



John

John C. Anjier

Shareholder, New Orleans
D 504.556.4177
jcanjier@liskow.com

Hancock Whitney Center
701 Poydras Street
New Orleans, Louisiana 70139

Overview

John Anjier is a business and litigation lawyer and adviser representing and assisting clients with securities regulation, corporate and business transactions, and securities, white collar, and professional liability litigation.

"My 25 years of securities and white collar experience, gives me a unique and valuable perspective in crafting solutions for clients to meet their business and regulatory needs. I have seen what happens firsthand when the documents for the deal or the filing with the SEC contains mistakes. This combination gives me a sense of how to help put a deal together more efficiently and effectively."

"This perspective is particularly valuable to my investment advisory client as this area is an evolving, highly regulated area of business and that needs the expertise on the business and regulatory fronts."

Clients rely on John to prepare disclosure documents, sale documents, public offerings, corporate documents, compliance manuals, contracts and regulatory filings. He also counsels clients on related corporate needs, including:

- Corporate investigations
- Insider trading, fraud, and other white collar crime
- Shareholder and director duties and requirements
- Mergers and acquisitions
- Private placements
- Registered investment advisor regulation
- Restricted stock transactions
- Regulatory and public filings
- Broker-dealer regulation, proxy fights and other issues

His experience in securities disputes includes class actions, multi-district litigation, derivatives, listed and OTC, suitability, securities fraud, shareholder derivative litigation, proxy litigation, raiding, and underwriting disputes. John also represents clients before the Financial Industry Regulatory Authority (FINRA) and the Securities and Exchange Commission (SEC) in administrative matters.

Practice Areas

Business Litigation
Business Law
Securities
Securities Litigation
Government Investigations & White Collar Defense

Bar Admissions

Louisiana, 1990

Education

Paul M. Hebert Law Center, Louisiana State University, J.D., 1990

- Order of the Coif
- *Louisiana Law Review*, Member

George Washington University, 1984-1987

- Graduate Studies

Louisiana State University, B.A., 1984

Additionally, his significant litigation experience includes handling disputes on both sides of the docket associated with shareholder issues, officer and director liability, proxies, professional liability, breach of fiduciary duty, breach of employment agreements, employee theft and fraud, RICO, bankruptcy, collection and breach of contract disputes. John has litigated administrative, civil and criminal cases at the trial and appellate levels and in arbitration, including cases with damages greater than \$100 million. He is also a FINRA arbitrator and has served as an arbitrator on numerous occasions.

John also has significant experience in organizing, coordinating, utilizing, and litigating e-discovery issues and he has worked on all major e-discovery platforms.

Experience

Representative Projects:

- Represented non-profit issuer in registration of \$3 million offering with the State of Louisiana (2018).
- Drafted investment advisory agreements for regional bank's broker-dealer and trust department (2017).
- Formed and registered investment adviser and drafted compliance manual and procedures, advisory agreements and related documentations (2017).
- Advised investment advisor in connection with proxy fight for public company, including preparation and negotiation of director appointment agreements and Williams Act filings (2015 and 2016).
- Represented investment advisor in connection with negotiated consent decree with SEC (2015-16).
- Prepare compliance manual and supporting contracts for investment advisor. (2000-present)
- Represent investment advisor in connection with SEC/State Securities Commissioner audit (2014-present)
- Represent religious issuer in registration and sale of securities (2011- present).
- Represented private equity group in \$3.25 million debt and equity investment in oil field service company (2014).
- Represented private equity group in \$3.5 million debt and equity investment in oil field service company (2 rounds) (2014 and 2015).
- Representing E&P company in syndication of two oil and gas partnership (\$10 million and \$5 million, respectively) (2011 and 2012).
- Advised UK promoter on syndication of U.S. oil and gas investments, including advice on Regulation S (2014).
- Represented E&P Company in negotiation, restructuring and refinancing of its private equity investment agreements (2012)
- Represented a one-third shareholder in negotiation of sale of software company and ultimate multi-million dollar buyout of the shareholder's interest by other two shareholders (2009).
- Prepared professional service and public-private partnership agreement for a software company, including licensing, confidentiality and escrow agreements, in connection with a multi-million project in California (2009).
- Represented a broker-dealer who served as dealer-manager in a tender offer/exchange of convertible notes (2009).
- Represented an issuer in a self-underwritten \$5 million initial public offering, including preparation of 1933 and 1934 Act forms and filings, and related corporate work. (2005)

Representative Litigation:

- Represented corporate officer in connection with SEC action and DOJ prosecution for insider trading. (2017).
- Represented national broker-dealer in raiding case resulting in favorable settlement (2017).
- Represented widow in major UIT churning case, including coordination with FINRA, resulting in favorable settlement (2017)

