

ROGER E. BARTON

Managing Partner



Roger E. Barton is the Managing Partner of Barton LLP. He applies his management expertise and over 30 years of experience to leading a firm that is dedicated to providing its clients with quality and results through a practical and business-minded approach.

Roger is an accomplished litigator with an international reputation for achieving outstanding results for his clients. He has been rated by *The American Lawyer*, *Corporate Counsel Magazine* and the *National Law Journal* as one of the Top Commercial Litigators in the United States and has an “AV Preeminent” peer review rating in *Martindale*, the highest rating in the legal profession for professional excellence and ethical standards. He is a Senior Fellow of the Litigation Counsel of America, the invitation-only trial lawyer honorary society limited to less than one-half of one percent of lawyers in America. He has been recognized by *Best Lawyers in America* and has consistently been selected to *Super Lawyers* in Thomson Reuters’ annual survey of the top 5% of lawyers in the New York Metro Area, 2013 to present.

Roger has tried numerous bench and jury cases to conclusion in the U.S. Federal District Courts, U.S. Tax Court and in state courts across the country. He has argued Federal appeals in the Second and Third Circuits and at the state level. He is also an experienced practitioner in the various forms of ADR including mediation and arbitration both domestically and internationally as well as the enforcement and appeal of international arbitration awards.

Roger’s clients range from large corporate and financial institutions to privately held businesses and senior executives. He routinely litigates cases involving failed financial transactions, breach of contract, securities and common law fraud, shareholder and partner disputes, investor actions, broker-dealer and FINRA matters, employment, including non-compete and non-solicit actions, and senior executive compensation. Roger is also a Designated Author & Analytical Columnist for *Reuters Legal News* and *Westlaw Today* in the areas of Securities Litigation & Regulation and the Business of Law.

Roger combines his substantive expertise as a litigator with his practical business skills. He views each case as an opportunity to partner with his client in early case assessments, analyzing business goals and developing strategy and budgeting to achieve a disposition consistent with the desired business result. He is frequently asked to lead seminars across the country for in-house counsel audiences on the topic of managing litigation as a business.

In conjunction with the Firm’s corporate attorneys, Roger counsels domestic and foreign financial institutions, emerging growth companies, foreign startups, hedge funds, private equity funds, venture capital funds and privately held corporations in connection with corporate governance, mergers, acquisitions, corporate finance, restructurings, joint ventures and international alliances.

Roger is a member of the Board of Directors of BritishAmerican Business, Inc., a member of BAB Executive Committee, as well as Chair of BAB Accelerate. Prior to Barton, Roger was with Sidley Austin in New York.

BARTON

Contact

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Education

Fordham University School of Law, J.D.
University of Michigan, A.B., with honors

Admissions

State of New York
United States District Court for the Southern
District of New York
United States District Court for the Eastern
District of New York
United States Court of Appeals for the Second
Circuit
United States Court of Appeals for the Third
Circuit
United States Tax Court

Memberships

American Bar Association
Litigation Section
Committee on Corporate Counsel
Committee on Commercial Litigation and
International Section
BritishAmerican Business, Inc.
Member, Board of Directors
Member, Executive Committee
Chair, BAB Accelerate
BUILD NYC, Member of the Board of Directors
Leaders In Law Institute, Director
New York State Bar Association

Practices

Arbitration
Artificial Intelligence
Bankruptcy, Creditors' Rights and Restructuring
Business Transactions
Commercial Litigation
Executive Compensation and Separation
Labor, Employment and Executive Compensation
Labor and Employment Disputes
Securities Litigation, Regulatory Investigations,
and Enforcement

Industry Experience

Advertising, Marketing and Public Relations
Art, Fashion, Beauty, and Design
Finance
Generation and Energy Services
Investment Management
Investor Relations
Manufacturing and Distribution
Real Estate
Technology

Honors

Senior Fellow of the Litigation Counsel of
America
Martindale AV Peer Review Rated
Selected by *Super Lawyers* from 2013 to present
Designated Author & Analytical Columnist for
Reuters Legal News / Westlaw Today in the
Areas of Securities Litigation & Regulation and
the Business of Law
Recognized by Best Lawyers, 2024

In the Media

Quoted in "International Summit to accentuate a theme vital to world's future." *Primerus Paradigm Magazine*. (Winter 2023).

Quoted in, "FTX collapse likely to spook investors for now, could eventually spur consolidation, experts say." *Mergermarket*. (November 11, 2022).

Quoted in "Crypto and the US Government Are Headed for a Decisive Showdown." *WIRED.com*. (August 8, 2022).

