

RICHARD G. WALLACE
FOLEY & LARDNER LLP
WASHINGTON, DC 20007

EMPLOYMENT

Foley & Lardner LLP
Partner

Washington, DC
2008 – Present

Member of the firm's Securities Enforcement and Litigation Practice. Representing broker-dealers, securities exchanges, electronic communications networks, high frequency trading firms, investment advisers, and individuals in connection with investigations by the Securities and Exchange Commission, FINRA, and other SROs. Focus is on trading in equities, options, and fixed income securities. Conduct internal investigations for clients. Provide counsel on a wide range of securities laws and regulations including Regulation SHO, supervision, Regulation NMS, AML compliance, sponsored access, and rules of various SROs. Acted as an independent consultant appointed pursuant to a settlement with the SEC. Testified as an expert witness on market manipulation.

Financial Industry Regulatory Authority (formerly NASD)
Vice President and Chief Counsel
Counsel

Rockville, MD
2001 – 2008
1996 – 2001

Enforcement

Responsible for all formal actions taken by FINRA's Market Regulation Department. Supervised 23 attorneys in the Department's Legal Section along with the Department's two Special Investigative Units. Worked with the SEC (the Divisions of Enforcement and Trading and Markets, and the Office of Compliance Examinations and Inspections), the New York Stock Exchange, MSRB, CBOE, and other SROs.

The Legal Section handled approximately 300 formal and 200 informal disciplinary actions per year. Oversaw the filing of complaints with the FINRA Office of Hearing Officers and the Department's litigation of those matters. The Market Regulation Department conducted surveillance for violations of federal securities laws and regulations; FINRA rules; and rules of the MSRB, the Nasdaq Stock Market, and other FINRA clients. Areas of enforcement included pricing (markups, commissions, and best execution) short sales; fraud; insider trading; market manipulation; order execution and order routing; short interest reporting; order handling rules; trade reporting; Regulation NMS, and other quality of market issues. Reviewed all referrals from the Department's Trading and Market Maker Surveillance (TMMS) examinations and all requests for disciplinary action involving TRACE reporting for all of FINRA. Lead attorney in the Department for the implementation of OATS.

Securities and Exchange Commission, Division of Enforcement
Branch Chief
Staff Attorney

Washington, DC
1993 – 1996
1990 – 1993

Worked on investigations and litigation involving issuer disclosure, complex accounting issues, insider trading, and broker-dealer fraud. As a branch chief, supervised six attorneys. During six years at the SEC worked on several of the Commission's highest-profile cases. Had major responsibilities on the following cases:

- *In re Caterpillar* (1992) – The first case based solely on violations of the requirement to make disclosure in the Management's Discussion and Analysis (MD&A) section of SEC periodic reports. Sole staff attorney working on the case.
- *SEC v. Crazy Eddie, et. al.* (D. NJ) – The only staff attorney working on this insider trading/accounting fraud case for several years. The SEC recovered approximately \$70 million from Eddie Antar and members of his family. The case involved unraveling a complex accounting fraud and insider trading case while working with several foreign governments to recover assets moved overseas. Worked on the trial, a wide variety of motions, briefs, and international requests for assistance.
- *In re BT Securities Corporation* (1994) – A landmark case involving fraud in the sale of derivative securities. The firm agreed to a total of \$10 million in fines imposed by the SEC and the CFTC based on the results of the SEC investigation. This case was investigated and settled in less than nine months. Supervised and participated in the investigation which was staffed with only one other attorney and an accountant. The SEC also brought a follow-up case against two individuals at BT Securities for fraudulent practices and another follow-up case against Gibson Greetings, Inc. and two individuals for improper accounting for derivatives on Gibson Greetings' financial statements.

Call, Clayton & Jensen (now Call & Jensen)
Associate

Newport Beach, CA
1987 – 1990

Worked on a wide variety of corporate transactions including an initial public offering, lending agreements, employment matters, incorporation, and periodic filings with the SEC. The clients were small- and medium-sized local firms seeking a wide range of legal assistance.

O'Melveny & Myers
Associate

Los Angeles, CA
1985 – 1987

Worked in the banking group of the firm's Corporate Department. Worked on a variety of transactions from public offerings to leveraged buyouts, primarily representing banking clients of the firm.

The Honorable Samuel P. King, United States District Court
Law Clerk

Honolulu, HI
1984 – 1985

During a one-year clerkship, worked on motions involving civil and criminal matters.
Reviewed pleadings and briefs and helped draft orders and decisions.

EDUCATION

Boalt Hall, University of California – Berkeley
J.D.

Berkeley, CA
1984

- Executive Editor, California Law Review
- Author, Note, *Attorney Discipline and the California Supreme Court: Transfer of Direct Review to the Courts of Appeal*, 72 Calif. L. Rev. 252 (1984)

University of California – Berkeley
A.B. with honors, Political Science

Berkeley, CA
1981