



Partner

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Services

Anti-Corruption Compliance and Investigations >

White Collar, Compliance and Investigations > Litigation >

Securities Litigation/Enforcement > Automotive and Transportation >

Mauricio A. España focuses his practice on complex commercial litigation and white collar and securities litigation matters. He has significant trial experience and regularly counsels clients on internal corporate investigations; criminal, regulatory and state attorneys general investigations; bankruptcy-related litigation; and commercial disputes.

Mr. España was named a Future Leader by *Who's Who Legal: Investigations* in 2018 and 2019. He is also listed as a Top Lawyer Under 40 for 2017 by the Hispanic National Bar Association and among the 2017 "40 Under 40" by *Global Investigations Review (GIR)*, which honored 40 lawyers, across 11 countries, under 40 who are shaping the future of the investigations practice. He has also been recognized as one of *Law360's* Rising Stars of 2015, a national list of attorneys under the age of 40 whose legal accomplishments belie their age. Mr. España has also been named a Rising Star by the *New York Law Journal* in 2015, which is awarded to 50 outstanding attorneys under 40 who have made an impression on their colleagues, their clients, and the larger legal community. He was one of only five lawyers recognized for his work in the Securities area. He was also recognized between 2012 through 2017 as a New York "Rising Star" by *Super Lawyers* for Securities Litigation, White Collar Criminal Defense and Business Litigation. Mr. España has also been named a Rising Star in Euromoney/Legal Media Group's *Expert Guides* series in 2015, 2016, and 2017 for his white collar expertise. He was also honored by The Legal Aid Society as one of the recipients of the Society's

2012 and 2017 Pro Bono Publico Awards that recognizes the outstanding work of volunteer lawyers who provide exceptional legal services to low-income New Yorkers. The *Hispanic Executive* also highlighted Mr. España's white-collar practice and commitment to pro bono representation in its article titled, "White Collar Lawyer, Blue Collar Advocate."

EXPERIENCE

- Represent **Takata Corporation** in connection with investigations of airbag inflator ruptures by the National Highway Traffic Safety Administration, Congress, the Department of Justice and other entities, and in related civil litigation.
- Represent **global automotive supplier** in internal investigation relating to allegations of manipulating inspection data that was provided to customers.
- Represent **several executives** in connection with various ongoing FCPA and AML investigations involving activity in Latin America and Asia.
- Represent **institutional investors** in trust instructional proceedings relating to the distribution of proceeds of RMBS Settlements.
- Represent **automobile manufacturer** in investigations by Department of Justice and National Highway Traffic Safety Administration relating to the adequacy and timeliness of recalls.
- Represent **The Bank of New York Mellon** in litigation relating to its role as Indenture Trustee and Auction Agent in student loan securitizations (*U.S. Education Loan Trust IV, LLC v. The Bank of New York Mellon*, Index No. 654415-2017 (Supreme Court, New York County)).
- Represented **The Bank of New York Mellon** in all aspects of litigation and SEC and CFTC investigations relating to the bankruptcy of Sentinel Management Group.
- Represented **The Bank of New York Mellon**, as trustee of residential mortgage-backed securitization (RMBS) trusts, in a variety of matters, including litigation seeking the approval of an US\$8.5 billion proposed settlement with Bank of America Corp. in connection with 530 RMBS trusts (*In the matter of the application of The Bank of New York Mellon, Index No. 651786/2011 (Supreme Court, New York County)*) and litigations concerning various RMBS related settlements and claims in the bankruptcy of Residential Capital, LLC, and certain of its subsidiaries, including an US\$8.7 billion Allowed Claim settlement relating to allegations of breaches of representations and warranties.
- Represented **The Bank of New York Mellon**, as trustee of residential mortgage-backed securitization (RMBS) trusts, in litigation concerning various RMBS-related settlements and claims in the bankruptcy of Residential Capital, LLC, and certain of its subsidiaries (*In re Residential Capital, LLC et al., Case No. 12-12020 (MG) (S.D.N.Y.)*).
- Represented **Entretenimiento GM de México S.A. de C.V.**, at trial in federal court on breach of contract claims by affiliates of AMC Entertainment, Inc. arising out of the purchase of a group of Mexican cinemas (*LCE Mexican Holdings et al. v. Entretenimiento GM de México S.A. de C.V., Case No. 10-cv-3610*).
- Represented **The Bank of New York Mellon** in litigation alleging various claims by Repsol, S.A. arising out of Argentina's expropriation of Repsol's ownership in YPF S.A. (*Repsol, S.A. v. The Bank of New York Mellon et al., Index No. 652653/2012*).
- Represented **RMBS investor** in a trust instructional proceeding concerning the reformation of a pooling and servicing agreement.