- Led team who represented investment advisor in proxy fight and related litigation that resulted in judgment in favor of client and ultimately in favorable settlement and appointment of a majority of the board of directors of the company and its sale (2015 and 2016).
- With other lawyers, defended international law firm in major securities case in Louisiana (2013-16).
- Defended investment advisor in SEC investigation and litigation including wrap and private equity programs (2016).
- Represented plaintiff in prosecution of fraud and breach of fiduciary duty claims against broker-dealer resulting in favorable settlement (2016).
- Represented officer of publicly traded bank in SEC insider trading prosecution resulting in favorable settlement (2015).
- Represent employee of publicly traded company in DOJ and SEC insider trading investigation and prosecution (2016).
- With other attorney, represented publicly elected figure in criminal prosecution and investigation (2012).
- With other attorneys, secured a \$34 million settlement on behalf of FDIC in a major director and officer case arising out of the failure of Westernbank Puerto Rico. *FDIC v. Stipes* (D.P.R. 2015).
- With other attorneys, handled a financial institution bond case for FDIC arising out of the failure of Westernbank Puerto Rico. *W Holding v. Chartis*, (D.P.R. 2012).
- *In re OCA, Inc. Securities and Derivative Litigation*, 2009 WL 512081, 05-2165 (E.D. La. March 2, 2009). Firm was appointed special counsel to investigate claims against former management of NYSE traded company. Designed coordinated litigation strategy pursuing simultaneous claims across multiple forums including bankruptcy court, district court, the SEC, and the Department of Justice. The strategy included intervening in consolidated derivative action and securities class actions and asserting control of the litigation. Claims included breach of fiduciary duty, fraud and conversion. Successfully worked with
- Department of Justice to convict former CFO and with the SEC to sanction former CEO and CFO. Successfully negotiated multimillion dollar settlement with insurance carriers.
- *Newpark Drilling Fluids, LLC v. Mid-South Services, Inc.*, 09-3534 (E.D. La. 2012). Represented oil field service company in investigating and prosecuting manager for fraud and defending claims for payment based on setoff. Manager took kickbacks in return for authorizing fraudulent invoices from labor contractor. Pursued RICO and civil fraud claims labor contractor and related companies under a single business enterprise theory. Worked closely with Department of Justice to prosecute manager and principals of labor contractor resulting in successful criminal prosecution for mail fraud and a civil settlement.
- *United States v. Broussard*, 11-299 (E.D. La. 2011). Successfully represented senior local official in responding to Department of Justice and grand jury investigation. Developed comprehensive database of transactions and witnesses. Client was not prosecuted, in a case where Department of Justice obtained four convictions of senior parish officials.
- *Shell Offshore Inc. v. Courtney*, 05-1956 (E.D. La. 2009). Represented major oil company in investigating and prosecuting senior manager for fraud. Utilized creative litigation strategy to file civil fraud and RICO claims against manager and co-conspirators while at the same time aiding federal criminal prosecution of manager. Manager took kickbacks from vendors, disguised his ownership of company vendors, and directed payments to himself through fraudulent companies for non-existent goods. Worked closely with Department of Justice attorneys on the criminal prosecution. Manager was successfully prosecuted for mail and tax fraud and client entered into integrated civil/criminal settlement, including criminal restitution, with former manager and associated vendors.

Involvement

Professional

- Louisiana Supreme Court Committee on Bar Admissions, Examiner for Business Entities and Negotiable Instruments
- FINRA - Arbitrator
- Member, Louisiana State and American Bar Associations
- Member, Securities Industry and Financial Markets Association - Compliance & Legal Division

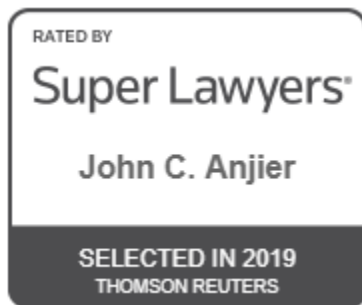
- Member, Louisiana State Law Institute - Single Business Enterprise Committee

Community

- Chairman, National Food and Beverage Foundation (2019-), Board member (2016-2018).
- New Orleans Area Habitat for Humanity - President, 1996 - 1998; Board of Directors, 1993 - 2001.
- Metropolitan Area Committee Leadership Forum - Group focusing on community leadership training and diversity issues, 1996

Recognition

- New Orleans Magazine's List of "Top Lawyers," 2015-2018
- *Louisiana Super Lawyers*, 2008, 2012-2019
- *Super Lawyers, Corporate Counsel* Edition, 2008, 2012
- Selected as member of the 2004 BTI Client Service All-Star Team: Investment Banks and Their Law Firms
- *Who's Who in American Law*
- LSU Law Center Hall of Fame
- *The Best Lawyers in America*, 2011-2019
- Louisiana "Local Litigation Star" in *Benchmark Litigation*



Presentations

- "Investments and Brokerage Disputes," 2009 Litigation Services Workshop, Society of Louisiana CPAs, November 5, 2009
- "The Essentials Of Securities Litigation," Louisiana State Bar Association, October 23, 2009
- "Customer Relations from the Legal Side," for Regional Broker-Dealer Training Seminar, June 2004
- "Accounting Fraud and the Department of Justice Scoreboard," Louisiana Society of CPAs, New Orleans Chapter, Industry Luncheon, March 2004
- "Legal Protections for Louisiana CPAs and Summary of Recent SEC Accounting Fraud Cases," New Orleans Bar Association, December 2003
- "Legal Issues for Industry CPAs," Louisiana Business and Industry Conference, August 2003
- "Securities Issues for Small Business," New Orleans Bar Association, December 2002
- "Broker-Customer Disputes," Last Chance Seminar, New Orleans Bar Association, December 2001
- "Broker-Customer Disputes," New Orleans Bar Association, October 2001
- "Practicing Across State Lines, Unexpected Pitfalls of Multi-Jurisdictional Practice," New Orleans Bar Association, November 2000