Interviewed in "ESG, Capital Markets, and Impacts." *Inclusive Economics for Impact* Podcast. Season 1, Episode 4. With host Dr. Fred Olayele. (June 29, 2022).

Quoted in "Trendspotter: 2021 Could See Law Firms Ratchet Up the Profitability Pressure on Partners." *Law.com*. (January 18, 2021).

Interviewed by the Legal Marketing Studio. "Strategic Growth Oriented Networking." Podcast. (December 2020).

Quoted in "Back to the office, but maybe not for some firms." Thomson Reuters' *Practice Innovations Newsletter*. (May 11, 2020).

Interviewed in "Law Firms Brace For More COVID-19 Financial Woes." *Law360*. (April 09, 2020).

Interviewed in "Demonstrating Firm Leadership in a Pandemic." Jaffee Public Relations. (April 07, 2020).

Interviewed in "Not BigLaw." 2019 *Super Lawyers New York Metro Magazine*. (Fall 2019).

"Primerus Reaches Out." *Paradigm Magazine*. (Fall 2019).

Quoted in "The Open Kimono: What Drives the Rising Success of Midsize Firms?" *The American Lawyer - Law.com*. (September 23, 2019).

Quoted in "New York Law Firm Enters Nashville, Snags Longtime Legal Pro." *Nashville Law Journal*. (September 16, 2019).

Quoted in "Strategic Networking for Introverts, Extroverts, and Everyone In Between." American Bar Association Publication. (January 2019).

Quoted in "3 Ways To Make Yourself An Attractive Lateral Candidate." *Law360*. (April 25, 2018).

Quoted in "6 Lessons BigLaw Can Learn From Boutiques." *Law360*. (May 13, 2016).

Quoted in "US Law Firms Eye Brexit Windfall As Uncertainty Swirls." *Law360*. (May 3, 2016).

In the Media (cont'd)

Interviewed in "Ones to Watch for 2016: The Best Boutique Law Firms." *Acquisition International*. (March 2016).

Attorney Articles

"Supreme Court debates private right of action, half-truths, and omissions." *Reuters Legal News / Westlaw Today*. (March 14, 2024).

"Mandatory arbitration clauses in registered investment advisor agreements draw scrutiny from regulators." *Reuters Legal News / Westlaw Today*. (January 4, 2024).

"SEC targets separation and severance agreements that impede whistleblowers." *Reuters Legal News / Westlaw Today*. (October 25, 2023).

"How will leveraging AI change the future of legal services?" *Reuters Legal News / Westlaw Today*. (August 23, 2023).

"Artificial intelligence in the securities industry." *Reuters Legal News / Westlaw Today*. (June 15, 2023).

"Rule 10b5-1 gets an upgrade and drives scrutiny of Ontrak, SVB execs." *Reuters Legal News / Westlaw Today*. (March 24, 2023).

"The SEC reveals 2023 priorities in new agenda." *Reuters Legal News / Westlaw Today*. (January 31, 2023).

"How law firms can embrace the new emphasis on workplace culture." *Reuters Legal News / Westlaw Today*. (November 17, 2022).

"The greenwashing wave hits securities litigation." *Reuters Legal News / Westlaw Today*. (September 22, 2022).

Co-author. "Regulation Best Interest sees its first enforcement action." *Reuters Legal News / Westlaw Today*. (July 15, 2022).

"Securities meet cybersecurity: how companies can face mounting threats." Co-author. *Thomson Reuters / Westlaw Today*. (May 16, 2022).

"Are Cryptocurrencies Securities? The SEC is Answering the Question." Co-author. *Reuters Legal News / Westlaw Today*. (March 21, 2022).

"High redemption rates see SPACs relying on alternative financing." *Reuters Legal News / Westlaw Today*. (January 14, 2022).

Attorney Articles (cont'd)

"As corporate clients emphasize ESG, law firms should be leading the pack." *Reuters Legal News / Westlaw Today*. (December 10, 2021).

"D&O insurance for SPACs: differentiating the risk." Co-author. *Reuters Legal News / Westlaw Today*. (October 28, 2021).

"Caution ahead: SPAC litigation trends provide a road map for directors and officers." *Reuters Legal News / Westlaw Today*. (September 2, 2021).

"Changing the stakes: how evolving law firm ownership rules could (or could not) re-shape the legal industry." *Reuters Legal News / Westlaw Today*. (August 19, 2021).

"SPACs and speculation: the changing legal liability of forward-looking statements." Co-author. *Reuters Legal News / Westlaw Today*. (July 7, 2021).

"The All-Terrain Law Firm: Creating Value in a Rocky Economic Climate." *New York Law Journal*. (November 25, 2020).

