



ANTHONY J. BORRELLI

Practice Areas

Financial Services
Securities Litigation, Arbitration, Regulation and Investigations
Litigation

Areas of Emphasis

Commercial Litigation

Overview

A.J. Borrelli is a member of Riker Danzig's Executive Committee and leads the Firm's Securities Litigation, Arbitration, Regulation and Investigations Practice Group. He is a dedicated advocate who builds close relationships with his clients and provides an unparalleled level of service. A.J. firmly believes that the key to success in any matter is to first understand the client's needs and expectations.

A.J. has handled a variety of business litigation matters, including a particular emphasis on the financial services industry.

- **Sales Practice:** Defense of claims alleging fraud, self-dealing, churning, breach of fiduciary duty, unauthorized trading, forgery, bribery, conversion, selling away, unsuitability, over-concentration and violations of the Securities Act of 1933 and the Securities Exchange Act of 1934. Also defend "complex product cases" involving closed-end funds, annuities and structured products. For



Partner

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over five years, A.J. represented a major broker-dealer in a series of related product cases, focusing on the adequacy of disclosures in the offering documents and the scope of discovery in a coordinated, nationwide defense effort.

- **Employment:** Litigate claims unique to the securities industry, including disputes involving employee loans, bonuses, investment banking fees, unpaid compensation, violations of labor statutes and wage and hour laws, defamation, favoritism, constructive discharge, client solicitation, confidentiality, non-compete agreements and severance packages. Of note, A.J. successfully defended a brokerage firm and its employees in a “reverse” sexual harassment case, which was settled and dismissed without any compensation given to the accuser.
- **Regulatory:** Represent broker-dealers and financial professionals in connection with investigations conducted by federal and state law enforcement agencies and inquiries opened by federal and state regulatory bodies.
- **Litigation:** A.J. represented multiple parties in a securities litigation brought against Tyco International (U.S.) Inc. and its officers and directors. A.J. also successfully defended a financial services firm against a consumer class action alleging violations of the Fair Credit Reporting Act. Most recently, A.J. worked with a financial services firm’s Anti-Money Laundering unit to successfully prosecute an interpleader action that involved a fraudulent wire transfer as part of a larger scheme.
- **Corporate Internal Investigations:** Review and assess potential violations of SRO rules and regulations, federal and state securities laws and internal compliance policies.

A.J. has tried a number of cases to conclusion before judges, juries and arbitration panels. Over his career, A.J. has consistently obtained favorable results for his clients. Highlights include:

- Zero award in a securities arbitration where the claimants alleged theft, fraud and misrepresentation committed by their financial advisor, who had accepted a lifetime ban from the industry.

Without a witness to directly rebut the allegations, the defense was predicated on successfully advocating compliance with FINRA rules on supervision, outside business activities and selling away.

- Zero award in a securities arbitration in which the claimant alleged that the firm failed to protect his mother, a vulnerable senior investor, from financial elder abuse.
- Zero award in a securities arbitration where both the claimant and a hostile former employee offered unrebutted testimony that they had agreed on a certain commission rate that was breached by the firm.
- Zero award plus expungement in a securities arbitration involving Trigger Phoenix Autocallable Optimization Securities. The lengthy explained decision was featured on the front page of the Securities Arbitration Commentator.
- Zero award plus expungement in a securities arbitration in which the claimants alleged that they were provided inaccurate information and that their trading instructions were not followed during the 2009 financial crisis. Successfully defended against damaging documents and admissions by arguing precepts of reasonable reliance and proximate cause.
- Zero award plus expungement in a securities arbitration involving an arbitrage strategy around the sale of claimant's business under I.R.C. Section 1042 and his securities-backed loans.
- Zero award plus expungement in a securities arbitration in which the claimant alleged that his orders to liquidate his million-dollar investment portfolio during the financial crisis in October of 2008 were not executed.
- Zero award in a securities arbitration in which the claimant alleged overconcentration in stocks issued by, among other banks, Lehman Brothers.
- Zero award in a securities arbitration in which the claimant alleged overconcentration in four annuities.
- \$1.5 million arbitration award in favor of a major brokerage firm and full dismissal of claims for wrongful termination, defamation and interference with business relations.

- \$1.1 million arbitration award in favor of a major brokerage firm and full dismissal of claims for wrongful termination, invasion of privacy and violations of the Fair Credit Reporting Act.
- Pre-trial dismissal of claims seeking over \$1 million for predatory lending, fraud and violations of the Consumer Fraud Act.
- Pre-trial dismissal of claims against a purported corporate successor of an entity allegedly responsible for environmental contamination.
- Published decision issued by the Utah Court of Appeals upholding a party's ability to seek appellate review of a court order vacating an arbitration award.
- "No cause" verdict after a jury trial in which the plaintiff claimed personal injuries, property damage and economic loss due to mold exposure.

The *New Jersey Law Journal* named A.J. a "New Jersey Trailblazer" for 2020. The *Law Journal* distinguished select lawyers in New Jersey who "made significant marks" on the practice of law in their sectors. A.J. was named a "New Leader of the Bar" by the *Law Journal* in 2012, a distinction awarded to only 50 attorneys in the state who "are emblematic of the next wave of leadership of the New Jersey bar, based on their achievements so far in their careers." The criteria for A.J.'s selection included the development of a practice niche, a strong book of business, leadership qualities, expertise in litigation and a commitment to volunteer work.

A.J. is one of only two New Jersey attorneys included on the New Jersey Super Lawyers list for Securities Litigation in 2020. Thomson Reuters has recognized A.J. on the New Jersey [Super Lawyers](#) list from 2017 - 2020. Prior to that, A.J. received regular recognition by Thomson Reuters on the New Jersey "Rising Stars" list for Business Litigation in the years from 2009-2015. See [Awards and Honors Methodology](#).

No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Education

Fordham University School of Law, J.D., 2000

Boston College, B.A., 1997

Bar Admissions

New Jersey

United States District Court for the District of New Jersey

Professional Activities

Member, SIFMA Compliance & Legal Society

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