



Matthew D. Lee

Partner

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Matt is a former U.S. Department of Justice trial attorney who focuses his practice in the areas of white collar criminal defense and investigations, federal tax controversies, financial institution regulatory compliance and complex civil litigation.

White Collar Compliance and Defense

Matt represents companies and individuals in federal grand jury investigations and criminal prosecutions in a wide variety of areas, including tax, money laundering, health care, securities, public corruption, antitrust, Foreign Corrupt Practices Act, False Claims Act and fraud offenses. He also frequently litigates federal and state civil asset forfeiture matters. In several instances, Matt has successfully persuaded law enforcement agencies to decline prosecution of his clients, including an individual who failed to file tax returns for several years, a small business owner suspected of underreporting cash sales, an individual who maintained undisclosed offshore bank accounts and a business owner suspected of structuring monetary transactions.

Matt also has significant experience conducting internal investigations and advising companies and boards as to whether to self-disclose suspected wrongdoing to law enforcement. Matt is also a member of the Criminal Justice Act panel for the Eastern District of Pennsylvania.

Representative White Collar Matters

Matt has represented:

- The former CEO of public company charged with securities fraud/insider trading/tax offenses in nine-month federal court jury trial.
- Multiple individuals charged with tax and other offenses in connection with secret bank accounts in Switzerland and other offshore jurisdictions.
- A family-owned business and its owners in a Pennsylvania statewide grand jury investigation.
- An investment advisor in an SEC insider trading enforcement action.
- A homeowner in appeal of civil forfeiture judgment (pro bono) (*Commonwealth v. 2338 North Beechwood Street*, 65 A.2d 1055 (Pa. Cmwlth. 2013) and 134 A.3d 507 (Pa. Cmwlth. 2016)).

- The Philadelphia Bar Association, the Hispanic Bar Association of Pennsylvania and the Barristers' Association of Philadelphia as *amici curiae* in a civil forfeiture appeal in the Supreme Court of Pennsylvania (pro bono) (*Commonwealth v. 1997 Chevrolet*)
- An individual in a complex cross-border tax promoter grand jury investigation.
- Several Enron employees in high-profile securities and fraud investigations.
- A private citizen in a Philadelphia-area fraud and public corruption case.
- An individual on Pennsylvania death row in post-conviction proceedings in which death sentence was vacated.
- A company in appeal of conviction for bank fraud and subsequent resentencing following *en banc* consideration by Third Circuit (*United States v. Leahy*, 438 F.3d 328 (3d Cir. 2008)).

Federal Tax Controversy

Matt also maintains an extensive federal tax controversy practice in which he represents taxpayers in all stages of proceedings before the Internal Revenue Service, including examinations, appeals and collection proceedings. He regularly litigates cases in the United States Tax Court and other federal courts. He also represents clients in connection with highly sensitive so-called "eggshell" audits where indications of fraud may be present. In addition, Matt represents companies and corporate officers in connection with employment tax issues, including proceedings in which the IRS seeks to impose the Trust Fund Recovery Penalty on responsible corporate officers.

In addition, Matt frequently represents clients in connection with undeclared offshore assets, advising them as to their tax, FBAR and FATCA reporting obligations, and he has successfully guided hundreds of clients through various IRS voluntary disclosure initiatives, including the Offshore Voluntary Disclosure Program and the Streamlined Filing Compliance Procedures. Matt has published numerous articles regarding the IRS voluntary disclosure programs and FBAR and FATCA reporting obligations, and speaks frequently on these topics. He is the author of the *Foreign Account Tax Compliance Act Answer Book* (Practising Law Institute), a comprehensive guide to the due diligence, reporting, and withholding obligations imposed by FATCA on foreign financial institutions, non-foreign financial entities and withholding agents. Finally, Matt has represented numerous individual and corporate taxpayers in connection with the IRS domestic voluntary disclosure program and related state initiatives.

Representative Tax Controversy Matters

Matt has represented:

- Hundreds of taxpayers with undeclared bank accounts in Switzerland and other offshore jurisdictions seeking amnesty under the IRS Voluntary Disclosure Program and related IRS voluntary disclosure initiatives.
- An individual in IRS audit regarding offshore bank accounts and assessment of various penalties including FBAR, Forms 3520 and 3520-A, and civil fraud.
- Numerous foreign banks, investment advisors, and hedge funds located in Lebanon, Russia, Armenia, Cayman Islands, and United Kingdom as to their obligations under the Foreign Account Tax Compliance Act.
- A public company in a multi-year audit conducted by the IRS Large Business & International division.
- Numerous individual taxpayers in refund suits filed in the United States Court of Federal Claims and federal district courts.
- Construction companies and their owners in connection with IRS collection proceedings seeking unpaid employment taxes and assessment of the Trust Fund Recovery Penalty against responsible corporate officers.
- A real estate investor in Tax Court litigation claiming a foreign expropriation loss.
- An estate in Tax Court litigation involving disallowance of a substantial charitable contribution.



