

CURRICULUM VITAE

SHARON L. McCARTHY

(212) 808-8100

smccarthy@kflaw.com

**PROFESSIONAL
POSITIONS:**

Partner, Kostelanetz & Fink, LLP

New York, New York

(October 2006 – April 2008; April 2009 – Present)

**Special Counsel to the Attorney General
for the New York State Police Investigation,
Office of the New York State Attorney General**
(May 2008 – March 2009)

Assistant United States Attorney

Southern District of New York

(1994 - 2006)

Chief, Violent Crimes Unit

(July 2002 to September 2006)

Deputy Chief, Criminal Division

(January 2001 to July 2002)

Honors: Recipient, Director's Award for Superior
Performance as an Assistant United States Attorney,
1996 and 1999

Associate, Lankler Siffert & Wohl

New York, New York

(1991 – 1994)

Law Clerk, Hon. John F. Keenan

United States District Judge, Southern District of New York

(1989 - 1991)

EDUCATION:

Fordham Law School

J.D. 1989

Honors: Articles Editor, *Fordham Law Review*

Colgate University, Hamilton, NY

B.A., English, 1985

Elected Position: President, Delta Sigma Upsilon Sorority
(1983-1984)

**PROFESSIONAL
AFFILIATIONS:**

Fellow, American College of Trial Lawyers

Inducted October 2015

President, Fordham Law Alumni Association

Term: 2016-2018

Member, Crime Reporting Review Committee

Appointed January 2011 by the Commissioner of the New York
City Police Department; Final Report Issued April 2013

Member, Committee on Character and Fitness (2009-present)

Appellate Division, First Judicial Department

Vice President, Association of the Bar of the City of New York

Term: 2017-2018

Chair, Criminal Law Committee (2012-2015)

Former Member, Government Ethics Committee

Association of the Bar of the City of New York

Member, New York Council of Defense Lawyers

- Sub-Committee on Sentencing

TREATISE:

Contributing Author, *Tax Controversies: Audits, Investigations, Trials* (Matthew Bender, 1980, 35th Rev. 2016)

- Chapter 8, Grand Jury
- Chapter 9, Search and Seizure

**REPRESENTATIVE
MATTERS:**

Obtained acquittal of Denis Field, former CEO of BDO Seidman, in a major tax shelter trial in the Southern District of New York

Served as monitor of E-waste hauler, pursuant to an order issued by New York City's Business Integrity Commission

Conducted internal investigation of major nonprofit corporation in connection with alleged fraud in its contractual dealings with New York City

Representation of foreign currency trader in price-fixing investigation being conducted by the Antitrust Division of the Department of Justice

Representation of construction company executive in Eastern District of New York investigation into DBE/MWBE fraud

Representation of employees in various investigations being conducted by the Antitrust Division of the Department of Justice

Representation of various company executives in connection with parallel fraud investigations being conducted by the United States Securities and Exchange Commission and the United States Attorney's Office for the Southern District of New York

Representation of garment industry manufacturer in connection with Southern District of New York investigation into payroll, corporate and personal tax evasion

Representation of sole shareholder of S corporation in tax fraud investigation conducted by the District of Connecticut, resulting in corporate plea with no charges against the individual

Representation of foreign congressman in connection with grand larceny charges arising out of foreign conduct brought by the New York County District Attorney's Office

Representation of multi-national individuals under audit by the Internal Revenue Service concerning issues relating to international holdings, complex trusts and FBAR issues

Representation of dozens of holders of foreign bank accounts in connection with voluntary disclosures before the Internal Revenue Service and numerous state taxing authorities

Successfully obtained non-prosecution agreements from the Department of Justice for Swiss banks relating to the banks' dealings with U.S. clients

Representation of employee of bidding agent in Department of Justice's antitrust investigation of the municipal bond industry

Representation of foreign individuals under investigation by the Department of Justice for tax fraud relating to foreign income

