

## **Curriculum Vitae**

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### **CURRENT EMPLOYMENT**

I have been on the faculty at the University of Denver since March 2009. I currently teach these undergraduate classes; a freshman seminar, and courses dealing with current policy problems, and constitutional law. I teach graduate classes that include; a history of modern public policy, and regulatory policy. I also advise Public Policy graduate students on their capstone memoranda. I am a FINRA certified arbitrator and occasionally advise the Colorado Attorney General and Securities Division on various legal issues. From time to time I am an expert witness and advisor to attorneys in connection with complex securities law issues.

### **EMPLOYMENT EXPERIENCE**

I retired from the Securities Exchange Commission after a 31 year career as an enforcement attorney in 2006. I was a trial lawyer for 19 years – with 15 years as manager of all SEC litigation in the Denver office of the SEC. As manager of litigation I was a member of senior management of the SEC's Denver office.

As manager of SEC litigation in Denver I supervised an active caseload of 80-100 cases and managed a staff of six trial lawyers and 3 paralegals.

I have personally tried dozens of SEC enforcement actions in federal courts and before SEC administrative law judges. During my SEC career I was involved in the investigation, settlement, and trial of hundreds of enforcement matters. I was lead counsel in the SEC v. Nacchio and the SEC case against Invesco Funds that resulted in more than \$325 million being returned to investors.

### **EDUCATION**

2008 – Coach, University of Denver School of Law Trial Advocacy competition team

1985 – Instructor, U.S. Department of Justice, Civil Advocacy Institute.

1975 – J.D., Antioch School of Law, Washington D.C.

1972 – B.G.S. (with distinction), University of Michigan, Ann Arbor Michigan

### **PUBLICATION**

Chapters on banking regulation and legislation in The Money Committees: A Study of the House Banking and Currency Committee and the Senate Banking, Housing and Urban Affairs Committee, The Ralph Nader Congress Project, Lester M. Salamon ed., Viking Press, 1975.

### **FORMER BAR MEMBERSHIPS**

1983-2015 – Colorado

1975- 2015 – District of Columbia

## REPORTED CASES

### FEDERAL COURTS

The Rockies Fund, Inc. v. SEC, 428 F.3d 1088 (D.C. Cir. 2005).  
SEC v. Guenther, Fed. Sec. L. Rep. (CCH) ¶93,512 (September 26, 2005).  
SEC v. Guenther, 395 F. Supp. 2d 835 (D. Nebr. 2005).  
Geiger v. SEC, 363 F.3d 481 (D.C. Cir. 2004).  
Geman v. SEC, 334 F.3d 1183 (10th Cir. 2003).  
Sullivan v. SEC, 159 F.2d 637 (D.C. Cir. 1998).  
Lehl v. SEC, 90 F.3d 1483 (10th Cir. 1996).  
SEC v. Knowles, 87 F.3d 413 (10th Cir. 1996).  
SEC v. Orton, 100 F.3d 968 (10th Cir. 1996).  
SEC v. Knowles, 902 F. Supp. 211 (D. Colo. 1995).  
C.E. Carlson, Inc. v. SEC, 859 F.2d 1429 (10th Cir. 1988).  
SEC v. Sanders, 1986 U.S. Dist. LEXIS 18038 (D. Colo. 1986).  
SEC v. OKC Corp., 474 F.Supp. 1031 (N.D.Tx. 1979).  
SEC v. Sprecher, 595 F.2d 317 (2d Cir. 1979).  
Peoples Bank of Danville v. Williams, 449 F. Supp. 254 (W.D.Va. 1978).

### SEC ADMINISTRATIVE PROCEEDINGS

The Rockies Fund, Inc., Investment Company Act Release 27593 (December 7, 2006)  
Stephen J. Horning, Initial Decision No. 318 (September 19, 2006), aff'd, Stephen J. Horning,  
Exchange Act Release 56886 (December 3, 2007), aff'd, Horning v. SEC, No. 08-1038, (D.C. Cir.  
June 26, 2009).  
Schild Management Co., 2006 SEC LEXIS 195 (January 31, 2006).  
Steven E. Muth, 2005 SEC LEXIS 2488 (October 3, 2005).  
James F. Glaza, 2005 SEC LEXIS 2119 (August 19, 2005).  
Gateway International Holdings, Inc., 2005 SEC LEXIS 2114 (August 18, 2005).  
James F. Glaza, 2005 SEC LEXIS 1798 (July 21, 2005).  
Schild Management Co., 2005 SEC LEXIS 1198 (May 24, 2005).  
Steven E. Muth, 2004 SEC LEXIS 2320 (October 8, 2004).  
Zion Capital Management LLC, 2003 SEC LEXIS 2939 (December 11, 2003).  
Barry C. Scuttillo, 2003 SEC LEXIS 1777 (July 28, 2003).  
Carroll A. Wallace, 2003 SEC LEXIS 1991 (August 20, 2003).

Stansbury Holdings Corp., 2003 SEC LEXIS 1639 (July 14, 2003).  
Zion Capital Management LLC, 2003 SEC LEXIS 253 (January 29, 2003).  
Charles F. Kirby, 2003 SEC LEXIS 46 (January 9, 2003).  
Daniel R. Lehl, 2002 SEC LEXIS 1796 (May 17, 2002).  
Barry C. Scuttillo, 2001 SEC LEXIS 844 (May 3, 2001).  
The Rockies Fund, 2001 SEC LEXIS 443 (March 9, 2001).  
Marc N. Geman, 2001 SEC LEXIS 282; 54 S.E.C. 1226 (February 14, 2001).  
Carroll A. Wallace, 2000 SEC LEXIS 2798 (December 18, 2000).  
Charles F. Kirby, 2000 SEC LEXIS 2681 (December 7, 2000).  
Sky Scientific, Inc., 1999 SEC LEXIS 475 (March 5, 1999).  
Marc N. Geman, 1997 SEC LEXIS 1608 (August 5, 1997).  
C. James Padgett, 1997 SEC LEXIS 634; 52 S.E.C. 1257 ( March 20, 1997).  
Benjamin G. Sprecher, 1997 SEC LEXIS 760; 52 S.E.C. 1296 (April 18, 1997).  
C. James Padgett, 1997 SEC LEXIS 634; 52 S.E.C. 1257 ( March 20, 1997).  
New Allied Development Corp., 1996 SEC LEXIS 3262; 52 S.E.C. 1119 (November 26, 1996).  
Danny G. Pinkerton, 1996 SEC LEXIS 3067 (October 18, 1996).  
Benjamin G. Sprecher, 1996 SEC LEXIS 736 (March 11, 1996).  
Consolidated Investment Services, Inc., 1996 SEC LEXIS 83; 52 S.E.C. 582 (January 5, 1996).  
New Allied Development Corp., 1995 SEC LEXIS 2256 (August 31, 1995).  
Consolidated Investment Services, Inc., 1994 SEC LEXIS 4045 (December 12, 1994).  
Juan Carlos Schidlowski, 1994 SEC LEXIS 1615 (May 27, 1994).  
C.E. Carlson, Inc., 1986 SEC LEXIS 808; 48 S.E.C. 564 (September 11, 1986).  
David R. Williams, 1985 SEC LEXIS 2093; 48 S.E.C. 122 (February 26, 1985).  
Wall Street West, Inc., 1984 SEC LEXIS 2419; 47 S.E.C. 1003 (January 12, 1984).  
Wall Street West, Inc., 1983 SEC LEXIS 2822 (February 7, 1983).