- A real estate developer in Tax Court litigation in a dispute regarding the appropriate method of revenue recognition.

Financial Institution Regulatory Compliance

Matt's also regularly advises financial institutions as to compliance issues under the Bank Secrecy Act, the USA Patriot Act, the Foreign Account Tax Compliance Act, the anti-money laundering laws and regulations and economic sanctions. Matt represents financial institutions and individuals in enforcement proceedings brought by the Treasury Department's Financial Crimes Enforcement Network (FinCEN) and other law enforcement agencies and regulators. He has significant experience advising companies as to obligations imposed by "Geographic Targeting Orders," an anti-money laundering tool used with increasing frequency by FinCEN.

Representative Financial Institution Compliance Matters

Matt has represented:

- An individual compliance officer subject to civil money penalty assessment for alleged anti-money laundering deficiencies (*U.S. Department of the Treasury v. Haider* (D. Minn.)).
- A Chicago-area community bank in FinCEN enforcement action and parallel criminal investigation conducted by U.S. Attorney's Office.
- Numerous financial institutions, including traditional banks, automobile dealers, and precious metals dealers, as to their anti-money laundering obligations.
- Various businesses subjected to Geographic Targeting Orders issued by FinCEN.

Before Fox Rothschild

Prior to joining Fox, Matt was a partner in the Philadelphia office of a national law firm.

Beyond Fox Rothschild

Matt is renowned in the Philadelphia region for his commitment to pro bono service and devotion to the pursuit of equal justice for all. He is annually selected as a member of the First Judicial District of Pennsylvania Pro Bono Roll of Honor. In 2016, he was the recipient of the Pennsylvania Legal Aid Network Excellence Award for his pro bono work in the area of civil forfeiture.

Matt previously served as an elected Democratic committeeperson and served on Philadelphia's Fifteenth Ward Democratic Executive Committee. He is also active in civic and charitable causes and has served on the following boards:

- Friends Select School (2018-present)
- The First Tee of Greater Philadelphia, Inc. (2011-2016)
- Philadelphia VIP, Inc. (the pro bono arm of the Philadelphia Bar Association)
 - Board member (2004-2014)
 - Board president (2013-2014)
 - Co-chair of 35th Anniversary Gala (2016)
 - Member of Executive Director search committee (2017)
- The Lighthouse, Inc.

- Board member (2006-2014)
- Board president (2008-2009)
- Fairmount Civic Association

Matt is a graduate of LEADERSHIP Philadelphia's class of 2008 and previously served as a lecturer of law at the Villanova University School of Law. He also periodically serves as a guest lecturer at the Drexel University School of Law and the University of Pennsylvania Law School.

Client Resources

Tax Controversy and Financial Crimes Report

Matt's blog, **Tax Controversy and Financial Crimes Report**, reports on the latest developments in all aspects of tax controversy and financial crimes. These include criminal tax investigations and prosecutions, civil tax matters before the Internal Revenue Service including audits, appeals, and collection matters, as well as tax litigation in the U.S. Tax Court, U.S. Court of Federal Claims, and U.S. district courts. The blog also covers international tax compliance issues, including foreign bank account reporting (FBAR), the Foreign Account Tax Compliance Act (FATCA), and the IRS's voluntary disclosure programs for both domestic and offshore issues. Finally, Tax Controversy and Financial Crimes Report addresses compliance issues arising under the Bank Secrecy Act, the USA Patriot Act, FATCA, the anti-money laundering laws and regulations, and economic sanctions regimes.

[View Blog](#)

Honors & Awards

- Named to "The Best Lawyers in America" for White Collar Criminal Defense in Pennsylvania by *Best Lawyers* (2019, 2020)*
- Selected to the "Super Lawyers" list for Criminal Defense: White Collar in Pennsylvania (2017- 2019)*
- Pennsylvania Legal Aid Network Excellence Award (2016)
- JD Supra's Readers' Choice Award for Top Author in Banking/Financial Services Industry platform (2016)
- Leadership Philadelphia, Class of 2008
- Selected to the "Lawyers on the Fast Track" list by *The Legal Intelligencer* (2008)*

[*Awards Methodology](#)

Practice Areas

- Litigation
- White-Collar Criminal Defense & Regulatory Compliance
- Tax Controversy & Litigation
- International
- Cannabis Law

Bar Admissions

- District of Columbia
- New Jersey
- New York



- Pennsylvania

Court Admissions

- U.S. Tax Court
- U.S. Court of Federal Claims
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, Northern District of Florida
- U.S. District Court, District of Maryland
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Eastern District of Pennsylvania

Education

- New York University School of Law (LL.M.)
- Emory University School of Law (J.D.)
- Furman University (B.A.)

Memberships

- Philadelphia Chapter of the Federal Bar Association's Tax Section (co-chair)