

**BRADLEY L. MIRKIN**  
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## SUMMARY

Brad Mirkin is a former senior regulator, chief compliance officer, outside counsel to global financial institutions in regulatory compliance and enforcement actions, and technology compliance expert. He focuses on US and global cyber security, anti-money laundering (AML)/financial crimes, regulatory compliance and data leakage, quality, veracity, lineage, and related issues. He has handled investigations and regulatory compliance matters in more than thirty countries.

Mr. Mirkin's extensive experience with US and international investigations includes complex decision-making involving high-risk clients, foreign financial institutions, sovereign wealth funds, central banks, complex ownership structures, and offshore accounts; as well as risk assessments and program design related to onboarding risks (customer, vendor, and intermediary), due diligence programs, country risk programs and algorithms, and politically exposed person (PEP) accounts.

With more than a decade of experience with cyber- and information-security programs, including having headed cyber-security compliance for one of the world's largest wealth managers, Mr. Mirkin is an expert in shrinking attack surfaces for both global enterprises and small and medium-sized businesses; and in preventing data leakage in areas such as social engineering programs, identification and authentication, patching protocols, least privilege, and information barriers. He has also overseen and advised prominent financial institutions in regulatory examinations of bank cyber-security programs and cybercrime investigations.

Mr. Mirkin's experience also includes assessing data flows across networks and global organizations, as well as handling data breaches and incident response. As Chief Privacy Officer, he led a prominent technology company's global privacy program, including its General Data Protection Regulation (GDPR) compliance.

Mr. Mirkin has served in leadership positions within the American Bar Association, including as co-chair of its International AML Committee and as an appointed member of its AML/Anti-Terrorism Financing Task Force.

As a senior regulator, Mr. Mirkin helped lead some of FINRA's highest-priority matters against member firms and their executive leadership related to alleged violations of FINRA and SEC rules and orders. He applied his expert insights on broker-dealer and investment management issues to advise FINRA lawyers and investigators in Enforcement, Member Regulation, and Market Regulation on a range of key issues, including supervision and executive liability.

## EDUCATION

J.D. (Class Standing; Top 30 Percent)	University of Pennsylvania
Ph.D.	London School of Economics and Political Science
M.Sc. (with distinction)	London School of Economics and Political Science
A.B. (High Honors; Dean's List)	Brandeis University

## PRESENT EMPLOYMENT

### **Managing Director, Berkeley Research Group LLC., Boston, MA, 2018 – present**

- Serve as Independent AML Consultant for mid-size global financial institution after settlement with Securities & Exchange Commission, FINRA and several other regulators
- Expert witness and consultant on issues such as Cybersecurity, Privacy, Business Continuity Planning/Disaster Recovery Planning, SEC and FINRA rules and regulations, Risk management, Supervision, Investment banking and Covenants not to compete.

## PREVIOUS POSITIONS

### **Managing Director, Regulatory Solutions and Chief Privacy Officer, Regulatory DataCorp (RDC), King of Prussia, PA, 2017 – 2018**

Headed AML, KYC, Financial Crimes and Sanctions Compliance Solutions for Technology company serving large global banks as well as Fintechs and large corporates in Americas, EMEA and APAC

- Advised Senior Executives & clients in US & other nations on AML/KYC and ABC regulatory developments, including Financial Crimes & Regulatory Compliance, Compliance Technology Risk Testing, Model Validation, Onboarding & Risk Management
- Risk Management expert for clients, including on AML/KYC, Financial Crimes, Sanctions & Three Lines of Defense models and practices
- As Chief Privacy Officer, led Data Privacy reviews and compliance for US, UK and EU offices and personnel
- Led Country Risk program, designing Algorithm revision & supervising testing
- Member of Operations, Privacy and Risk Committees
- Thought Leader, representing company with executives at client meetings, with global regulators and presenting on cutting edge Technology and Risk issues at industry conferences
- Reported to President with weekly meetings with CEO

### **Vice President, Regulatory Compliance, State Street Bank, Boston, MA, New York, NY, 2015 – 2016**

Headed Global AML/Sanctions, Anti-Bribery/Anti-Corruption, Cybersecurity, Fraud and Privacy for Compliance Department of world's third largest investment advisor

