

# Christian T. Kemnitz

*Partner and Chair, Financial Markets Litigation and Enforcement Department*

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## Practices

FOCUS: Financial Markets Litigation and Enforcement

Antitrust and Competition

Cryptoassets and Blockchain Technology

Financial Markets and Funds

Futures and Derivatives

Litigation

Proprietary Trading Firms

Quantitative and Algorithmic Trading

Securities Litigation

White Collar and Internal Investigations

## Industries

Finance and Financial Markets

## Education

JD, The University of Chicago Law School

BA, Michigan State University

## Bar Admissions

Illinois

## Court Admissions

US District Court, Northern District of Illinois

US Court of Appeals, Fifth Circuit

## Community Involvements

Illinois State Bar Association

The Chicago Bar Association

Christian Kemnitz devotes his practice to the defense of financial services firms in litigation, regulatory enforcement proceedings and internal investigations. His work frequently involves disputes over futures, options, swaps, securities and other complex financial products. In particular, he has extensive experience defending matters relating to spoofing, manipulation and other forms of disruptive trading.

## Financial services litigation, arbitration and enforcement actions

Chris' work on financial services litigation includes proposed class actions brought under securities laws. He also frequently represents broker-dealers in civil disputes, including arbitration claims brought by customers. In this work, Chris has a long and successful record at arbitration hearings. In the heavily regulated field of financial services, he also handles enforcement proceedings before the Securities Exchange Commission (SEC), Commodity Futures Trading Commission (CFTC), self-regulatory bodies, and at stock, option and futures exchanges.

Outside of financial services, Chris has litigated employment, product liability and class action matters, as well as disputes within partnerships and closely held corporations. Clients also seek his counsel on antitrust issues, where Chris' experience includes pre-merger regulatory review, criminal investigations and class actions by direct and indirect purchasers.

Chris also advises corporate and individual clients in white-collar criminal matters, including investigations initiated by the US Department of Justice (DOJ), the SEC and the CFTC. Often those investigations are preceded by internal investigations. Chris has run such internal investigations for manufacturing companies, investment banks, broker-dealers and hedge funds.

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## Recognitions

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Recognized or listed in the following:

- *Chambers USA*
  - Recognized Practitioner, 2016
- *The Legal 500 United States*
  - Recommended Attorney, 2015–2021

## News

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- Katten Receives High Marks in Derivatives, M&A and Securitization in The Legal 500 United States 2021 Guide (June 10, 2021)
- Katten Named Top-Tier Firm in Structured Finance and Securitization by The Legal 500 United States 2020 Guide (June 16, 2020)
- Katten Praised in The Legal 500 United States 2019 Guide (June 11, 2019)
- Katten Distinguished by *The Legal 500 United States* (June 14, 2018)
- Katten Bitcoin Webinar Offers Legal and Compliance Insight (December 18, 2017)
- Katten Distinguished by *The Legal 500 United States 2017* (May 31, 2017)
- Eighteen Katten Practices and 70 Attorneys Recognized by *The Legal 500 United States 2016* (June 17, 2016)
- *Chambers USA 2016* Distinguishes 22 Katten Practices and 50 Attorneys (May 27, 2016)
- Nine Katten Practices and 42 Attorneys Distinguished by *The Legal 500 United States 2015* (June 3, 2015)

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- Katten Obtains Dismissal of ERISA 401(k) Plan "Stock Drop" Class Action for SunEdison, Inc. (March 27, 2014)
- Katten Launches Credit Crisis Solutions Group to Assist Clients in Navigating Current Critical Period of Financial Uncertainty (August 14, 2008)

## Publications

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- Financial Markets and Funds *Quick Take* | Issue 5 (August 16, 2022)
- Second Circuit Rejects Probabilistic Pleading to Allege Actual Damage in Spoofing Cases (August 1, 2022)
- Key Takeaways: CFTC's FY 2021 Swap Dealers Enforcement Actions (December 7, 2021)
- CFTC Expanding Anti-Manipulation Powers to Punish Misrepresentations to Futures Exchanges and FCMs (October 7, 2021)
- Second Circuit Opinion Allows Market Manipulation Claims Based on Hedging Activity (May 27, 2021)
- Broadening the Pipeline: How to Increase Diversity in the Financial Services Legal Industry (October 15, 2020)
- Futures Enforcement and Litigation: A Disruptive Year, Top 5 Takeaways (October 1, 2020)
- Katten Attorneys Examine the Coscia Spoofing Conviction and the Questions It Creates (September 4, 2017)
- Second Circuit Decision Provides Guidance for Drafting Enforceable Broker-Dealer Agreement Forum Selection Clause (September 4, 2014)
- SDNY Strikes a Blow Against Selective Waivers (January 14, 2014)
- *Gruss v. Zwirn*: SDNY Strikes a Blow Against Selective Waiver (December 5, 2013)
- The SEC's Heightened Scrutiny of Broker-Dealer Municipal Securities Underwriting and Public Entity Sales Practices (February 29, 2012)

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- *Corporate & Financial Weekly Digest* (Weekly) | *Author*

