



Chuck Dender

Partner

New York

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Overview

Chuck Dender is an experienced litigator who leads DiCello Levitt's Whistleblower Litigation Practice Group. With a proven record of excellence for his clients, the foundation of Chuck's broad litigation experience was formed while defending some of the most significant commercial litigation matters in the U.S. over the last two-plus decades. While Chuck began his litigation career on the defense side of the table, he is a plaintiffs' attorney at heart. He now represents plaintiffs exclusively. With a background that includes membership in the International Brotherhood of Teamsters, Chuck has personally experienced what it's like to be a plaintiff in need of outstanding legal representation.

Chuck represents aggrieved investors — both individuals and entities — in all aspects of complex litigation against players in the financial services industry, as well as other public and private companies. He also represents whistleblowers who cooperate with government agencies in their efforts to shine the light on corporate malfeasance.

In whistleblower matters, Chuck has a keen understanding of both the types of information that government agencies are looking for and the best methods for presenting that information to the agencies so they can act and wield justice from corporate wrongdoers. Chuck has authored compelling whistleblower submissions on behalf of both corporate insiders and interested outsiders. He has the good fortune of learning this complicated dance under the tutelage of Jordan Thomas, the principal architect of the Securities and Exchange Commission's Whistleblower Program. Chuck has also presented whistleblowers and supporting witnesses in front of the highest-ranking members of the SEC's Whistleblower Program during multiple-day interviews.

Chuck is experienced in a wide range of legal disciplines, with a specific focus representing clients in litigation involving the financial services industry or any matter where the calculation



and presentation of damages is anything but a run-of-the-mill issue.

Chuck's legal expertise is enhanced by his MBA, with a specialization in finance and quantitative finance from the New York University Stern School of Business. This additional accreditation and education gives Chuck a unique advantage when it comes to identifying issues related to financial crimes and damages issues, including working with economists and other expert witnesses. As proof of this point, Chuck played a key role in presenting the damages model of one of the largest financial institutions in the world after the collapse of Lehman Brothers Holding, Inc.

Practice Areas

ANTITRUST AND COMPETITION LITIGATION

CLASS ACTION LITIGATION

COMMERCIAL LITIGATION

SECURITIES AND FINANCIAL PRODUCTS LITIGATION

WHISTLEBLOWER LITIGATION

Education

Cornell Law School, J.D.

NYU Stern School of Business, MBA

Temple University, B.A.

Representative Matters

Whistleblower, *Qui Tam*, and False Claims Act representations:

State of Illinois ex rel. Edelweiss Fund LLC v. Bank of America Capital Corp., et al., 2017L0289 (Ill. Cir. Ct. Cook Cty.), Co-Counsel for Relator (False Claims Act *qui tam*—fraud involving municipal bond interest rates).

State of New York ex rel. Edelweiss Fund LLC v. JPMorgan Chase & Co., et al., 100559/2014 (Sup. Ct. New York), Co-Counsel for Relator (False Claims Act *qui tam*—fraud involving municipal bond interest rates).

State of California ex rel. Edelweiss Fund LLC v. JPMorgan Chase & Co., et al., No. CGC-14-540777 (Sup. Ct. S.F.), Co-Counsel for Relator (False Claims Act *qui tam*—fraud involving



municipal bond interest rates).

State of New Jersey ex rel. Edelweiss Fund LLC v. JPMorgan Chase & Co., et al., No. L-885-15 (Sup. Ct. Mercer Cty.), Co-Counsel for Relator (False Claims Act *qui tam*—fraud involving municipal bond interest rates).

United States ex rel. Gill v. CVS Health Corp., 18-cv-6494 (SCS/JC) (N.D. Ill.), Co-Counsel for Relator (False Claims Act *qui tam*—Medicare fraud).

Represents numerous whistleblowers who were able to detail and quantify the target companies' financial, accounting, and public disclosure violations in their submissions to, and resulting participation with, the S.E.C. and C.F.T.C.

Represented a whistleblower and a cooperating witness in an SEC whistleblower action that resulted in a \$6,000,000 settlement with a major technology company for violations of the antifraud provisions of Section 17(a)(2) and (3) of the Securities Act of 1933, as well as certain reporting provisions of the federal securities laws. The violations stemmed from the company's alleged improper inventory management (channel stuffing and grey marketing) and resulting fraudulent revenue recognition practices.

Represented a whistleblower in an SEC whistleblower action that resulted in a \$5,000,000 settlement with a major alcohol producer for violations of the antifraud provisions of Section 17(a)(2) and (3) of the Securities Act of 1933, as well as certain reporting provisions of the federal securities laws. The violations stemmed from the company's alleged improper inventory management (channel stuffing) and resulting fraudulent revenue recognition practices.

Securities and Financial Services Litigation:

Represented the Special Litigation Committee of a Fortune 100 company in the Committee's investigation into a long-running revenue recognition scheme that resulted in numerous material misstatements that were intentionally disseminated to the financial markets and investing public.

Analyzed and presented the legal and economic damages stemming from the collapse of Lehman Brothers Holdings, Inc. and the asserted value of certain disputed complex derivatives, SWAPS and SWAPtions on behalf of one of the world's largest financial institutions,

Represented numerous broker-dealers, funds, and funds-of-funds in litigation, S.E.C. investigations, FINRA actions, SROs, and internal investigations.

Class Actions and Toxic Tort representations:

Represented approximately 1,600 coal miners in a long-running toxic tort litigation against major international chemical manufacturers, for the manufacturers' failure to warn about the dangers of isocyanate exposure.

Awards & Honors

Editor-in-Chief, *Cornell International Law Journal*



Publications & Presentations

Wait, wait . . . It Goes to the Weight! A Review of the Damages Considerations in Manpower, Inc. v. Insurance Company of the State of Pennsylvania. Stout, Risius, Ross, 2014 Spring Journal,

The Practitioner's Guide to the Sarbanes-Oxley Act. (John J. Huber, et al, eds. Vol.2, 2004) (Co-authored Chapter 3 entitled "Hedge Fund Regulation.")

Admissions & Memberships

Bar Admissions

New York

Court Admissions

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

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