Antonio Rega

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BIOGRAPHY

Antonio Rega is a Managing Director at Bates Group with more than twenty years of experience providing expert consulting, advisory, and subject matter expertise to global corporations and law firms in digital forensics, information security and privacy, data governance, emerging technology, and eDiscovery. He leads complex investigations spanning the full investigation and litigation lifecycle, conducting in-depth examinations and remediation of electronically stored information (ESI) across cloud, local device, web, and mobile repositories. Antonio is a recognized testifying expert, having presented written and oral expert reports in matters involving digital forensics, IP/trade secrets misappropriation and remediation, cryptocurrency-related transactions, Business Email Compromise (BEC) involving misdirected ACH payments, FINRA arbitrations involving Account Takeover (ATO) incidents, data privacy, standard of care considerations, and metadata analysis encompassing document forgery, spoliation, and spoofing allegations.

Antonio's approach pairs deep technical fluency with practical, defensible methodology, helping clients navigate the complexities of investigations, litigation, and regulatory response — from proactive compliance and regulatory assessments to responses to government subpoenas and orders issued by regulatory agencies. He serves as a trusted adviser to counsel, corporations, and regulatory agencies, leading high-impact engagements that include:

- Digital Forensics & Complex Investigations: Leading proactive and reactive discovery, preservation, and forensic analysis of ESI across cloud, mobile, web, and local environments, including IP theft misappropriations and data exfiltration investigations, source code and trade secrets disputes, and money laundering and FCPA investigations.
- Regulatory Compliance & Monitoring Advisory: Supporting Independent Compliance Consultant (ICC) roles and monitorship capacities, including off-channel communications compliance reviews, proactive monitoring program design, and formal reporting to federal agencies, including internal payment processing compliance, and related policies & procedures.
- Data Security, Privacy & Governance: Assessing information security policies and procedures, identifying vulnerabilities and gaps in coverage, advising on data privacy, assessing AI/LLM-related governance, internal frameworks and information security standard of care, and supporting matters involving tracking tech litigation, Regulation S-P, ECPA and Stored Communications Act allegations, as examples.
- eDiscovery: Managing end-to-end eDiscovery workflows, including Hart-Scott-Rodino (HSR) Second Requests, large-scale defensible remediation for organizations subject to HIPAA,

PII/PHI, and PCI mandates, and negotiations with the DOJ, FTC, and other regulators, as well as various data governance-related engagements.

- Cryptocurrency & Digital Assets: Overseeing digital asset tracing, wallet recovery and analysis, exchange log review, dark web analysis, smart contract code review, digital asset artifact recovery and related digital forensics methodologies in matters involving SIM-swap attacks, fraud, receiverships, and other engagements involving digital assets.

EDUCATION

Bachelor of Arts (BA), State of University of New York John Jay Criminal Justice College

PROFESSIONAL QUALIFICATIONS/LICENSING

Certified Fraud Examiner (CFE), previously held
EnCase Certified Examiner (EnCE), renewal pending
Computer Certified Examiner (CCE)
Certified Cryptocurrency Auditor, Blockchain Council (CCA)
TRM Labs Certified Investigator (TRM-CI)

PROFESSIONAL AFFILIATIONS

Association of Certified Fraud Examiners (ACFE), renewal pending
Academy of Court-Appointed Neutrals (ACAN), previously held
International Society of Forensic Computer Examiners (ISFCE)
American Bar Association (ABA) Content Editor, previously held
Blockchain Council
Securities Experts Roundtable (SER)

PROFESSIONAL RECOGNITION

Lexology (formerly Who's Who Legal) Recommended Expert; 2020, 2021, 2022, 2023, 2024 & 2025: Investigations - Digital Forensic Experts; Thought Leader, 2026

SELECT PROJECT EXPERIENCE

- Business Email Compromise (BEC), Expert Testimony. Engaged as testifying expert in a matter involving Business Email Compromise, which included unauthorized re-routing of ACH payments to bad actors and other related compromise. Matter involves submission of expert reports, analysis, opinions pertaining to reasonable standard of care with respect to information security programs in place, ACH-related policies and procedures, and advisory services.
- Federal Investigation, Source Code Trade Secrets Dispute. Federal matter involving allegations that a National Lender obtained trade secrets of a proprietary application; workflows included onsite interviews of key stakeholders, full inventory assessment of the client's source code development team repositories, data collection, eDiscovery and forensic analysis of source code, log files, related databases, Visual Studio exports to

analyze code changes and updates, as well as analysis of associated metadata attributes to assess indications of misappropriation.

