

DAVID CASTLEMAN

PARTNER

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David A. Castleman is a Partner in Raines Feldman LLP's New York and Los Angeles offices, working in the Litigation, Bankruptcy, and Fiduciary Representation groups. Dave focuses primarily on federal equity receiverships in financial matters, as well as complex litigation in state and federal courts. Dave was recently appointed as Receiver over a \$250 million alleged internet-based cash and cryptocurrency-based scheme in a case brought by the CFTC in the Southern District of New York. Dave also filed an amicus brief on behalf of the National Association of Federal Equity Receivers in the U.S. Court of Appeals for the 6th Circuit, and he represents the court-appointed receiver in the Saddle River and Denari receiverships in the Northern District of California, and the Direct Lending Investments receivership in the Central District of California.

Prior to joining Raines Feldman LLP, Dave served as an Assistant Attorney General in the New York Investor Protection Bureau, where he helped achieve a groundbreaking, complex \$714 million global settlement against a major financial institution on behalf of fraud victims, which resulted in equal treatment of the federal and state claims. Dave also worked on pioneering efforts by the Attorney General to use the Martin Act to hold fossil fuel companies responsible for their contribution to climate change.

Before serving the public, Dave worked at Sullivan & Cromwell LLP in New York for many years, where he represented a major national bank in the resolution of billions of dollars of residential mortgage backed securities (RMBS) repurchase claims arising out of the 2007-08 financial crisis. In both the Southern District of New York and the New York Supreme Court's commercial division, Dave represented financial institutions defending contract and fraud claims brought by monoline insurance companies and securities claims brought by insurance companies that purchased RMBS bonds, one case resulting in a complete dismissal of all federal claims. Dave was also in-house counsel to a quantitative hedge fund specializing in high frequency and other trading.

Dave's pro bono practice at Sullivan & Cromwell included winning a new trial for a convicted felon in a published decision by the U.S. Court of Appeals for the Sixth Circuit, and spearheading a clinic in partnership with Immigration Equality to represent asylum seekers. He was awarded the Michael A. Cooper Award for Outstanding Pro Bono Service for his efforts.

Dave received his J.D., *cum laude*, Order of the Coif, from the University of Pennsylvania Law School in 2006, where he served as Executive Editor of the Law Review. Following law school, he clerked for Judge Deborah Cook on the United States Court of Appeals for the Sixth Circuit. Dave received his undergraduate degree *cum laude* in 2001 from Dartmouth College in computer science, and worked for a database applications engineer for a large Silicon Valley corporation before law school.

Areas of Practice

FIDUCIARY REPRESENTATION SERVICES >

SECURITIES LITIGATION >

TRIALS, LITIGATION & DISPUTE RESOLUTION >

EDUCATION

- > University of Pennsylvania Law School (J.D. *cum laude* 2006)
- > Dartmouth College (B.A. *cum laude* 2001)

ADMISSIONS

- > State Bar of New York
- > State Bar of California
- > United States Supreme Court
- > U.S. Court of Appeals: 2nd Circuit, 6th Circuit, D.C. Circuit
- > U.S. District Courts: S.D.N.Y., E.D.N.Y., C.D. Cal., N.D. Cal., E.D. Cal.

SIGNIFICANT ENGAGEMENTS & TRANSACTIONS



- > Court-appointed receiver in *CFTC v. Alexandre and EminiFX, Inc.* (S.D.N.Y.) (litigation ongoing)

- › Counsel to NAFER as *amicus curiae* in *Digital Media Solutions, LLC, et al v. South University of Ohio, LLC, et al* (U.S. Court of Appeals for the 6th Circuit) (decision pending)
- › Counsel to Bradley D. Sharp, the court-appointed receiver in *SEC v. Direct Lending Investments, LLC* (C.D. Cal.) (litigation ongoing)
- › Counsel to Kathy Bazoian Phelps, court-appointed receiver in *SEC v. Bivona et al.* (N.D. Cal.) (litigation ongoing)
- › Counsel to Kathy Bazoian Phelps, court-appointed receiver in *CFTC v. Denari Capital LLC* (N.D. Cal.) (litigation ongoing)
- › *People v. Bank of New York Mellon* (New York Supreme): Counsel to New York State in FX enforcement action that resulted in a groundbreaking global \$714 million settlement that achieved parity between the United States and New York.
- › *John Hancock v. JPMorgan Chase & Co.* (Southern District of New York): represented defendants in \$1 billion RMBS action that resulted in dismissal of federal claims and remand of state claims (938 F. Supp. 2d 440).
- › *Ambac v. EMC, Syncora v. JPMSL, Assured v. EMC* (New York Supreme & 1st Department Appellate Division): represented defendants in multi-billion-dollar contract and fraud cases in New York state court.
- › Counsel to large financial institution in resolving billions of dollars of repurchase claims arising from securitization of \$60 billion in RMBS.
- › *Moore v. Berghuis* (U.S. Court of Appeals for the 6th Circuit): Court-appointed Appellate Counsel resulting in a victory for a habeas petitioner (700 F.3d 882), followed by successful opposition of certiorari in the United States Supreme Court.
- › *[Confidential] v. USCIS*: Won asylum for two individuals after a bench trial in New York immigration court.
- › *BJ Energy v. RJM Interconnection* (E.D. Pa.): Represented plaintiff and counter-claim defendant in complex energy case that settled favorably during trial.

PROFESSIONAL AFFILIATION



- › National Association of Federal Equity Receivers

INSIGHTS



- › [David Castleman Quoted in The Washington Post on EminiFX Ponzi Scheme](#)
- › [Raines Feldman Partner Pens Amicus Brief for the National Association of Federal Equity Receivers in Support of Receivers' Mission to Recover Funds for Creditors and Victims of Financial Fraud](#)