

PARTNER

Martin De Luca

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PROFILE

Martin is an experienced litigator who advises high-net-worth individuals and corporations in complex multi-jurisdictional disputes and investigations, including government enforcement actions and related cross-border litigation. He works closely with clients to develop offensive and defensive strategies to manage the criminal and civil litigation often associated with high-profile government investigations, such as fraud, asset forfeiture, sanctions, and insolvency litigation. Martin's work has spanned the globe, including offshore jurisdictions like the British Virgin Islands, the Cayman Islands, the Bahamas, the Marshall Islands, the Cook Islands, and Cyprus.

Martin advises clients on enforcement actions brought by U.S. and international authorities, including matters involving the International Emergency Economic Powers Act, Foreign Corrupt Practices Act, Racketeer Influenced and Corrupt Organizations Act as well as money laundering and fraud violations. He also counsels clients on navigating international sanctions regimes, often advocating before the U.S. Department of Treasury's Office of Foreign Assets Control, the U.S. Department of State, the U.S. Department of Commerce, the U.K. Office of Financial Sanctions Implementation, and the European Union.

Described by *Chambers & Partners* as an "excellent and extremely sophisticated lawyer" and "particularly well regarded for his experience representing individuals in high-profile cross-border disputes and investigations," Martin helps clients navigate the challenges posed by simultaneous legal proceedings in multiple countries.

PRACTICES

International Private Client
Global Investigations and White Collar Defense
Crisis Management
Asset Recovery and Judgment Enforcement
International Arbitration
Energy
Government Litigation
Commercial Disputes
Creditor Rights, Bankruptcy, and Restructuring
Sports and Gaming

EDUCATION

Fordham Law School, J.D.
Rutgers University, B.A., *high honors*

ADMISSIONS

Bars

New York
U.S. Court of Appeals: Second Circuit
U.S. District Court: District of Colorado
U.S. District Court: Eastern District of New York
U.S. District Court: Southern District of New York
Registered Foreign Legal Consultant – Brazil

Earlier in his career, Martin was a prosecutor at the U.S. Department of Justice as a Special Assistant U.S. Attorney in the U.S. Attorney's Office for the Southern District of New York and an Assistant District Attorney at the New York County District Attorney's Office. During his time with the U.S. government, he prosecuted cases involving public corruption, complex fraud, money laundering, tax evasion, organized crime, and international narcotics, often in partnership with the U.S. Federal Bureau of Investigation, the U.S. Securities and Exchange Commission, the U.S. Department of Homeland Security, U.S. intelligence agencies, and foreign law enforcement partners.

Not admitted to practice as a solicitor in England and Wales and not a member of Boies Schiller Flexner (UK) LLP.

EXPERIENCE

Martin's representations have included:

- Numerous high-net-worth individuals facing threat of sanctions under various political frameworks in designing and executing cross-border defensive strategies
- Russian ultra-high-net-worth individuals in connection with U.S./U.K. sanctions and EU restrictive measures arising from the conflict in Ukraine
- Numerous clients, including a U.S. asset manager, a Brazilian high-net-worth individual, and a European energy company in connection with investigations and related work involving allegations of sanctions violations and circumvention
- Numerous clients in designing and executing claim monetization strategies, such as a Swiss investor facing losses caused by fraud and misrepresentation in real estate development projects, a Brazilian foundation conducting an investigation into the embezzlement of U.S. \$30 million by former executives, a Brazilian businessman in a cross-border dispute worth more than U.S. \$50 million, a Brazilian entity seeking U.S. \$1 billion against a U.S. financial institution relating to investment losses and allegations of bribery, and a Chinese investment fund targeting a former business partner's assets across Latin America
- Numerous clients from countries including Brazil, Venezuela, and Argentina in investigations by authorities in the U.S. and Europe involving fraud, bribery, and money laundering
- The family of a Venezuelan ultra-high-net-worth individual in defending from asset forfeiture actions brought by U.S. and Swiss governments
- A Brazilian ultra-high-net-worth family in cross-border litigation to recover over U.S. \$100 million in misappropriated estate assets.
- A U.S. investment fund in conducting an anti-corruption risk assessment across 11 countries in Latin America

AWARDS AND ASSOCIATIONS

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Chambers & Partners Latin America - Corporate Crime & Investigations in International Counsel

Chambers & Partners Brazil - Corporate Crime & Investigation (International Firms)

Legal 500 Latin America - Compliance and Investigation (International Firms)

Lawdragon 500 Leading Litigators in America

GOVERNMENT SERVICE

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Special Assistant U.S. Attorney, Southern District of New York, U.S. Department of Justice