- Metadata Preservation and Spoliation Claims, Multiple Clients. Numerous internal investigations and litigation involving allegations of metadata alterations, 'back-dating' of system clocks and/or document alterations. Analysis and reporting of findings submitted to clients and counsel.
- Off Channel Communications (OCC) Compliance, Broker/Dealer Organization. Performed assessment and monitoring compliance review as part of team retention as Independent Compliance Consultant (ICC) on behalf of an international Broker/Dealer firm, which included preservation and analysis of mobile devices and related chat communications, vetting existing protocols and methods for identification of off-channel mobile & chat communications, recommendations for proactive monitoring of activity, review of compliance programs within the organization's Global Relay platform, implementation of workflows and related recommendations for instances when communications are flagged for potential violations, defensible capture, analysis and subsequent formal reporting to a federal agency as part of the ICC process.
- Money Laundering Investigation, International Asian Bank. FCPA Investigation; Led the team looking into alleged money laundering and suspicious activity, overseeing the forensic analysis of electronic records, document review, database analytics, and reporting. The team also hosted a long-term eDiscovery processing and review platform within the client's facility in Asia in order to comply with data privacy and state secrecy restrictions.
- ATO (Account Takeover) Expert Advisory, Financial Services Firm. Retained as a testifying expert to provide advisory, analysis and neutral expert reporting on Account Takeover claims, such as allegations of fund exfiltration from brokerage or cryptocurrency accounts, primarily operating on behalf of counsel defending financial institutions; services include analysis of claims made by both parties, review of logs, policies and procedures, indicators of compromise, and expert testimony.
- IP Theft Investigation, Financial Institution. Led coordination with client IT to perform surreptitious remote data preservation of electronic records, including data captures after normal business hours. Analysis uncovered evidence to support the client's allegations of unauthorized and fraudulent data transfers, as well as misappropriation of proprietary electronic trading software data. Key findings included confidential documents retrieved from an iPad's hidden Dropbox backup directory, which matched metadata attributes with other recovered artifacts.
- Cryptocurrency Receivership Investigation. In a cryptocurrency investigation supporting a law firm as a receiver and involving a cryptocurrency hedge fund, performed analysis of computer hard drives, cloud-based repositories and mobile devices for noteworthy artifacts for cryptocurrency "wallet" information and related mining software as well as eDiscovery review of chat communications and emails for references of cryptocurrency

holdings, blockchain development, transactions, or indications of fraud. Recurring reports were generated for counsel's review in advance of submission to the SEC.

