

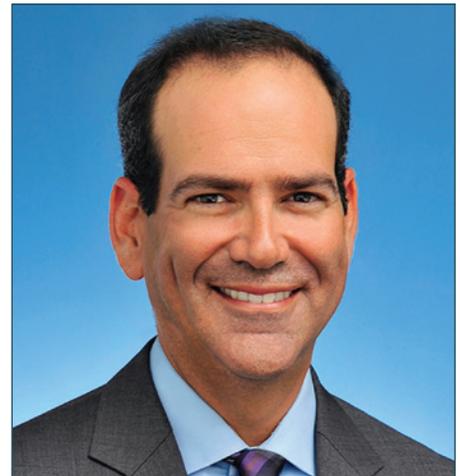
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TRAILBLAZERS

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NEIL BAROFSKY JENNER & BLOCK



PIONEER SPIRIT Monitoring a corporation's compliance with a consent agreement can be a once-in-a-career assignment. Neil Barofsky turned it into a practice. Barofsky was the first special inspector general of the \$700 billion Troubled Asset Relief Program, under which the government purchased toxic assets from financial institutions during the late 2000s financial crisis. While that kind of work is often a "one-off" Barofsky went on to build a first-of-its kind mentorship practice at Jenner & Block, overseeing reforms at corporations where wrongdoing has led to federal and state investigations.

TRAILS BLAZED Barofsky spent eight years as an assistant U.S. attorney in the Southern District of New York before President George W. Bush appointed him to monitor the bailout program in 2008. By 2011, his office secured 14 fraud convictions and recovered \$150 million in fraudulent earnings from the bailout. He has taken on monitorships from such entities as the U.S. Department of Justice and New York State Department of Financial Services. The firm now oversees Credit Suisse's compliance with a settlement involving residential mortgage-backed securities and oversaw the compliance of a settlement related to the bank's scheme to help U.S. clients evade taxes. The goal is not only compliance, but reform. "There's a tendency for a monitor to look at a problem, identify how he or she would solve the problem and impose that solution through a recommendation on the company. If the reforms aren't smart, if they don't make sense, if the company hasn't fully accepted them, they throw them out the window the second you walk out the door."

FUTURE EXPLORATIONS Despite a momentary "pullback" on enforcement of settlement agreements, Barofsky sees a growing role for monitors. Lawyers are overseeing changes in public agencies, such as big-city police departments, as well as in corporations.