



Brian D. Waller

Partner

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BIO

Brian Waller is co-chair of Peckar & Abramson's White Collar, Regulatory Compliance & Investigations practice, and co-chair of the firm's Crisis Management team. With over twenty-five years of experience, Brian is an accomplished trial and appellate attorney who adeptly navigates the complexities of both white-collar criminal investigations and construction law. He represents corporations, construction companies, financial institutions and individuals in the areas of white-collar criminal defense, regulatory enforcement and compliance, corporate internal investigations, and complex commercial litigation.

Brian has extensive experience handling high-profile criminal investigations and prosecutions and high-stakes regulatory enforcement actions. He has defended clients against a wide range of sophisticated criminal allegations including financial fraud, public corruption, securities fraud, labor law violations, Minority, Women-owned, and Disadvantaged Business Enterprises (M/W/DBE) program abuse, health care fraud, False Claims Act and Foreign Corrupt Practices Act (FCPA) violations, antitrust, money laundering, bribery, insider trading, environmental crimes and tax evasion. Having served as an Assistant District Attorney in Bronx County, New York, where he investigated, prosecuted and tried a wide range of complex criminal matters, Brian possesses a unique understanding of the interplay between criminal law and regulatory compliance, allowing him to craft effective strategies for clients.

In addition, Brian is a seasoned civil litigator representing businesses in complex commercial disputes. He regularly represents construction managers and general contractors in a broad array of matters involving breach of contract, delay claims, bond and insurance issues, default and termination, and mechanic's liens.

Brian also frequently counsels his business clients in the areas of compliance matters, responding to subpoenas, contract negotiations, risk management, ethical practices, conflicts of interest and dispute resolution.

HIGHLIGHTS

ADMISSIONS

- State of New York
- State of New Jersey
- United States Court of Appeals for the Second Circuit
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York
- United States District Court for the Northern District of New York
- United States District Court for the State of New Jersey

EDUCATION AND COURSES

- Binghamton University, B.A., 1990
- Hofstra University School of Law, J.D., 1993

PRACTICE AREAS

- Business Litigation
- Construction and Infrastructure
- Securities Regulatory Litigation and Compliance
- Internal Investigations
- White Collar, Regulatory Compliance & Investigations

MEMBERSHIPS

- Federal Bar Council
- New York State Association of Criminal Defense Lawyers

AWARDS AND RECOGNITIONS

- *New York-Metro Super Lawyers*, 2009-2024

PUBLICATIONS AND PRESENTATIONS

- “Corporate Transparency Act Update,” *P&A Client Alert*, November 2024 (Co-Author)
- “Federal Judge Strikes Down Private Party’s False Claims Act Suit,” *P&A Client Alert*, November 2024 (Co-Author)
- “Reporting Requirements Under the Corporate Transparency Act,” *P&A Client Alert*, October 2024 (Co-Author)
- Brian has provided legal commentary for Court TV, NBC News, New York Daily News, Reuters, WPIX, BronxNet and other media outlets. He also frequently lectures on a variety of topics. Recent examples include:
 - “New York City’s Stop & Frisk Policy”
 - “Privileges in Civil & Criminal Litigation”
 - “Taking & Defending Depositions”
 - “Motion Practice in Federal & State Courts”
 - “The Crime Fraud Exception to the Attorney-Client Privilege”
 - “The Tripartite Relationship between Insurer, Insured, and Insurance Defense Counsel”