- Advised Chief Compliance Officer on global AML/KYC, Cybersecurity, Financial Crime & Privacy risks (Customer, Vendor & Intermediary) in EMEA, APAC and North America and Investigations
- Directed and oversaw enhancement of global Fraud Risk Management program, including identifying Fraud control tools, procedures and technologies and prioritizing implementation and socialization

- Led Internal Inquiries into PEPs and other High Risk clients as well as Onboarding in US and 21 foreign jurisdictions
- Reviewed, advised and led executive deliberations and actions on Data Privacy Incidents, Data Breach Notifications, Data Subject Access Requests, Mobile Devices and PII
- Led Compliance Technology Risk Assessment and risk prioritization
- Led Third Party Due Diligence in AML/Sanctions and Cybersecurity
- Led Risk Assessments in AML, Cybersecurity, Fraud, Information Barriers/MNPI and Privacy
- Led all global AML, Cybersecurity, Financial Crimes and Privacy Regulatory Compliance
- Advised national CCOs on AML/KYC, Financial Crimes, Internal Audit reviews and Regulatory Compliance
- Advised on and led review of risks and metrics selection for boards
- Led review of Federal Reserve Bank Examination & Inspection Reports
- Member of global AML/Sanctions, Data Privacy and Transaction Monitoring Working Groups

### **Counsel, Government Investigations and White Collar Crime, Nixon Peabody, New York, NY 2014 – 2015**

- Represented financial institutions in investigations re: AML, BSA, Compliance Officer Liability, Corporate Governance, Cybercrime, Cybersecurity, Data Privacy, FCPA, Financial Crimes, Fraud, Incident Response, Insider Trading, KYC, Onboarding and Training Programs
- Counseled clients on Compliance and Regulatory Risk Management re: AML, Anti-Bribery Act, Bitcoin/Blockchain, BYOD, Compliance Programs, Corporate Governance, Cybercrime, Cybersecurity, Due Diligence, (Customer, Vendor & Intermediary), FCPA, KYC, Privacy and Training Programs

### **Senior Litigation Counsel, Department of Enforcement, Financial Industry Regulatory Authority (FINRA), Washington, DC**

Member of elite Litigation Group (seven member team of former AMLAW 50 partners and SEC senior trial counsel) leading investigations of, and trying, FINRA's most challenging cases and consulting on other significant investigations, examinations and disciplinary actions

- First/Second Chair in high-priority, complex cases, including AML, Annuities, CDD/EDD, Compliance Programs, Cybersecurity, Fraud, Information Barriers, Insurance Products, KYC, OFAC, Privacy and Supervision
- Counseled Working Groups, attorneys, investigators and examiners on investigations & technology
- Liaised with foreign regulators on investigations of joint concern
- Internal expert on internal controls, risk assessments, operations, supervision and technology
- Presented with "Outstanding Achievement Award" (2011, 2012) from Director of Enforcement and three performance bonuses, two of which were unique, recognizing exceptional accomplishments

### **Chief Compliance Officer, Celadon Financial Group, New York, NY, Chatham, NJ, 2007 – 2010**

Headed Compliance at broker-dealer with Prime Brokerage, Investment Banking & Wealth Management divisions.

- Oversaw all Onboarding & Third Party Due Diligence
- Oversaw all regulatory compliance, including all AML, BSA, Financial Crimes, FinCEN & OFAC reviews

- Led Cybersecurity review of firm systems, users and access points
- Oversaw Data Privacy analysis of firm and third party systems
- Identified and mitigated risk, especially re: foreign investment funds and foreign banks
- Handled and resolved SEC, FINRA, NYSE and foreign regulatory examinations and inquiries
- Conducted internal investigations and risk assessments
- Revised company policies and procedures in areas including AML, CDD/EDD, Privacy, Sanctions, SARs, Third Party Due Diligence, Training, Wire Transfers and SEC and FINRA reporting

**Partner, Fowler White Burnett, Miami, FL, 2003 – 2007**

- Litigated, investigated and handled Enforcement and Litigation for US, European and offshore clients
- Counseled clients in AML, KYC, FCPA, Regulatory Compliance and Third Party Due Diligence

**Law Firm Counsel & Associate, Washington, DC, Miami, FL, 1989 – 1993, 1995 – 2003**

Commercial litigator managing and litigating cases and counseling in Fraud, M&A, Privacy, Securities, Trade Secrets and Intellectual Property matters

