



# Securities Litigation & Regulation

Andrews Litigation Reporter 

VOLUME 14 • ISSUE 22 • MARCH 10, 2009

*Expert Analysis*

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## What Will the SEC Do Differently in the Aftermath of the Madoff Scandal?

By David Z. Seide, Esq.

The Bernard Madoff scandal has been acutely embarrassing to the Securities and Exchange Commission. According to his voluntary confession, Madoff was engaged in the world's biggest Ponzi scheme, involving \$50 billion in possible investor losses. Yet Madoff had been repeatedly investigated by the SEC at least as far back as 1992, with the latest investigation opened and closed in early 2006.

According to internal SEC documents obtained by the Wall Street Journal, the agency's New York office opened its 2006 investigation in early January and took sworn testimony at one of the Madoff feeder funds from Madoff and personnel.<sup>1</sup> The agency then closed the investigation three weeks later after finding no evidence of fraud — an unusually short period given that most SEC enforcement investigations often run for many months, if not years.

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*The SEC will likely undertake a variety of measures to improve the effectiveness of its examination and enforcement efforts.*

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Former Madoff competitor Harry Markopolos reached a very different conclusion years earlier. Markopolos told the House of Representatives' Financial Services Committee at a Feb. 4 hearing that he initially shared his suspicions that Madoff was a fraud with the SEC's Boston office in 2000. Subsequently, he dealt with the SEC's New York office and the Office of Risk Assessment in Washington and compiled a written report in 2005 to back up his suspicions. Yet Madoff's fraud only finally came to light in December 2008, when Madoff, apparently realizing that his scheme was about to collapse as he was faced with mounting customer redemption requests, confessed to his decades-old scheme.

Soon after news of Madoff's scheme burst on the scene, then-SEC Chairman Christopher Cox expressed his grave concern about "the apparent multiple failures over at least a decade to thoroughly investigate the allegations [about

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# Securities Litigation Forms And Analysis

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In a global inundated with screens and the cacophony of instant connection, the profound power and emotional resonance of verbal beauty usually diminish into obscurity, eclipsed by the regular barrage of noise and distractions. However, located within the musical pages of **Securities Litigation Forms And Analysis**, a charming work of literary beauty that pulses with raw feelings, lies an unique journey waiting to be embarked upon. Composed with a virtuoso wordsmith, this interesting opus instructions viewers on a psychological odyssey, softly exposing the latent possible and profound affect stuck within the elaborate internet of language. Within the heart-wrenching expanse of this evocative examination, we shall embark upon an introspective exploration of the book is key themes, dissect its fascinating writing model, and immerse ourselves in the indelible effect it leaves upon the depths of readers souls.

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