

T.A. Myers & Co. Firm Bio

Expert Witness - Full Service Litigation Support

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Summary

T.A. Myers & Co. is a nationally recognized firm of certified public accountants and other professionals specializing in expert witnessing, litigation support, and professional training in a wide range of banking and financial disciplines related to banking, lending, subprime and securitizations, civil and criminal fraud and public company fraud.

Expert Witnessing Services

Through its founder and principle Thomas A. Myers, T.A. Myers & Co. has provided expert witness testimony and expert analysis in over 100 cases, including numerous notable banking, subprime and securities disputes between some of the largest financial and insurance institutions in the world. Mr. Myers was the only expert used by the Securities and Exchange Commission in a landmark case dealing with false and misleading disclosures in the “management, discussion and analysis” section of the Form 10-Q. He also testified recently in an important case of first impression against a now-defunct global financial services firm, which became the first investment banking firm to be held liable in a securitization for the fraud of the issuer. Former clients describe Mr. Myers’ preparation as “thorough” and his testimony as “articulate,” and “persuasive.”

Litigation Support Services

T.A. Myers & Co. provides litigation services in a wide range of banking and financial disciplines. Over the past decade, T.A. Myers & Co. has assisted client firms with case theory development, investigations, and forensic research for use in pleadings, settlement negotiations and trials in numerous successful, high profile litigations.

Course Development and Instruction

Mr. Myers is a highly sought after instructor. Over the past two decades, T.A. Myers & Co. has developed and taught many courses for representatives from all of the federal banking regulatory agencies including the Office of Comptroller of Currency, the Federal Deposit Insurance Corporation and various Federal Reserve Banks, as well as the Federal Financial Institutions Examination Council (FFIEC), on many subjects relating to banking including bank fraud, reasonable and prudent lending practices, borrower analysis, problem asset identification and analysis, construction lending, commercial loan analysis, subprime lending, loan syndications, securitizations and structured finance, problem loan management, as well public company fraud issues such as financial statement manipulation, accounting irregularities, and the omission of material facts by corporate insiders.

The Chief Accountant for the Comptroller of the Currency described Mr. Myers presentation on public company fraud at a recent Interagency Accounting Conference, which was attended by more than 400 federal regulatory accountants, as "the highlight of the meeting." Mr. Myers was described by a prominent FDIC official as a "captain of the industry". He has also worked extensively with the Federal Financial Institutions Examination Council (FFIEC), a quasi-governmental organization mandated by Congress to provide professional education for all of the federal banking regulatory agencies. Jack Newton, Ph.D., the director of the FFIEC wrote that: "Your ideas have had a broad impact on the development of the Advanced White Collar Crime Conference, and your presentation on 'Public Company Fraud' was groundbreaking. Attendees have always recognized your timely content, excellent organization, and fascinating presentations by granting ratings that place you among our very highest rated speakers." Mr. Myers received the Certificate of Appreciation "for significant contributions in meeting the overall objectives of the Federal Financial Institutions Examination Council."

Mr. Myers also developed and presented seminars dealing with bank fraud, fraudulent conveyances, the detection of concealed assets and RICO for various law enforcement entities, including the Federal Bureau of Investigation, the Secret Service and the Department of Justice.

Testimony and Analysis for the U.S. House of Representatives

T.A. Myers & Co. has frequently provided input and consulting for government regulators. Mr. Myers was the one of seven industry experts invited by the chairman of the House Of Representatives Banking Committee to appear before the committee and critique President Bush's proposal for revising the banking regulations. Included in the seven were the Chairman of the AICPA, the President of the AICPA, the Chairman of a "Big Eight" accounting firm, and the former Chief Accountant of the Federal Home Loan Bank Board. Mr. Myers' presentation to the Committee included a discussion of fraud and problem lending was described by Committee Chairman, Henry Gonzalez, on the congressional record, as "very eloquent."

At the request of U.S. Congressman LaFalce, Mr. Myers prepared a report for the Congressional Record concerning liability for losses to lending institutions resulting from fraud and negligence.

His highly influential report addressed the actions of officers and directors, legal counsel, independent auditors, appraisers, mortgage brokers and real estate brokers.

Consulting Services

T.A. Myers & Co. provides consulting and training services to virtually every segment of the financial services industry on a broad spectrum of topics and has been retained by financial institutions and their regulators to develop comprehensive policies and procedures regarding numerous subjects, including complex syndicated lending, securitization and structured finance issues, financial statement manipulation, problem asset classification and problem asset workouts.

Publications

Thomas A. Myers has written two authoritative texts on problem loan identification and asset management: "The Problem Loan Action Plan: a Uniform Methodology for Dealing with Problem Assets"; and "Real Estate Problem Loans," both published by Dow Jones Irwin. The methodology introduced by T.A. Myers & Co. was declared by one industry leader to be "absolutely essential for problem loan management." A former Director of the National Thrift News stated that, "(i)n today's environment no lender should be without it." Mr. Myers also authored "The Income Property Construction Lending Manual" published by the American Bankers Association (the largest trade group for American bankers) and numerous articles on the subject of lending and problem loans

Areas of Expertise:

- Accounting
- Banking
- Bankruptcy
- Business Acquisitions, Appraisal and Valuations
- Commercial Litigation
- Commercial Real Estate
- Derivatives & Swaps
- Economic Damages
- Economic Losses
- ERISA
- Financial Analysis
- Fraud
- Mergers & Acquisitions
- Securities
- White Collar Crime

Personal Profile

Thomas A. Myers, the founder and president of T.A. Myers & Co., is a Certified Public Accountant and Certified Financial Investigator with degrees in both mathematics and

accounting. He has been listed as a biographical subject in Who's Who of Emerging Business Leaders, Who's Who in Finance and Industry, Who's Who in America and Who's Who in the World. He has lectured to such organizations as the University of Colorado at Denver and the Colorado Free University on the subject of "Success with Integrity." T.A. Myers & Co. also authored and sponsored the widely acknowledged Imagine Program on Alternatives to Violence which has been disseminated without charge in school districts throughout the country. In the past, Mr. Myers served as an unpaid Executive Board member for Qualife, a large cancer support group organization. His hobbies include surfing and mountain biking. He won both the prestigious Winter Park and Thunder Valley Mountain Bike Racing Series in his age group category and placed second at the Colorado State Mountain Biking Championships. He also competed at the World Masters Mountain Biking Championships held in Quebec, Canada and the U.S. National Cycling Championships in Park City, Utah. He is married and has three children.

Hear What Clients Had to Say

“The jury loved you. You were the witness they rated the highest in terms of credibility and in delivering the message...as a result of your testimony, I was able to convince the other lawyers in the case the lack of merit in their positions and the settlement occurred.” --Partner, Philadelphia law firm.

“...every issue of fact and every issue of law was found in our favor...I have not seen anything like this in my 30+ years of practice. Thanks for all your help.” --Partner, international law firm

“(T)hank you for the outstanding job you did serving as an expert witness...your recent performance in the two-day deposition was outstanding... your deposition testimony allowed us to obtain such a favorable result at the recent mediation... I have not encountered an expert who is as effective and credible as you. Thank you for a job well done.” --Shareholder, Birmingham law firm

“Your direct examination was one of the most effective I have ever been involved with and your cross-examination was a textbook example of how to politely and deftly disarm opposing counsel. Your natural sincerity and relaxed style, coupled with your thorough knowledge . . . caused the jury to quickly trust and feel comfortable with your testimony. . . . Thanks again for your extraordinary contribution to the wonderful result we achieved in this case.” --Partner, Austin law firm

Client list available on request.

Areas of Practice:

United States, including Puerto Rico.