- Represented **senior executives of a major pharmaceutical company** in investigations by the DOJ and FDA concerning alleged misrepresentations made by the company in connection with its submission of a New Drug Application and potential violations of the False Claims Act as a result of the company's promotional disclosures and marketing practices.
- Represented **a global manufacturer of electrical meters** in an investigation by the DOJ concerning alleged violations of the False Claims Act.
- Represented **a Big Four accounting firm** in connection with litigation arising out of its audit of a company accused of orchestrating a \$600 million Ponzi scheme.
- Represented **a Latin American media company** listed on a U.S. exchange in the first-ever up-the-ladder reporting case under Section 307 of the Sarbanes-Oxley Act of 2002.

EDUCATION

- New York University, B.A., 2000, *cum laude*, Dean's List, recipient of the Founder's Award
- Fordham University School of Law, J.D., 2003, *cum laude*, Order of the Coif, Dean's List, Cooper Editor of the *Fordham Urban Law Journal*

ADMISSIONS

- New York
- United States Court of Appeals for the Second Circuit
- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York
- United States District Court for the Western District of New York
- United States District Court for the Northern District of New York
- United States District Court for the Northern District of Illinois
- United States District Court for the Eastern District of Michigan

LANGUAGES

- Spanish
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MEMBERSHIPS

- Member, LatinoJustice PRLDEF, Board of Directors
- Certified Member, Hispanic National Bar Association
- Member, Fordham Law School Minority Mentorship Program
- Member, Fordham Law Alumni Association, Board of Directors
- Member, The American Lawyer's Young Lawyer Editorial Board

SPEAKING ENGAGEMENTS

- **No Surprises: Key Witness Prep in a White Collar Case** — NACDL White Collar Conference, Washington, D.C. (September 15, 2017)
- **A Price Worth Paying?: Proactive Risk Management for Corporate Counsel** - New York, NY (April 27, 2017)
- **Designing and Implementing an Effective Compliance Program: Evaluating and Managing Risk Across Corporate Entities** — ACC America - Association of Corporate Counsel - Greater New York Chapter, New York, NY (October 17, 2012)
- **The International Anti-Corruption Framework and the Legal Profession** — Anti-Corruption Strategy for the Legal Profession Workshop, Istanbul (March 28, 2012)
- **A New Era of Regulation and the Dodd Frank Act: The Dodd Frank Act's Impact on Securities Litigation and the SEC's Enforcement Power** — Hispanic National Bar Association 2011 Mid-Year Corporate Counsel Conference, New Orleans, LA (March 11, 2011)
- **“Cómo pueden las empresas combatir la corrupción? Herramientas internacionales (How Can Companies Combat Corruption? International Tools)”** — Anti-Corruption Committee of the International Chamber of Commerce, Mexico City (October 19, 2010)
- **Anti-Corruption Strategy for the Legal Professional: Risks and Threats of Corruption and the Legal Profession** — International Bar Association and the Organization for Economic Development & United Nations Office of Drugs and Crimes, Mexico City (October 18, 2010)