

Marc P. Berger, Former Acting Director of the SEC's Enforcement Division, to Join Simpson Thacher

New York—April 15, 2021—Simpson Thacher & Bartlett LLP announced today that Marc P. Berger, most recently the Acting Director of the Division of Enforcement at the U.S. Securities and Exchange Commission, will join the Firm's New York office in June as a Partner in the Litigation Department.

"Marc is widely recognized for his judgment, integrity and leadership throughout his distinguished tenure in leadership positions at both the SEC and at the U.S. Attorney's Office for the Southern District of New York," said Bill Dougherty, Chairman of Simpson Thacher's Executive Committee. "This valuable blend of experience is increasingly important to our clients."

Prior to becoming the Acting Director of the SEC's Enforcement Division, Marc was the Division's Deputy Director in 2020 and was Director of its New York Regional Office from 2017 to 2020. Under his leadership, the Agency's enforcement staff pursued a broad array of significant cases across the entire spectrum of the securities industry, including actions focused on: accounting and other financial fraud; market structure and abusive trading practices; FCPA and anti-corruption; investment advisory issues; and emerging issues involving cyber threats and digital assets. Marc also oversaw the New York examination staff, which performed hundreds of compliance inspections and examinations across the SEC's largest concentration of registered financial institutions, including investment advisers, broker-dealers, mutual funds, private equity funds and hedge funds.

Prior to his tenure at the SEC, Marc served in the U.S. Attorney's Office for the Southern District of New York, including within the Securities and Commodities Fraud Task Force, where he was Chief from 2012 to 2014. While at the SDNY, Marc tried 13 jury trials to verdict and argued more than 20 appeals before the U.S. Court of Appeals for the Second Circuit.

"We are very excited to have Marc join us at Simpson Thacher," said Jonathan Youngwood, Co-Head of Simpson Thacher's Litigation Department. "Our Investigations Practice has grown to be a robust and dynamic player in the last decade, particularly in recent years under the leadership of Steve Cutler, who was also a Director of the SEC's Enforcement Division. Marc will be an excellent addition to the team, expanding the ranks of our partners with government experience to include six former SEC officials and seven former federal prosecutors."

"Marc has a unique blend of securities enforcement and criminal prosecution expertise, having served in leadership roles at both the SEC and the SDNY," said Steve Cutler, Head of the Firm's Government and Internal Investigations Practice. "He is a brilliant lawyer with extensive trial and investigative experience, and will be a tremendous asset to our clients."

"I am thrilled to join Simpson Thacher's exceptional investigations, enforcement and criminal defense practice and, more broadly, to work alongside an extraordinarily talented team of lawyers and staff around the world," said Marc. "It has been an honor to serve within the leadership of the SEC for the past several years and I look forward to drawing on that experience, as well as my prior time in the Department of Justice, to advise clients on their most sensitive and important matters."

Marc previously co-led the Securities and Futures Enforcement Practice at another major international law firm. He clerked for the Honorable Richard M. Berman of the U.S. District Court for the Southern District of New York. Marc is a graduate of the University of Virginia School of Law and received his bachelor's degree, with distinction, from Cornell University.

Simpson Thacher's Global Litigation Department represents a wide range of sophisticated clients, including financial institutions, corporations, boards, audit and special committees, and senior executives in their most significant matters. The Firm leverages its substantial bench of talent and broad experience to effectively handle litigations, government and internal investigations, arbitrations and cross-border disputes in North and South America, Asia and Europe.

About
Simpson Thacher

Simpson Thacher & Bartlett LLP (www.simpsonthacher.com) is one of the world's leading international law firms. The Firm was established in 1884 and has more than 1,000 lawyers. Headquartered in New York with offices in Beijing, Hong Kong, Houston, London, Los Angeles, Palo Alto, São Paulo, Tokyo and Washington, D.C., the Firm provides coordinated legal advice and transactional capability to clients around the globe.