- “Investor Rights and Remedies, It’s the Law,” New Orleans Bar Association, October 2000
- “The Accidental Advisor: The Ins and Outs of the Regulation of Accountants as Investment Advisors in Louisiana,” Louisiana Society of CPAs, Estate and Financial Planning Cluster, 1998

Publications

- "2019 Louisiana Investment Adviser Update," Liskow & Lewis' The Energy Law Blog, January 16, 2019
- "Some Thoughts on Registration of CPA's as Solicitors," Liskow & Lewis' The Energy Law Blog, November 27, 2018
- Fifth Circuit Throws Out DOL Fiduciary Rule
- Extension of DOL Fiduciary Rule is Official and some Guidelines for Documenting Rollovers
- SEC Publishes New Guidance on Investment Adviser Advertising
- DOL May Delay Implementation of Fiduciary Rule
- SEC Cybersecurity Alert
- SEC Issues Two Updates Dealing With Business Continuity Plans
- “A Bull Market for Investor Claims: Disputes between Customers and Brokers/Brokerage Firms,” (with George Denegre, Jr.), 49 La. B.J. 283 (2001-2002)
- “Recent Developments Affecting Louisiana’s Discretionary Function Exception: Will Louisiana Follow Gaubert?,” (with James A. Brown), 53 La. L. Rev. 1487 (1993)
- “Anti-Takeover Statutes, Shareholders, Stakeholders and Risk,” 51 La. L. Rev. 562 (1991)
- “Butler v. Baber: Absolute Liability for Environmental Hazards,” 49 La. L. Rev. 1139 (1989)

After Hours

"You're most likely to find me outdoors: biking, hiking, playing tennis or paddle boarding. Traveling is one of my favorite pastimes - recently Spain, Portugal, Greece, Turkey and France. I enjoy cooking, entertaining, sports (Pelicans, Saints, LSU) and live music."

News/Insights

INSIGHTS

1.16.19

2019 Louisiana Investment Adviser Update

NEWS

12.27.18

Thirty-Nine Liskow Lawyers Selected to 2019 *Louisiana Super Lawyers*, Thomson Reuters

INSIGHTS

11.26.18

Some Thoughts on Registration of CPA's as Solicitors

NEWS

11.9.18

Thirty-Eight New Orleans Liskow Lawyers Named “Top Lawyer” by New Orleans Magazine

NEWS

8.15.18

Eight Liskow Attorneys named *Best Lawyers* “Lawyer of the Year” and Fifty-Two Attorneys Recognized in *The Best Lawyers in America*, BL Rankings, LLC, 2019

INSIGHTS

3.23.18

Fifth Circuit Throws Out DOL Fiduciary Rule

NEWS

12.27.17

Forty-Four Liskow Lawyers Selected to 2018 *Louisiana Super Lawyers*, Thomson Reuters

INSIGHTS

12.4.17

Extension of DOL Fiduciary Rule is Official and some Guidelines for Documenting Rollovers

NEWS

11.3.17

Forty Liskow Lawyers Named "Top Lawyer" by *New Orleans Magazine*

NEWS

10.4.17

Liskow & Lewis Receives 2018 *Benchmark Litigation's* "Highly Recommended" Ranking and Six "Local Litigation Stars" Are Recognized

INSIGHTS

9.15.17

SEC Publishes New Guidance on Investment Adviser Advertising

NEWS

8.16.17

Seven Liskow Attorneys Named *Best Lawyers* "Lawyer of the Year" and Forty-Nine Attorneys Recognized in *The Best Lawyers in America*, Woodward White, Inc. 2018

INSIGHTS

8.15.17

DOL May Delay Implementation of Fiduciary Rule

INSIGHTS

8.10.17

SEC Cybersecurity Alert

NEWS

12.29.16

Forty-One Liskow Lawyers Selected to *Louisiana Super Lawyers*, Thomson Reuters 2017

NEWS

11.10.16

Forty-Four Liskow Lawyers Named "Top Lawyer" by *New Orleans Magazine*

NEWS

8.15.16

Eight Liskow Attorneys named *Best Lawyers* "Lawyer of the Year" and Fifty-One Attorneys Recognized in *The Best Lawyers in America*, Woodward White, Inc.

INSIGHTS

7.14.16

SEC Issues Two Updates Dealing With Business Continuity Plans

NEWS

8.28.15

Forty Liskow Attorneys Named "Top Lawyer" by New Orleans Magazine

NEWS

8.17.15

Fifty Attorneys Recognized in *The Best Lawyers in America, Woodward White, Inc.*

NEWS

1.9.15

Liskow & Lewis Attorneys Named to *Louisiana Super Lawyers, Thomson Reuters 2015*