

# Patrick Montgomery

Partner  
*Special Matters and Government  
Investigations / Trial and Global  
Disputes*



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Patrick Montgomery represents global financial institutions and public companies in high-risk government and internal investigations and complex litigation. In particular, Patrick defends clients in the financial services, accounting, technology, and manufacturing sectors in white-collar criminal matters, SEC enforcement actions, and securities and shareholder litigation. He has extensive experience counseling clients facing investigations before the U.S. Department of Justice, Securities and Exchange Commission, State Attorneys General and other regulatory authorities.

Patrick also serves (pro bono) as General Counsel for the Ethics & Compliance Initiative, a non-profit organization committed to assisting public companies and other institutions in creating and sustaining high quality ethics and compliance programs throughout the world.

Patrick is recognized in *Legal 500* for his work in Antitrust: Civil Litigation/Class Actions.

He started his career as an associate at King & Spalding before practicing for eight years at another AmLaw 50 law firm.

After graduating from law school, Patrick clerked for the Honorable Jane R. Roth on the United States Court of Appeals for the Third Circuit.

## Matters

### *Government & Internal Investigation Matters*

Counsel to financial institution in Massachusetts Attorney General investigation into certain practices related to collateralized loan obligations (CLO)

Counsel to global financial institution in investigations being conducted by numerous domestic and foreign regulatory authorities involving the benchmark WM/Reuters currency exchange rate

Counsel to public company in an SEC investigation into potential accounting and disclosure violations related to revenue recognition

Counsel to leading accounting firm in an SEC investigation into potential accounting misconduct by one of its financial institution audit clients, and possible associated audit failures

Counsel to public company in an SEC investigation into possible insider trading arising from a corporate takeover

Counsel to global financial institution in NYSE investigation into certain trading practices

Counsel to collateral manager of a leading fixed-income asset manager in an SEC investigation into sales practices relating to asset-backed and synthetic collateralized debt obligations (CDO) and associated credit default swaps

Counsel to publicly-traded company's board of directors in connection with FCPA-related internal investigations and government enforcement actions involving the U.S. Department of Justice and the SEC

Counsel to private equity firm and its senior executives in an SEC investigation into potential breach of fiduciary duty, self-dealing and related-party transactions

### *Litigation Matters*

Defeated class certification on behalf of global financial institution in action brought in the U.S. District Court for the Southern District of New York alleging the client delayed execution of e-Trading foreign exchange orders to take advantage of market movements in its favor

Counsel to global financial institution in federal antitrust class actions alleging that foreign currency dealers conspired to manipulate the benchmark WM/Reuters currency exchange rate. Three of the putative class actions were dismissed and one was voluntarily discontinued after pre-motion conference

Representing a global financial institution in connection with multiple putative class actions asserting antitrust, RICO, CEA and common law claims based on alleged manipulation of USD LIBOR, Yen LIBOR, the Singapore Interbank Offered Rate, and the Australian Bank Bill Swap Rate

Represented CEO of Fortune 10 company in securities class action, shareholder derivative litigation and Delaware Section 220 books and records action

Counsel to newly public technology company and its officers and directors in defense of dozens of securities class actions and shareholder derivative lawsuits in courts around the country following one of the largest initial public offerings in history

Won summary judgment on behalf of leading private equity firm in defense of putative class action alleging failure to provide sixty-day notice of a mass layoff under the Federal and New Jersey WARN Acts. Trial court order affirmed by the U.S. Court of Appeals for the Third Circuit

Defense of automotive headlight manufacturer in suit claiming false advertising, fraud and misrepresentation in connection with promotional materials and packaging for certain headlight brands

Counsel to global financial institution in New York state court proceeding alleging breach of contract and related claims arising from a real estate lending transaction

## Credentials

## EDUCATION

J.D., Georgetown University, Dean's List

B.A., College of the Holy Cross

## ADMISSIONS

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the Southern District of New York

U.S. District Court for the Northern District of Georgia

U.S. District Court for the District of Columbia

District of Columbia

Georgia

Court of Appeals of Georgia

## CLERKSHIPS

Law Clerk, Hon. Jane R. Roth, U.S. Court of Appeals for the Third Circuit

## Recognition

NCAA Division 1 Academic All-New England Soccer - First Team (2002)

NCAA

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LEGAL 500

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## Insights

### CLIENT ALERT

*December 3, 2021*

American Express Anti-Steering Litigation: Implications for “Umbrella” Plaintiffs’ Standing in Antitrust Suits

*February 17, 2021*

Can’t We All Just Get Along? Four Key Areas of Dispute in the Evolving Landscape of LIBOR Cessation Litigation

### FEATURE

*January 21, 2021*

General Counsel Internal Investigations Decision Tree for the Financial Services Industry

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## News

### CASES & DEALS

*December 2, 2021*

BOA Acquisition Corp. to Merge with Selina in de-SPAC Transaction