- Hart-Scott-Rodino (HSR) 2nd Requests, Multiple Clients. Engagement lead on multiple HSR 2nd requests involving identification, focused collection and eDiscovery review of significant volumes of data within aggressive production deadlines, often including negotiation with DOJ, FTC, or other govt regulators on production specification and related negotiations, and in-person interviews of custodians, among other end-to-end services.
- Large-Scale Remediation Engagements, Multiple Clients. Project lead on engagements involving enterprise-wide remediation efforts to identify data exfiltration/misappropriation and defensibly purge documents within Healthcare and Life Sciences organizations subject to various compliance and regulatory mandates such as HIPAA, PII/PHI, or PCI data security standards, or otherwise when engaged in a monitorship/receivership engagement. In one example, Antonio led efforts to perform in-place searching of network file servers and related log files for specific data types based on key metadata attributes and related criteria using custom scripting tools, followed by targeted defensible purging and quarantine of select documents, including identification and remediation of documents residing within email systems and related archives.
- Breach Response Compliance Assessment, Financial Services Firm. Engaged as Primary lead on a breach response matter involving vetting and assessment of Breach Response Policies and Procedures, including identification of vulnerabilities that may impact data privacy and/or security of client information. Steps included review of existing protocols for response, notification and containment; identifying vulnerabilities or potential gaps in coverage, and extent of risk exposure, and eDiscovery review using Relativity DBR to identify sensitive information and subsequent disclosures to stakeholders/customers. Recommendations, remediation, and subsequent findings reports were presented to the client.
- Allegations of Trade Secrets Theft, National Lending Company. Investigation into claims that a national lending company obtained trade secrets of a proprietary application; performed onsite interviews of key stakeholders, followed by data preservation and forensic analysis of source code, system logs files and development team repositories to analyze code syntax changes and updates, as well as related metadata attributes. Analysis included assessment of exfiltration and misappropriation allegations, and subsequent remediation measures.
- Cryptocurrency Exchange Expert Witness. Expert witness testimony on behalf of an American-based cryptocurrency Exchange involving the SIM-swap hack and theft of customer cryptocurrency assets worth over $3M USD; analysis included review of Crypto Exchange logs, digital asset tracing , review of transactions, and assessment of SIM-swap compromise methods and contributing exploitations allowing threat actor access to user credentials, as well as valuation of cryptocurrency assets, both at the time of the attacks and at a more recent timeframe.

- Allegations of ECPA & SCA violations, Expert Matter. Retained as a testifying expert on a matter involving allegations of Electronic Communications Privacy Act and Stored Communications Act violations during court-ordered data preservation and analysis efforts in an ongoing litigation. Services included analysis of materials and submission of expert rebuttal report on behalf of defendants.

SAMPLE PUBLICATIONS

- Utilizing Digital Forensics Expertise in Intellectual Property, Copyright & Trade Secret Matters. April 2025.
- Understanding Evolving Data Privacy & Artificial Intelligence Security Risks and Regulations. January 2025.
- Off-Channel Communications: How Financial Services Organizations Can Address Regulators' Latest Target. March 2023.
- Myth Busting: 5 Common Misconceptions in Blockchain and Digital Assets. August 2022.
- Forensic Examination of Electronic Devices, Parts 1 and 2; ABA Journal. March/April 2021.
- Forensic Analysis of Digital Currencies in Investigations. ABA Journal. April 16, 2021.
- Emoji, the Cloud, and WhatsApp: Q&A on Preserving/Collecting New Data Types, Exterro. January 20, 2016.
- Understanding the Implications of Employee Status Changes, Today's General Counsel. April 7, 2014.
- How Tech Tools Can Help With Information Governance, Network Computing, December 23, 2013.
- What Is Remediation?, The Metropolitan Corporate Counsel. September 26, 2013.

RECENT SPEAKING ENGAGEMENTS

Antonio has volunteered as a guest lecturer at Fordham & Cardozo Law Schools on the topic of forensic technology, digital assets and emerging technology. He has published articles to the American Bar Association (ABA) and other publications, as well as participating as a member of the *Sedona Conference Trade Secrets working Group 12 & and AI Governance/Legal Frameworks Working Group 13*. He has also participated in webinars and panel presentations at the Masters Conference, among other venues, on a variety of topics

TESTIMONY HISTORY

- Expert Report submitted on behalf of defendant in an active matter involving Business Email Compromise (BEC) and bad actor allocation of funds to an unauthorized Bank Account. Depositions and trial anticipated in Q4 2026; Nationwide Fixture Installations, Inc. v. Checksammy Inc.; AAA Case No. 01-25-0009-2400-2-CG.

- Testifying expert in litigation over alleged Electronic Communications Privacy Act (ECPA) and Stored Communications Act (SCA) violations, which includes assessment of data preservations and analysis and opining on data privacy and digital forensics-related issues; rebuttal report submitted. Case No.: 6:24-cv-02354-JSS-LHP.