Assistant District Attorney, New York County District Attorney's Office

- Multinational companies in the pharmaceutical, medical device, aerospace, defense, and oil and gas sectors in connection with joint DOJ/SEC investigations of FCPA violations in Brazil
- A U.S. institution engaged in a dispute with a U.S. publicly listed company in conducting an offensive investigation involving alleged FCPA violations by adversary in Latin America
- Coordination of on-site compliance reviews and internal investigations in multiple countries, including Argentina, Austria, Chile, China, Brazil, Colombia, Costa Rica, Ecuador, Italy, Mexico, Nicaragua, Panama, Russia, Spain, Portugal, Switzerland, Ukraine, United Arab Emirates, United Kingdom, Uruguay, and Venezuela
- Numerous Latin America-based corporate executives in connection with DOJ/SEC investigations of money laundering and bribery in the banking, oil and gas, pharmaceutical, and medical device industries
- Multiple individuals from Argentina in connection with a DOJ investigation of corruption and money laundering involving FIFA and CONMEBOL
- A European energy company in the enforcement of a U.S. \$11 billion arbitration award against an African sovereign state
- A European publicly traded company in developing and executing a cross-border asset-recovery strategy against assets and targets located in Europe, the Middle East and the U.S., among other jurisdictions, to recover U.S. \$300 million+ taken by construction and accounting fraud
- A Brazilian EPC conglomerate in developing a global defensive strategy in connection with a hostile takeover attempt
- Brazilian publicly traded financial institutions in the investigation and asset recovery campaign to recover millions lost to Chinese hackers through cyberattacks
- A Brazilian company in developing a strategy to monetize a U.S. \$25 million arbitral award against European EPC conglomerate that was a joint venture partner

PUBLICATIONS & PRESENTATIONS

Panelist, Corporate Investigations in LatAm, 5th Marval Summit on Compliance, Anti-Corruption and Investigations, Buenos Aires (September 2022)

Guest lecturer, Best Practices for Cross-Border Investigations and Asset Recovery, IBCCRIM Brazilian Institute for Criminal Sciences (September 2022)

Lecturer, Corporate Plea Bargaining, Ibmec, São Paulo (September 2022)

Speaker, Islamic Finance – stewardship, integrity and accountability: Investor protection and market integrity, The 39th Cambridge International Symposium on Economic Crime, Cambridge, U.K. (September 2022)

Co-author, Enforcement of Foreign Judgments in Brazil, Lexology (2022)

Co-author, Suprema Corte dos EUA altera produção de provas internacionais, inclusive no Brasil [U.S. Supreme Court alters international discovery, including in Brazil], Consultor Jurídico (August 2022)

Co-author, Deploying U.S. Discovery In Brazil Following High Court Ruling, Law360 (June 2022)

Co-author, The Engel List Foreshadows U.S. Enforcement in Central America, The Anti-Corruption Report (December 2021)

Panelist, Ill-Gotten Gains and Asset Recovery, International Bar Association 23rd Annual Transnational Crime Conference, Madrid (November 2021)

Panelist, Brazil-U.S. Dialogues and Debates: Advances and Anti-Corruption Challenges, Barbosa, Müssnich & Aragão Advogados (February 2021)

Panelist, Key Considerations in Government and Internal Investigations, AmCham Brasil Corporate Governance Committee (August 2020)

Panelist, Fundamental Rights in Internal Investigations, Associação dos Advogados de São Paulo (July 2020)

Moderator, Getting Law Enforcement on Your Side in Asset Recovery Disputes, Kobre & Kim (June 2020)

Panelist, Estratégias processuais e negociais em tempos de crise, Casccione (March 2020)

Panelist, The Challenges for Private Integrity in Relations with the State, 1st International Forum on Anticorruption Policy, Ethics and Integrity in the State of Rio de Janeiro, Rio de Janeiro (December 2019)

Speaker, Conducting Investigations in Latin America, International Compliance Congress, Buenos Aires (October 2019)

Panelist, Asset Recovery: Tracing and Recouping Embezzled Assets Following an Internal Investigation and Proposed Changes to Brazil's Civil Code, ACI Anti-Corruption Brazil, São Paulo (May 2019)

Panelist, FCPA and Internal Investigations, WFaria Third Compliance and Internal Investigations Conference, São Paulo (December 2018)

Panelist, Government Monitorships, Fenalaw, São Paulo (October 2018)

Co-author, The Side Effects Of Policing 'Speech Monopolies,' Law360 (October 2018)

Panelist, Corporate Criminal Liability International Compliance Congress, Buenos Aires (October 2018)

Speaker, Plea bargain and cooperation: challenges in importing the system to Brazil, OAB/SP Subseção Pinheiros, São Paulo, Brazil (June 2017)

Co-author, Argentine Corporate Criminal Liability Law Opens the Door to New Enforcement Risks, Securities Regulation Daily (November 2017)

Co-author, U.S. expands efforts to target corrupt foreign officials, Westlaw Journal White-Collar Crime (August 2017)

Presenter, FCPA Trends in Latin America for Pharmaceutical Companies, Cámara Argentina de Especialidades Medicinales, Buenos Aires, Argentina (May 2016)

Presenter, Designing an Effective and Efficient Anti-Corruption Compliance Program, Brazilian Institute of Petroleum, Rio de Janeiro, Brazil (May 2016)

Presenter, Cooperation Agreements in the United States and Brazil, KLA Roundtable, São Paulo, Brazil (May 2016)

Co-author, DOJ Puts Companies with Venezuelan Ties in Its Crosshairs, Law360 (March 2016)

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