



## David Erroll

Practice Area Attorney

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David Erroll is a Practice Area Attorney in the firm's Litigation department. Prior to joining the firm, Mr. Erroll spent over 15 years in private practice, including at a New Jersey-based national law firm, and two New York-based law firms. Prior to attending law school, Mr. Erroll served in the U.S. Army Intelligence Corps. as a Cryptologic Linguist.

### Admissions

- New York

### Education

- Michigan State University (M.B.A., 2008)
  - Eli Broad Scholar
- University of Chicago (J.D., 2001)
- Golden Gate University (B.A., *summa cum laude*, 1997)

## Blog Posts: Securities Enforcement & Litigation Insider

*Securities Enforcement & Litigation Insider* is a source of insights, information, and analysis on a wide range of topics relevant to securities litigation, with a focus on notable developments in the securities space, including U.S. Securities and Exchange Commission (SEC) enforcement, rulemaking, and other regulatory trends and development. Patterson Belknap's [Securities Enforcement & Litigation](#) team has extensive experience handling highly complex lawsuits and internal investigations. Our blog team includes experienced litigators and corporate advisors, and is led by a former senior counsel for the SEC Division of Enforcement with extensive experience investigating and litigating securities laws violations, providing a unique, interdisciplinary perspective on securities law.

April 9, 2024

### UPDATE: SEC Wins Shadow Trading Trial But Court Will Get a Second Look

On April 5, 2024, after an eight-day trial, a jury found Matthew Panuwat liable for violating insider trading laws. [1] Commenting on the Securities and Exchange Commission's victory, Gurbir Grewal, the agency's Director of the Division of Enforcement stated: "As...

February 23, 2024

### **UPDATE: Shadow Trading Case Heads to Trial**

In November 2023, in *Issue Lines Drawn in SEC Shadow Trading Case*, we revisited the case *Securities and Exchange Commission v. Panuwat*, [1] the SEC's first enforcement action brought on the theory of "shadow trading." Shadow trading is...

January 3, 2024

### **Markets Promptly See Effect of New SEC Cybersecurity Disclosure Rules**

On December 18, 2023, prior to the trading session, VF Corp. (NYSE:VFC) issued a press release disclosing that the company was investigating unauthorized activity on its computer systems – and that the intrusion had encrypted some systems and compromised...

November 7, 2023

### **UPDATE: Issue Lines Drawn in SEC Shadow Trading Case**

In February 2022, in *SEC Shadow Trading Case Breaks Ground*, we discussed *Securities and Exchange Commission v. Panuwat*, [1] the SEC's first enforcement action brought on the theory of "shadow trading." Shadow trading is the premise that securities...

August 17, 2023

### **Third Time's the Charm: Goldman Sachs Secures Class Decertification in Latest 2nd Circuit Clash Over Tainted CDO**

On August 10, 2023, the Second Circuit Court of Appeals granted an emphatic victory to Goldman Sachs, Inc. in its long-running battle to snuff a securities fraud class action arising from conflicts of interest related to collateralized debt obligations...

July 13, 2023

### **SEC Moves to Strengthen Money Market Funds**

On July 12, 2023, in a closely-watched meeting, the Securities and Exchange Commission approved new requirements on the \$5.8 trillion money market fund (MMF) industry, a popular class of mutual funds that balance high liquidity, stable value, and returns that...

May 31, 2023

### **New York Looks to Bolster Its Lead as Digital Regulator with CRPTO Act**

New York State Attorney General Letitia James has announced new proposed amendments to the state's General Business Law that would roll out a number of protections to cryptocurrency investors that are currently enjoyed by traditional securities investors. [1] The...

March 13, 2023

### **NBA-Branded NFTs May Be Securities S.D.N.Y. Finds**

On February 22, 2023, a judge in the Southern District of New York ruled that a class action lawsuit may proceed alleging that Dapper Labs, Inc. violated federal securities laws when it issued a series of non-fungible tokens...

October 11, 2022

### **SEC Moves Against \$300 Million Crypto Ponzi Scheme**

In March 2022, as it does every year, the Securities and Exchange Commission's Division of Examinations (EXAMS) published its Examination Priorities, designed to highlight areas that the Agency views to be worthy of heightened scrutiny. Among these, EXAMS included...

July 20, 2022

### **Notable SEC Decisions: 2022 H1**

Each year, the U.S. Securities and Exchange Commission (SEC) publishes its enforcement priorities – a reminder that, although the Division of Examinations (EXAMS) remains committed to monitoring compliance with (and penalizing violations of) all regulations, the Agency recognizes that...

April 18, 2022

### **The SEC Proposes a Revised Definition of "Dealer" Intended to Capture, Among Others, High Frequency Traders a/k/a "Flash Boys"**

On March 28, 2022, the Securities and Exchange Commission announced proposed changes to Exchange Act Rules that would expand the scope of which market participants the SEC considers to be a “dealer” or “government securities dealer.” [1] Most investors...

March 21, 2022

**ESG Funds Must Tread Carefully as Russia Sanctions Bite**

The full-scale invasion of Ukraine by a revanchist Russia continues to dominate headlines as the war enters its second month. While the sometimes-terrible choices facing those living in the conflict zone are unparalleled, investors around the world also have...

February 10, 2022

**SEC Shadow Trading Case Breaks Ground – But There Remains a Trail to Blaze**

A California Court recently allowed the Securities and Exchange Commission (the “SEC” or “Commission”) to proceed with its first insider trading prosecution based on a theory of “shadow trading.” [1] On January 14, 2022, Judge William H. Orrick, sitting...