Representation of commodities trader in connection with fraud investigation by the United States Attorney's Office for the Southern District of New York, the New York County District Attorney's Office, the Securities and Exchange Commission, and the Commodity Futures Trading Commission

Representation of multiple individuals in connection with civil audits conducted by the Internal Revenue Service

Representation of individual before the New York County District Attorney's Office in connection with repeated failure to file tax returns and failure to pay taxes due; resulted in misdemeanor plea

Representation of witness in grand jury investigation conducted by the Antitrust Division of the Department of Justice into alleged kickbacks paid in connection with construction contracts

Representation of witness in insider trading investigation conducted by the Securities and Exchange Commission

Representation of individuals charged in two separate cases by the New York County District Attorney's Office with larceny and assault; persuaded government not to bring charges in each case

Representation of CPA from major accounting firm in connection with investigation by the New York State Attorney General's Office for repeated failure to file tax returns; persuaded the government not to proceed with the prosecution

Representation of attorneys accused of having misappropriated funds from clients

Representation of company from whom employee embezzled money; assisted company in pursuing federal charges against employee, resulting in employee's guilty plea to embezzlement

**SIGNIFICANT
GOVERNMENT CASES:**

United States v. Albert Schussler, et al.: Lead prosecutor in public corruption case in which 18 former and current New York City Property Tax Assessors were charged with participating in a 35-year bribery scheme, resulting in RICO, bribery, and mail fraud charges. Successfully obtained guilty pleas from all defendants and obtained \$160 million restitution order for the City of New York.

United States v. Clarence Heatley, et al.: Lead prosecutor in RICO murder case in which over 20 members of a violent drug gang, including a former New York City Housing Police Officer, were charged with participating in over 20 homicides. All defendants entered guilty pleas, and two lead defendants received life sentences.

United States v. Saravut Wattanasiri, et al.: One of two prosecutors in case involving over 30 women trafficked into the United States from Thailand for the purpose of engaging in prostitution. Obtained convictions of all defendants, including one after trial, and all received significant sentences.

United States v. Joseph Sutton, et al.: One of two prosecutors in case involving two principals of Happiness Express, Inc., a public company, charged with making fraudulent statements regarding receivables in documents filed with the SEC and its lender bank. CEO entered guilty plea before trial; COO was acquitted after trial.

United States v. Craig Yokemick: Lead prosecutor in case charging former New York City Police Officer for a violation of civil rights that resulted in the victim's death as a result of a brain hemorrhage. Defendant entered guilty plea before trial.

United States v. William H. Hamilton, Jr.: Drafted brief and successfully argued appeal before the United States Court of Appeals for the Second Circuit in case involving fraud and embezzlement by the Director of Governmental Affairs for the International Brotherhood of Teamsters in connection with the re-election campaign of Teamsters President Ronald Carey.

Significant Cases in the United States Attorney's Office With Principal Supervisory Responsibility Include:

United States v. Kimberly Jones, et al.: Perjury prosecution of rap artist known as Lil' Kim and her best friend for lies told to the grand jury in connection with an investigation of a shooting outside of Hot 97 Radio Station. Both defendants were convicted after trial.

United States v. Alan Quinones, et al.: Capital murder case in which defendants, leaders of a Bronx-based heroin organization, were convicted of torturing and murdering a confidential informant working with the New York City Police Department. Both defendants were convicted after trial and sentenced to life imprisonment.

United States v. Xavier Williams, et al.: Capital murder case in which defendants were convicted, after back-to-back trials, of running a major drug organization in the Bronx and in Pittsburgh, Pennsylvania, in the course of which they committed a triple

homicide. All three defendants were convicted after trial and sentenced to life imprisonment.

United States v. Larry Williams, et al.: Members of narcotics organization operating in the Bronx and Newport News, Virginia, were convicted after two trials. Leader of organization and one member were convicted of torturing and murdering a member of the organization in retaliation for having stolen from the group.