



Allegaert Berger & Vogel LLP



Christopher Allegaert

Partner

Mr. Allegaert, a founding partner of the Firm, is an experienced litigator and trial lawyer with a particular expertise in complex and challenging cases including derivative and class actions. He has successfully represented clients in high-stakes trials against multinational corporations, financial institutions and accounting firms, as well as negotiated multiple seven- and eight-figure settlements on behalf of clients.

Mr. Allegaert's practice focuses on trial and appellate practice, arbitration, and mediation, principally in accounting, banking, corporate governance, general commercial, insurance and reinsurance, intellectual property (including patents and trademarks), securities (including commodities and derivatives), and trusts and estates matters. Mr. Allegaert has tried cases in federal and state courts and arbitrated matters before a wide range of arbitral tribunals. He regularly advises foreign businesses and financial institutions, lawyers, and law firms with respect to international and domestic transactions and litigations. Mr. Allegaert has extensive experience representing individuals, partnerships and corporations in sensitive investigations by state and federal agencies, such as the SEC, various Attorneys Generals' offices, the Department of Defense and the U.S. Attorney's Office, as well as investigations by self-regulatory organizations such as the New York Stock Exchange, the NASD and the CTFC.

In addition to his law practice, Mr. Allegaert has taught, written, and lectured on legal subjects. He has for several years served as a guest lecturer at Fordham University School of Law, and has co-authored a number of articles dealing with banking and auditing issues. He has also served as a panelist in the McGraw-Hill Irwin Accounting Workshop at Pace University addressing "Lessons We Should Learn From Enron", as a featured speaker before the Banking Law Committee of the Association of the Bar of the City of New York on issues concerning accounting malpractice, and as a faculty member in the Association's Continuing Legal Education program, "Sarbanes/Oxley Act Financial and Accounting Implementation Strategies -- A Look Back, A Look Forward".

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Academic Background

B.A., Columbia College, 1979
J.D., New York University School of Law, 1985

Bar and Court Admissions

New York
Southern District of New York
Eastern District of New York

Professional/Community

Federal Bar Council
Vice Chairman, IAG International

Mr. Allegaert is Vice Chairman and a member of the executive committee of IAG International, an organization of over seventy independent law, tax advisory, and accounting firms throughout the world.

Representative Matters

Arbitration

- Represented California event creator and producer in suit against Avon Products Foundation for breach of contract; obtained multi-million dollar arbitral award after sixty-seven day hearing.
- Prosecution of customer claims in NASD arbitration of unauthorized trading by securities broker and brokerage firm.
- Prosecution of claims before the American Arbitration Association arising out of breach of joint venture agreement to pursue repatriation of substantial personal and corporate real property in Romania seized by the Communists in the late 1940s.
- Defense of security brokerage firms in NASD and NYSE customer arbitrations asserting breach of fiduciary duty, churning, and unsuitability, among other claims.
- Prosecution of breach of contract claims before International Chamber of Commerce arbitration panel involving multi-million dollar loan agreement between companies in the department store business in mainland China.
- Representation of individuals and estates in NASD and NYSE arbitrations against securities brokerage firms involving unauthorized or otherwise illegal purchases and sales of securities and other investments.

Banking

- Co-lead trial counsel for major international trade finance bank in 48-day Federal jury trial involving multi-million dollar claims of conversion of collateral and RICO violations against another major international bank.
- Representation of two major international banks in defense of lender liability claims arising out of a massive bank fraud perpetrated by executives of an oil refining and trading company.
- Representation of a Swiss private bank with respect to money laundering issues and Patriot Act compliance.
- Representation of Austrian bank with respect to enforcing defaulted loan obligations by borrower with assets in the United States.
- Representation of a clearing bank in an action involving the unauthorized endorsement of a corporate check.
- Representation of a Swiss bank in enforcement of rights under defaulted loan agreement against New York domiciliary.
- Defense of United States subsidiary of Korean multinational in action by Korean bank lender to seize pledged assets in United States bank accounts in derogation of syndicate lenders' forbearance agreement in Korea.

Bankruptcy Litigation

- Joint defense of trade finance banks in preference and avoidance actions brought by debtor's Chapter 7 Trustee based on theories of lender liability arising out of a syndicated \$235 million revolving credit facility.
- Representation of licensee of film library in Chapter 11 bankruptcy proceeding of copyright owner where licensee's rights to commercially exploit copyright were challenged.
- Representation of airline debtor in action by lender to seize aircraft.

Business and Commercial Disputes

- Defense of major stock brokerage firm in action asserting improper acceptance of corporate check endorsed by CEO as part of embezzlement scheme.
- Defense of CEO and major shareholder of an on-line provider of business news in fight for corporate control with investor shareholders.

Class Actions

- Defense of Delaware corporation and its board of directors in securities class action asserting breach of fiduciary duty arising out of self-tender and follow-on going private transactions.

Employment

- Representation of German citizen whistleblower with respect to claims of wrongful termination by multinational corporation under Sarbanes-Oxley Act.
- Representation of professional soccer team in dispute with terminated head coach.

Government and Self-Regulatory Organization Investigations

- Representation of numerous individuals and firms in SEC and NYSE proceedings investigating insider trading and other unlawful manipulations of the securities markets.
- Representation of stockbroker in New Jersey Bureau of Securities disciplinary proceeding involving sale of unregistered securities.
- Representation of convertible arbitrage hedge fund in NYSE insider trading investigation.
- Representation of major military supplier in DCIS investigation brought by Department of Defense.

Intellectual Property

- Representation of creator/manufacturer of motorcycle equipment brand in multiple trademark disputes before the United States Patent and Trademark Office, as well as coordination with counsel abroad concerning protection of mark internationally.
- Representation of major calling card company in trademark infringement claim against leading competitor.
- Representation of German book publisher in copyright and licensing dispute with United States licensee.

Products Liability

- Representation of major industrial manufacturing company in defense of claims alleging negligent design and function of a hydraulic lift.
- Defense of aluminum manufacturer in action seeking multi-million dollar consequential damages for allegedly defective custom alloy for use in high-end softball bats.

Professional Malpractice

- Representation of bank lenders in eight-figure accounting malpractice action against Big Eight accounting firm.
- Defense of Big Eight accounting firm from claims of negligent tax and audit services by a major chemical manufacturing company arising out of a lapsed DISC tax deferral under the IRS Code.
- Representation of failed business in investigation and prosecution of accounting malpractice claim against Big Five accounting firm.

Trust and Estate Litigation

- Representation of estate beneficiaries in multiple litigations against estate creditors, other beneficiaries and fiduciaries, as well as with respect to IRS audit of estate tax returns.
- Representation of guardian for an adjudicated incompetent, who was putative settlor and sole beneficiary of an inter vivos trust, with respect to claims against corporate co-fiduciary for waste of trust assets.

Publications

Class Action Against Enron's Accountants and Advisors, *CPA Journal*, March 2004 (with Professor Daniel J. Tinkelman and Louis A. Craco, Jr.)

Holding Auditors Accountable for Negligence, *Commercial Lending Review*, Spring 2000 (with Professor Tinkelman)

Reconsidering the Lack of Duty Defense to State Auditor Negligence Claims, *The Journal of Corporation Law*, Spring 2000 (with Professor Tinkelman)

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