"Lateral Hiring in the Best of Times and the Most Turbulent of Times." Thomson Reuters' *Westlaw*. (November 11, 2020).

Co-Author "Kissing Awake a Sleeping Beauty: The UNIDROIT Principles of International Commercial Contracts." *NYSBA New York Dispute Resolution Lawyer*. (Fall 2019).

"Redefining the Legal Industry's Approach to Lateral Hiring." Thomson Reuters' *Westlaw Journal Professional Liability*. (July 2019).

"The UNIDROIT Principles of International Commercial Contracts: A High-Level Analysis for the United States' Commercial Practitioner." *Hamburg Law Review*. (2018).

"Square pegs, round holes: Does the traditional law firm business model fit the needs of clients, or even most lawyers, anymore?" Thomson Reuters' *Westlaw Journal*. (June 2017).

"Litigation Management: Strategies for Aligning Cost with Value." *Primerus Paradigm Magazine*. (Spring 2017).

"A Perfect Fit: New Frontiers of Due Diligence in Strategic Acquisitions." *Directors Monthly*, a publication of the National Association of Corporate Directors. (April 2006).

Co-Author "Partnering in the New Legal Environment." *Metropolitan Corporate Counsel*. (June 2005).

"Directorship Issues in Insolvent Technology Companies: Alternatives to Maximize the Value of Assets for Creditors." *Directorship*. (April 2002).

"Venture Capitalists as Directors: Avoiding Increased Liability from Serving on the Board of an Insolvent Company." *Securities Litigation & Regulation Reporter*. (March 27, 2002).

Attorney Articles (cont'd)

"Private Rights of Action Under the Annunzio-Wylie Act: Can Banks Be Held Liable For Failing To File Suspicious Activity Reports?" *Bank & Lender Liability Litigation Reporter*. (February 7, 2002).

"Material Adverse Change Clauses in the Wake of the Sept. 11 Tragedy." *Mergers & Acquisitions Litigation Reporter*. (February 2002).

"Venture Capitalists As Directors: Challenges of Serving on the Board of an Insolvent Company." Directorship. (October 2001).

Presentations

"Modern Leadership in Law: Navigating Change, Driving Innovation, and Uniting the Ecosystem." Panelist. Legalweek 2024 hosted by ALM/Law.com. (January 31, 2024).

Faculty member. *Association of Corporate Counsel's In-house Counsel Certification Program*. (November 28-December 1, 2023).

- "Managing an Indispensable Law Department."
- "Managing Outside Counsel and Legal Service Providers."

"Mid-Market Spinoffs: Opportunities and Risks When Breaking Off from Bigger Firms." Panelist. Webcast hosted by ALM Law.com Pro Mid-Market. (August 29, 2023).

Moderator. Fireside Chat with Robert Ettinger, Chairman & CEO of Ettinger. BritishAmerican Business Accelerate Series. (July 18, 2023).

"The Rule of Law – Special Programming." Moderator. Primerus International Summit. New York, NY. (May 4, 2023).

"Looking Ahead: What Mid-Market Firms Need to Watch for in 2023." Webcast. Hosted by ALM Media and Law.com. (November 29, 2022).

"Challenges and Opportunities in the Legal Field." Moderator. 2022 Primerus Global Conference. San Diego, California. (October 21, 2022).

"The New Leadership." New York Law Firm Leaders Conference -- "Pivoting Past the Pandemic: Embracing the New Reality." New York, NY. (June 14, 2022).

"Leadership in Action – Building Tomorrow's Law Firm by Executing Successful Growth Strategies." Panel Member. Managing Partner Forum's 2022 Leadership Conference. Atlanta, GA. (May 5, 2022).

"Innovation and Collaboration: Are These the Keys to Sourcing and Delivering Value in Today's Legal Services?" Primerus International Summit. Washington, D.C. (April 8, 2022).

Presentations (cont'd)

"Introducing the Entrepreneurs of Tomorrow." Co-moderator. In collaboration with BUILD, as part of *Global Entrepreneurship Week*. Webinar. (November 10, 2021).

"Transatlantic Entrepreneurship." BritishAmerican Business' Accelerate Program Series, as part of *Global Entrepreneurship Week*. Webinar. (November 9, 2021).

"Entrepreneurially Speaking—What it Takes to Build a Successful Brand." Moderator. *Global Entrepreneurship Week* hosted by Barton LLP. Webinar. (November 8, 2021).

"What Not to Do to be a Great Business Leader." Association of Corporate Counsel International Legal Affairs Network. (October 18, 2021).

