



# James K. Finkel Legacy DCA, LLC

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## Highlights

- Currently consulting through solely owned LLC as well as Senior Advisor to various consulting firms
- 12 Year Career (2010-2022) as Senior Manager at Kroll, a Leading Global Valuation and Consulting Firm: Complex Securities Disputes as Expert, Regulatory Matters and Corporate Finance Transactions
- CEO/Chief Compliance Officer of \$5bln AUM legacy Registered Investment Advisor 2003-2022
- 12 Year (1992-2003) Career in International Investment and Capital Markets Banking (7 years in New York/5 Years in London; Registered Securities Representative in Each Location)
- Post-Graduate Degrees: M.Sc. International Politics (LSE), JD (*cum laude*, Univ. of Miami) and LL.M. Tax Law (NYU)

- Jim provides consulting services through Legacy DCA, LLC. He also affiliates as a senior advisor to other consulting firms. Jim spent 12 years through 2022 in Kroll's consulting practice relating to complex securities and markets-related disputes. Among his over 75 engagements at Kroll, he was the lead damages expert for the FHFA (successor to Fannie Mae/Freddie Mac) involving \$23 billion of recoveries for the US government relating to subprime RMBS losses. Many of his engagements have involved domestic and international investment banking, asset management, trading and valuations. Jim has also led several claim recovery, liquidation and advisory transactions as a banker and in this role also has advised investment managers on M&A, risk-based capital-optimized structuring, and fundraising.
- Jim was the CEO of a \$5 billion AUM (at its peak) investment manager, Dynamic Credit Partners (USA) which he co-founded in 2003—the firm managed 13 funds largely holding RMBS. The business was a SEC-registered investment advisor, having wound down as of Q4 2022 following the financial crisis.
- From 1992 to 2003, Jim was a successful senior capital markets banker at Nomura (New York), Bear Stearns (New York and London) and Deutsche Bank (London). He was a pioneer in the development of new investment products, co-lead two NYSE-listed REIT IPOs, and executed groundbreaking offerings such as the largest ever Brazilian bond repackaging floated to the public markets, one of the first Euro-denominated CDOs, and complex capital-protected and long/short investment products.
- Jim began his career as a tax lawyer from 1986-1992 with Cadwalader, Wickersham & Taft in New York in the mortgage-backed, pooled investment vehicles, cross-border aircraft finance and derivative sectors. He also worked on pro bono criminal matters, white-collar defense matters and was assigned to work with a leading law firm in Geneva, Switzerland in 1991.

## Certifications/Memberships

- Bar of State of New York, 1<sup>st</sup> Department (since 1987)-current inactive status
- Member of Supervisory Board, Ithuba Capital, Vienna, Austria
- Member of Board of Directors, Capital Security Bank, Cook Islands
- Member of the American Academy of Financial Experts
- Member of NY Chapter of the Risk Management Association
- Previously held Series 62 FINRA (2016-2023) with Kroll Securities, LLC and Series 7 (and equivalent, with predecessors of FINRA and FSC)

## Education

- Certificate in Mediation, Harvard Law School (2016)
- LL.M. (Taxation), New York University School of Law, New York, New York, 1990
- J.D., Univ. of Miami School of Law (*cum laude*), 1986 (Associate Editor, Univ. of Miami [Law Review](#)); summer program at Cambridge, UK
- M.Sc., London School of Economics and Political Science, 1983 (marks of Distinction in International Politics, International Law)
- B.A., Colorado College, World Political Economy, 1982

## Publications Within the Past Ten Years

- "When Employment Causes a Conflict of Interest for Expert Testimony", Commercial Dispute Resolution (GLG), February 23, 2022. [When employment causes a conflict of interest for expert testimony | ICLG](#)

## Prior Expert Testimony Within the Past Four Years

- *MUSST Holdings Ltd v. Astra Asset Management UK Ltd and Astra Asset Management LLP*, Claim No. BL-2018-002369; High Court of Justice, Business and Property Courts of England and Wales, Business List (Chancery Division) (expert report submitted February 2021, joint expert report submitted in March 2021, and testimony at trial provided in May 2021).
- *Exit Strategy, LLC v. Festival Retail Fund BH, L.P., et al.*, Case No. 2017-0017-JTL, Court of Chancery of the State of Delaware (expert report filed March 2021; testimony at trial provided in September 2022).
- *Wells Fargo Bank, NA as Trustee v. Margate Funding I, Ltd., et al.*, Index No. 21-cv-4939, United States District Court, Southern District of New York (expert report filed October 2022/Rebuttal report filed November 2022, and deposition testimony provided in December 2022).
- *CWCapital Cobalt VR Ltd. v. CWCapital Investments LLC et al.*, Index No. 653277/2018, Supreme Court of the State of New York, County of New York (Commercial Part 48) (expert rebuttal report filed November 2023 and deposition testimony provided in February 2024).
- *J.P.Morgan Ventures Energy Corporation v. Miami Wind I, LLC and Goldthwaite Wind Energy LLC*, Index No. 652094/2021, Supreme Court of the State of New York, County of New York (IAS Part 43) (expert report filed April 2024 and deposition testimony provided in July 2024).