**Law Clerk, Honorable Frederick J. Scullin, Jr., Syracuse/Albany, NY, 1993 – 1995**

Judicial Clerk to Judge, United States District Court for the Northern District of New York

## PROFESSIONAL AFFILIATIONS

### ***Prior***

Chair, Corporate Counsel Subcommittee, Ethics & Professionalism Committee, Section of Litigation, 2010 – 2016

Co-Chair, International AML Committee, International Law Section, 2010 -- 2011

Vice Chair, International Financial Products & Services Committee, International Law Section, 2010 – 2011

### ***Present***

Appointed Member, American Bar Association, Joint Task Force on AML & Anti-Terrorism Initiatives (Section of Business Law), 2009 – present

Member, Editorial Board, *Thomson Reuter Regulatory Intelligence*, 2017 – present

## PUBLICATIONS

- (1) "Cybersecurity in Financial Services 2015," Nixon Peabody Privacy Partner (January 8, 2015)
- (2) "New York's New Cyber Security Examination Process for Financial Institutions." NP Privacy Partner (December 8, 2014)

## SELECTED RECENT PRESENTATIONS

- (1) Presenter, “*AML Technology & The Three Lines of Defense*,” RDC Webinar (February 15, 2018)
- (2) Panelist, “*Operational Due Diligence*,” Due Diligence Summit (New York, NY, November 15, 2017)
- (3) Moderator, “*Counterparty Risk*,” Due Diligence Summit (New York, NY, November 15, 2017)
- (4) Chair (Day 2), Cyber Risk Across Financial Institutions (New York, NY, October 26, 2016)
- (5) Panelist, “*Acceptable Risk: Formalizing Risk Tolerance Policies Across the Enterprise*,” ACAMS Annual AML & Financial Crime Conference, (Las Vegas, NV, September 25, 2017)
- (6) Chair (Day 2), Cyber Risk Across Financial Institutions (New York, NY, October 26, 2016)
- (7) Panelist, “*Acceptable Risk: Formalizing Risk Tolerance Policies Across the Enterprise*,” ACAMS Annual AML & Financial Crime Conference, (Las Vegas, NV, September 25, 2017)
- (8) Chair (Day 2), Cyber Risk Across Financial Institutions (New York, NY, October 26, 2016)
- (9) Speaker, “*Cybersecurity, Financial Crimes and the SWIFT Bank Hacks*,” Cyber Risk Across Financial Institutions (NY, NY, October 26, 2016)
- (10) Speaker, “*Assessing the Balance between Business Profitability and Protection of Data*,” Cyber Risk Across Financial Institutions (NY, NY, October 25, 2016)
- (11) Speaker, “*Choosing and Monitoring Your Third Parties and Gatekeepers*,” Thomson Reuters Compliance & Risk Forum (Boston, MA, September 13, 2016)
- (12) Speaker, “*Cybersecurity, AML and the SWIFT Bank Hacks*,” INSA Financial Threats Task Force (NY, NY, July 13, 2016)
- (13) Speaker, “*Cybersecurity Essentials: What’s Next?*” NRS Spring Conference (Miami, FL, May 12, 2016)
- (14) Speaker, “*Sound Vendor Management*,” NRS Spring Compliance Conference (Miami, FL, May 10, 2016)
- (15) Presenter, “*AML: The View From 2015*,” Presentation to US Legal and Compliance Depts of global bank (NY, NY, July 3, 2015)
- (16) Presenter, “*FINRA’s Focus on International AML: The View from 2015*,” Financial Intelligence & Information Sharing Working Group Summer Symposium (NY, NY, May 29, 2015)
- (17) Speaker, “*Cybersecurity for Advisers*,” ACA Compliance Spring Conf. (Miami, FL, April 22, 2015)
- (18) Moderator, “*Staying Ahead of Compliance Issues/Internal Investigations/Whistleblowers*,” Association of Trial Law Firms Financial Services SuperCourse, (NY, NY, September 12, 2014)
- (19) Panelist, “*A Continuing Trend: Investigations, Enforcement Actions and Prosecutions*,” Association of Trial Law Firms Financial Services SuperCourse, (NY, NY, September 12, 2014)