"Legal Considerations for Doing Business in the US." BritishAmerican Business' Accelerate Program Series. Webinar. (September 30, 2021).

BritishAmerican Business "Accelerate Roundtable Featuring Nick Wheeler, Founder and Chairman of Charles Tyrwhitt." Moderator. Webinar. (10.29.20).

"Financial Resilience in a Time of Crisis." Accelerate Resilience & Continuity Webinar Series. BritishAmerican Business. (April 13, 2020).

"International Dispute Resolution Tips, Tricks and Traps." Association of Corporate Counsel Webinar. (September 12, 2019).

"Effectively Using Dispute Resolution Clauses for International Business: Arbitration versus Litigation – The Impact of the 2005 Hague Choice of Court Convention Becomes a Game Changer." 2019 Primerus International Convocation. Miami, Florida. (May 4, 2019).

"Hot Topics in Law Affecting U.S. and Inbound Foreign Companies & Investors." Seed Forum NYC. New York, New York. (November 15, 2018).

"Lateral Partner Success: Attraction and Integration." The Managing Partner Summit® . The Yale Club of New York City. (November 13, 2018).

"Setting Up International Governance." Association of Corporate Counsel Annual Meeting. Austin, Texas. (October 22, 2018).

"Common Law and Civil Law Perspective of the UNDRUIT Principles." CEAC International Arbitration Conference. Hamburg, Germany. (September 14, 2018).

"Small and Midsized Firms Competing and Succeeding in Today's Law Firm Market." The Managing Partner Summit® . New York City Bar. New York, New York. (May 15, 2018).

“Venture Capitalists’ Investment Trends.” Seed Forum NYC. New York, New York. (May 8, 2018).

Presentations (cont’d)

“Collateralization of Foreign Assets and Enforcement of Foreign Judgments.” 2018 Primerus International Convocation. Miami, Florida. (May 5, 2018).

“Managing Cross Border Legal Matters.” Association of Corporate Counsel Europe. London, England. (January 24, 2018).

“Technology Trends in the U.S.” Keynote Address, Seed Forum. New York, New York. (November 28, 2017).

“The Current State of New York’s Tech Economy.” Seed Forum, New York, New York. (June 7, 2017).

“Leading Change: General Counsel-Led Collaboration Between Law Firms and Legal Departments.” The 2nd Annual Corporate Counsel Leadership Forum – Thomson Reuters Legal Executive Institute, New York, NY. (November 16, 2016).

“Roundtable Discussion on the Impact of Brexit.” 2016 Primerus Global Conference, Washington, D.C. (October 13, 2016).

“Entrepreneurial Law Firms: How Do They Add Value With Innovation.” Law Without Walls, University of Miami. Webinar. (March 23, 2016).

“Aligning the Values and Costs of Litigation Services,” Managing Litigation as a Business, Houston, TX. (February 18, 2015).

“Enforcement Strategies in Intellectual Property Litigation,” Managing Litigation as a Business, Phoenix, AZ. (January 22, 2015).

“Alternative Dispute Resolution: What You Need to Know in 2015,” The Knowledge Group, Webinar, (January 21, 2015).

Controlling The Costs of Conducting Intellectual Property Litigation, Association of Corporate Counsel (ACC) New York, NY.

“Law Firm Management.” New York State Bar Association. Webinar.

“Data Management as a Compliance Obligation Technology in the Boardroom.” Hudson Valley Bank. New York, NY.

Electronic Data Discovery.” Parsons Brinkerhoff. New York, NY “Management of Litigation and Litigation Technology.” Association of Corporate Counsel (ACC) Community Forum. New York, NY.

“Effective Management of the Professional Services Firm.” British American Business, Inc. New York, NY.

“Financial Fraud: Litigation and Prevention, Strategic Research Institute.” 6th Annual Banking and Fraud Conference. Washington, DC.

Presentations (cont’d)

“Partnering Technology in Litigation.” LegalTech. New York, NY.

“Litigation Management For Small Law Departments.” WESFACCA. Greenwich, Connecticut.

“Partnering For Profit: Cost Avoidance Through Effective Staffing and Risk Management.” 5th Annual LawPartnering Forum. Ponte Vedra Beach, Florida.

“Partnering Technology in Litigation.” 4th Annual LawPartnering Forum. Long Branch New Jersey.

“Establishing Your Business in the United States: Choosing the Proper Entity and Overcoming Legal and Business Challenges” presentation delivered to: New York City Economic Development Corporation, Northern Italian Textile Association, UK Ministry of International Trade, Australian Consulate, Polish Consulate, Hungarian Consulate, and NEXCO (National Association of Export Companies).