- Expert testimony on behalf of Respondent in Colorado-based arbitration involving Business Email Compromise (BEC), opining on ACH payment processes and related procedures and overall information security standard of care considerations. Colorado Concrete Construction, LLC v. Forestar (USA) Real Estate Group, Inc., at al. Case No.: 2023 CV30257; September 2025.
- Expert testimony on behalf of Respondent in Texas-based arbitration involving an Account Takeover (ATO) incident, including assessment of ransomware, malware exfiltration of FIAT and crypto funds, and other related exploits or methods of compromise. Dr. Eid Mustafa & Saba Mustafa (Claimants) v. Interactive Brokers LLC, FINRA Case No. 23-00533; July 2025.
- Expert Declaration submitted on behalf of the DOJ (U.S. Attorney's Office, Eastern District of California) involving analysis of document metadata attributes and public Internet Archives analysis. Nune Shakhramanyan, Plaintiff, v. United States, Defendant; November 2024.
- Expert Affirmation submitted at the request of counsel, which provided a description of geolocation-related data that may be recovered from mobile devices, logs and/or electronic data sources. Supreme Court of the State of New York, County of Bronx; Carlos Elias Andrade-Leones, plaintiff v. 3190 Webster Avenue Associates, LCC & BE Bronx Builders LLC, defendants. Index No:812498/2022E; November 2024.
- Expert testimony on behalf of Respondent in a California-based arbitration involving SIM swap attacks and analysis of Digital Assets Exchange transactions, logs, methods of compromise and valuation of cryptocurrency assets. David Sao Marcos v Coinbase, Inc.; San Diego, California; 2022.
- Sworn testimony provided via video conference on behalf of plaintiffs involving allegations of data exfiltration and transfer of Intellectual Property. Audio Visual Services Group, LLC d/b/a PSAV vs. Guillermo Machado, Evan McQuide and Five-Star Audio Visual, Inc.; Miami-Dade County Circuit Court; 2021.
- Declaration submitted on behalf of defendant involving forensic analysis of WhatsApp application activity and related mobile device analysis for indications of transfer of sensitive, proprietary information and other activities. Bunnett & Co., Inc. and Energy Feeds International LLC, plaintiff vs J.D. Heiskell Holdings LLC, Todd Gearheart, E&K AG, LLC, Frank Dores, Ray Gearheart and Gearheart AG Consulting, Inc. Defendants; United States District Court, Northern District of California, San Francisco Division; 2019.
- Declarations submitted on behalf of plaintiff. Forensic analysis related to data exfiltration & misappropriation of IP and mass deletion of data. Knowesis, Inc. v. Bobi Herrera; Circuit Court for Fairfax County, Virginia; 2019.
- Declarations submitted on behalf of defendant. Forensic analysis and opinions rendered Re: AWS storage and secure capture capabilities, including the use of S3, EC2 and related AWS logs. 21st Capital Corp., Plaintiff v. Bayer Corporate & Business Services LLC. Defendant. Superior Court of the State of California, County of Los Angeles, Case #

BC419481; 2019.

- Affidavit submitted on behalf of plaintiff, involving forensic analysis, indexed searching, remediation and reporting. Philip R. Shawe derivatively on behalf of Transperfect Global Inc v. Elizabeth Elting & Transperfect Global Inc. Court of Chancery, State of Delaware; 2016.
- Declaration submitted on behalf of plaintiffs. Forensic preservation and analysis of devices and network servers. Official Committee of Unsecured Creditors ex rel. Estate of Woodside Group, LLC v. Nilson (In re Woodside Group, LLC); California, Riverside Division; 2010.
- Declaration submitted on behalf of defendant; forensic preservation, restoration and analysis of email server data. Sarah Hanley v. Christie's, Inc. Southern District of NY; 2009.
- Subpoenaed videotaped depositions detailing digital forensic methodologies and chain of custody procedures for McKesson Medical-Surgical, Inc. vs. Carmen Caccavale. District of Arizona; 2005.
- Grand jury testimony for the attorney general's Medicaid Fraud unit, providing a detailed account of forensic collection/analysis and chain of custody procedures, as well as responding to questions by the jury panel; The People of the State of New York vs. Jane Doe matter. Southern District of NY; 2004.