation Against Indictment: Cooperation or Confrontation?” American Bar Association Annual Meeting, Aug. 2002

Publications

- “The New DOJ Enforcement Policy for Digital Assets: Why Compliance Programs Still Matter,” *New York Law Journal*, Co-Author, May 13, 2025
- “What Now for White Collar? As the DOJ Steps Back, Will Others Step Up?,” *New York Journal*, Co-Author, March 14, 2025.
- “Restitution in Corporate Criminal Cases: An Underappreciated But Effective Remedy,” *New York Law Journal*, Co-author, Sept. 17, 2023
- “Bail the Rich: Armed Guards, Private Prisons, and Special Treatment for the Wealthy Under the Bail Reform Act,” *New York Law Journal*, Co-author, Mar. 29, 2019
- “Why the Public (and the President) Are Wrong About What It Means to Take the Fifth,” *New York Law Journal*, Co-author, Dec. 7, 2018
- “Criminal Antitrust Fines and Penalties: Reductions Based on Ability to Pay,” *Antitrust Magazine*, American Bar Association, Spring 2017
- Commercial Litigation in New York State Courts, (4th ed.) (2024–25 supp.), Vol. 3, Ch. 13, Co-author
- “Corporate Remediation: One Justice Department, Two Approaches...And Now a Third?” American Bar Association, Section of Antitrust Law, Cartel & Criminal Practice Committee Newsletter, Fall 2014
- “Buyer Beware: Understanding and Mitigating Parent Company FCPA Liability in the Context of Private Equity Acquisitions,” The FCPA Report, Co-author, Jul. 24, 2013
- “Sentencing in Criminal Antitrust Cases: The Judiciary Has The Last Word After All,” American Bar Association, Section of Antitrust Law, Cartel & Criminal Practice Committee Newsletter, Mar. 2013
- “The Policy Case For Eliminating The Public Identification Of Carve-Outs In Antitrust Plea Agreements,” *Bloomberg BNA*, Antitrust & Trade Regulation Resource Center, Mar. 2013
- “Klein Conspiracies In The Wake Of US v. Coplan,” *Law360*, Mar. 4, 2013
- “An Unnecessary Complication to Defending International Cartel Investigations: Is it Really Necessary for U.S. Counsel To Travel Overseas To Review Foreign Documents?” American Bar Association, Section of Antitrust Law, Cartel & Criminal Practice Committee Newsletter, 2010
- “War on Tax Fraud and in Afghanistan: Who Knew They Were Linked?” *New York Law Journal*, May 10, 2010
- “Definitely Avoid ‘Utter Failure’: Dodging Risk Can Be a Taxing Job,” Corporate Counsel at law.com, Apr. 7, 2010
- “Antitrust Enforcement: Focus on Criminal Cartels”, Co-editor
- “Facing Criminal Price-fixing Investigations in the U.S.,” *Law360*, Feb. 17, 2009
- “New Risk in Employee Interviews,” *National Law Journal*, Jul. 24, 2006

- “Shoring Up Compliance Programs In the Wake of ‘Booker/Fanfan’,” GC New York, Oct. 11, 2005
 - “Corporate Internal Investigations in the Age of Cooperation: Strategies for Limiting Disclosure of Confidential Information,” *Andrews Securities Litigation & Regulation Reporter*, Vol. 9, No. 17, Dec. 31, 2003
 - “Corporate Internal Investigations in the Age of Cooperation: Strategies for Limiting Disclosure of Confidential Information,” *Andrews Corporate Officers & Directors Liability Litigation Reporter*, Vol. 19, No. 10, Dec. 1, 2003
 - “Cooperating with the Government In Corporate Criminal Investigations: Has Andersen Changed the Landscape,” American Bar Association Annual Meeting, Section of Litigation Written Materials, Aug. 2002
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Bar Association, Member
 - Litigation Section
 - Criminal Justice Section
 - Antitrust Section
 - Executive Committee of the New York State Bar Association – Antitrust Section, Member
 - Federal Bar Council, Member
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AWARDS AND RECOGNITIONS

- Recognized in *The Best Lawyers in America*®, Woodward/White, Inc., Antitrust Law and Criminal Defense: White-Collar, 2026.
- Included in the *Lawdragon 500* Leading Litigators in America guide for White Collar, Investigations, and Securities Litigation, 2023–2026
- Recognized in the *Lawdragon 500* Leading Global Antitrust & Competition Lawyers guide for Antitrust, Government Investigations, and Compliance, 2025–2026.
- Ranked by *Chambers USA*, Chambers and Partners, for Antitrust in New York, 2021–2024.
- Named by *Chambers USA*, Chambers and Partners as a “Recognized Practitioner” for New York Litigation: White-Collar Crime & Government Investigations, 2018–2019.
- Recognized by *Chambers USA* among the nation’s top lawyers in Tax Fraud practice, 2012–2014.
- Recognized by *Who’s Who Legal: Competition*, 2024.
- Recognized by *Super Lawyers*, Thomson Reuters (New York–Metro), in White Collar Criminal Defense, Business Litigation, and Securities Litigation, 2006–2024.
- Recognized by *The Legal 500 US*, for Cartel, Corporate Investigations & White-Collar Criminal Defense, and International Litigation; member of the team awarded “Team of the Year” in Cartel Defense, 2015.
- Mentioned by *The Legal 500 Latin America*, for Compliance and Investigations, 2026.
- Recipient of the Burton Award for Legal Achievement, 2007.