## Presentations and Events

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- Katten's Annual Financial Markets Litigation and Enforcement Symposium (October 13, 2022)
- Law & Compliance Division Conference 2022 (April 27–29, 2022) | *Panelist* | *But Wait, There's More Enforcement – Exchange Enforcement*
- The CFTC's Evolving Application of its Fraud-Based Manipulation Law and Regulatory Provisions (December 2, 2021)
- Katten's Annual Financial Markets Litigation and Enforcement Symposium Series (October 1, 2020) | *Moderator* | *Futures Enforcement and Litigation: A Disruptive Year.*
- MFA Legal & Compliance 2020 (July 21–22, 2020) | *Panelist* | *CFTC Enforcement Update: Spoofing, Crypto, Foreign Corruption & Cyber*
- Market Correction Curriculum: Nontraditional ETFs (May 12, 2020) | *Co-presenter*
- Trading Practices — A 2020 Update (February 19, 2020) | *Speaker*
- Katten's Annual Financial Markets Litigation and Enforcement Symposium (October 10, 2019)
- CFTC Regulatory and Enforcement Agenda Webinar (September 24, 2019) | *Presenter*
- 41st Annual FIA Law and Compliance Division Conference (May 8–10, 2019) | *Participant* | *There's Another Sheriff in Town: Enforcement by Exchanges*
- SIFMA C&L Annual Seminar (March 25, 2019) | *Panelist* | *MB: Investment Banking and Capital Markets Enforcement Issues and Developments*
- Beyond Bitcoin (May 17, 2018) | *Co-Presenter*
- 40th Annual Law & Compliance Division Conference (May 2–4, 2018) | *Speaker* | *Enforcement: CFTC, NFA, SRO Enforcement and Exams*

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- Exchange Investigations & Enforcement: Insights and Trends (February 28, 2018) | *Moderator*
- Trading Bitcoin: Legal and Compliance Considerations for Trading and Facilitating Transactions in Bitcoin (December 13, 2017) | *Panelist*
- SIFMA Compliance & Legal Society New York Regional Seminar (November 1, 2017) | *Keynote Speaker*
- Katten's Annual Financial Services Litigation Symposium (October 26, 2017) | *Speaker* | *Futures Regulatory Enforcement*
- 2017 Quadrilateral Conference (July 14, 2017) | *Panelist* | *U.S. Regulatory Update*
- 39th Annual FIA Law & Compliance Division Conference on the Regulation of Futures, Derivatives and OTC Products (May 3–5, 2017) | *Speaker*
- Katten's Annual Financial Services Litigation Symposium (October 27, 2016) | *Presenter*
- 38th Annual FIA Law & Compliance Conference on the Regulation of Futures, Derivatives and OTC Products (May 4–6, 2016) | *Presenter* | *Automated Trading Requirements*
- A Review of CFTC Proposed Regulation AT and Its Potential Practical Impact (December 17, 2015) | *Panelist*
- Emerging Trends in Securities and Futures Trading Regulation (December 3, 2015) | *Panelist*
- Market Manipulation in Electronic Securities Markets (November 19, 2015) | *Presenter*
- Emerging Trends in Securities and Futures Trading Regulation (November 11, 2015) | *Panelist*
- Financial Services Litigation Symposium (October 6, 2015) | *Panelist*
- Compliance and Legal Society Chicago Breakfast (September 25, 2015) | *Panelist* | *Hot Topics for the Securities Industry*
- ACIC Spring Forum: Back to the Future (April 30, 2015) | *Panelist* | *Report from the Battleground of PE Litigation*

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- Compliance & Legal Society Annual Seminar (March 15–18, 2015) | *Panelist* | *Commodities and Derivatives Litigation and Regulatory Update*
- Financial Services Litigation Symposium (October 16, 2014) | *Presenter*
- 36th Annual Law & Compliance Conference on the Regulation of Futures, Derivatives and OTC Products (May 7–9, 2014) | *Panelist* | *CFTC Automated Trading Concept Release – In Practice*
- Recent Publicity Concerning Proprietary Trading: Potential Regulatory Responses (May 6, 2014) | *Panelist*
- Recent Publicity Concerning Proprietary Trading: Potential Regulatory Responses (April 28, 2014) | *Panelist*
- Compliance & Legal Society Annual Seminar 2014 (March 30–April 2, 2014) | *Panelist* | *Commodities and Derivatives Litigation and Regulatory Update*
- Pitfalls in a Shifting Landscape: Trade Practice Issues for Futures and Securities (December 3, 2013) | *Presenter*
- Pitfalls in a Shifting Landscape: Trade Practice Issues for Futures and Swaps (October 23, 2013) | *Panelist*
- Successful Partnering Between Inside and Outside Counsel (August 29, 2013) | *Presenter*
- Strategies to Deal with the CFTC's Trade Practice and Market Surveillance (TP/MS) Program (May 29, 2013) | *Speaker*
- SIFMA Compliance and Legal Society Annual Seminar 2013 (March 17–20, 2013) | *Panelist* | *Arbitration: Discovery, Expungement, Mediation, and ADR*