



PRACTICE FOCUS

Jason A. Nagi is the Chair of Offit Kurman’s Distressed Real Estate Practice and the Head of the firm’s FinTech Practice.

Distressed Real Estate

Jason represents lenders and borrowers in every aspect of distressed real estate, from pre-default to bankruptcy exit. He is well versed in the issues presented by securitized loans, special servicers, banks and private lenders in distressed commercial loans, sales via the Uniform Commercial Code, fraudulent transfer actions and through every stage of insolvency proceedings. In addition to his experience in Single Asset Real Estate bankruptcy cases, Jason has represented agent banks and majority lenders for syndicated loans, out-of-court workouts, and contested and consensual court-supervised restructurings. He has represented large international corporations, insurance companies, financial institutions and individual businesses in New York and New Jersey federal and state courts.

FinTech

Jason uses his creditor-focused finance experience to counsel early-stage and mature FinTech companies, as well as traditional and non-traditional lenders, in both business ventures and litigation. He regularly counsels companies in applying blockchain technology to their respective industries, fundraising efforts and regulatory issues. Jason advises clients on U.S. Securities and Exchange Commission (“SEC”), Commodity Futures Trading Commission (“CFTC”), Financial Crimes Enforcement Network (“FinCEN”) and state-level Money Service Business (“MSB”) matters, including the issuance of securitized digital assets. He has authored numerous articles on FinTech issues and is a frequent speaker at conferences.

REPRESENTATIVE MATTERS

Distressed Real Estate

- Counsel to securitized trust in foreclosure and workout of approximately \$30 million loan portfolio
- Counsel to securitized trust in foreclosure and workout of approximately \$12 million loan portfolio
- Counsel to junior lender on a \$78 million second lien loan collateralized by a development project in a foreclosure action commenced by senior lender on a loan exceeding \$260 million
- Counsel to lenders concerning distressed real estate across the country relating to real property located in New York, New Jersey, Tennessee, North Carolina, South Carolina, and California
- Counsel to equity holders in a contested reorganization of a large development project in New York
- Counsel to securitized trust in federal receiver action concerning a loan in the original principal amount of \$900 million, collateralized by more than 85 hotels located in over 20 states
- Counsel to securitized trust in foreclosure and workout of a loan in the original principal amount of \$57,000,000 million collateralized by a mall located in Western New York
- Counsel to securitized trust in foreclosure and workout of \$45 million loan collateralized 16 building cooperative in New York
- Counsel to securitized trusts in foreclosure and workout of a distressed loan portfolio in excess of \$47 million to 17 related borrowers, collateralized by approximately 17 properties located in New Jersey
- Counsel to owner/operator/developer in a contested foreclosure of a luxury hotel located in New York
- Counsel to numerous lenders and securitized trusts in real estate-related bankruptcies
- Counsel to lenders in fraudulent transfer actions seeking to unwind transfers of significant real estate assets
- Counsel to creditor that obtained a preliminary injunction enjoining judgment debtor and transferee from further encumbering real property, which was the subject of a fraudulent transfer action

FinTech

- Counsel to trading platform in mass arbitration
- Counsel to subject of the first enforcement action brought by the United States Securities and Exchange Commission related to an initial coin offering
- Counsel to subjects of various regulatory enforcement actions
- Counsel to various entities concerning the creation and use of digital currencies and digital securities

SPEAKING ENGAGEMENTS

JASON NAGI

Principal and Chair of the Distressed Real Estate Practice Group and the FinTech Practice Group, New York Office

PRACTICE AREAS

- Creditors’ Rights, Reorganization and Bankruptcy
- Distressed Real Estate
- FinTech Practice Group

- Speaker, "2022 Year in Review: SEC Cryptocurrency Enforcement Actions," *West Legal Ed Center*, Feb. 8, 2023
- Speaker, "Career Choices and Speed Networking," *CRE Finance Council (CREFC) Miami Conference*, Jan. 10, 2023
- Panelist, "I've been appointed to take control of a Crypto enterprise - What do I need to know?" *New York Institute of Credit Association of Insolvency & Restructuring Advisors*, Jan. 19, 2023
- Panelist, "A guide for lawyers on authenticating social media evidence in 2022, Part 2," *Thomson Reuters (WestLegalEd), Global Cyber Institute, and Lexeprint*, Jan. 18, 2023
- Panelist, "A guide for lawyers on authenticating social media evidence in 2022, Part 1," *Thomson Reuters (WestLegalEd), Global Cyber Institute, and Lexeprint*, Aug. 17, 2022

Additional Speaking Engagements

- Panelist, "How the COVID-19 Pandemic is Bringing Chapter 11 into Focus," *Bankruptcy is Back*, Aug. 13, 2020
- Host & Creator, *CryptoCharacters Podcast*
- Speaker, "Understanding Smart Contracts in 2020," *West Legal Ed Center*, Nov. 23, 2020
- Speaker, "The Unknown? U.S. Market Real Estate - SEC Laws Rules Regulations Digital Asset Investing Compliance," *FinTech TV*, Apr. 17, 2020
- Speaker, "Blockchain in 2019: Bankruptcy and Beyond," *American Bankruptcy Institute - 13th Annual Credit & Bankruptcy Symposium*, Uncasville, CT, May 3, 2019
- Speaker, "Future NOW," *Trigild Spring Conference 2019*, Dallas, TX, Apr. 18, 2019
- Panelist "Are STOs (Security Token Offering) the new ICOs (Initial Coin Offerings) ... and all the Hype!" *FinTech Week Tel Aviv*, Mar. 4, 2019
- Panelist, "Blockchain, Bitcoin & Cryptocurrency: Regulation, Enforcement & Litigation," *New York City Bar 6th Annual Securities Litigation & Enforcement Institute*, New York, NY, Mar.14, 2018
- Co-Presenter, *FinTech Week Tel Aviv*, Tel Aviv, Israel, Mar. 5, 2018
- Speaker, "The Dark Side of Crypto - Fraud in Blockchain Crowd Sales and Beyond New York White Collar Crime Tech," New York, NY, Mar. 1, 2018
- Presenter, "FinTech World Workshop Series," Feb. 7, 2018
- Speaker, "Legal and Regulatory Considerations for Blockchain Apps, Cryptoassets and ICOs," *Blockchain for Wall Street Conference*, New York, NY, Nov. 14, 2017
- Moderator, "Are ICOs risky business? Wild West of Finance; Wall Street Blockchain; Functionality; Integration and Security, The Rise of Blockchain Digital Money," *2017 FinTech World Workshop Series*, Washington, D.C., Nov. 6, 2017
- Moderator, "Regulatory Landscape of Digital Money," *The State of Digital Money*, Los Angeles, CA, Jul. 22, 2017

PUBLICATIONS

- Author, "The Fab Five's \$2 Billion Crypto-Fraud Flop," *Offit Kurman*, Jun. 16, 2021
- Author, "Will FinCEN's Crypto Conundrum Hurt Ransomware Victims?" *Forbes*, Apr. 12, 2021

Additional Publications

- Co-Author, "John McAfee Meet Agent Smith," *JD Supra*, Nov. 6, 2020
- Co-Author, "Wolf in Sheep's Clothing: Bitclub Network Promoter Admits to Securities Fraud and Tax Offenses," *JD Supra*, Sept. 15, 2020
- Co-Author, "Automata - SEC Files Suit Against 'Robotic' Cryptocurrency Multi-Level Marketing Scheme," *JD Supra*, Sept. 3, 2020
- Co-Author, "Money for Nothing: Age-Old Investment Scam Returns in Cryptocurrency Ponzi Scheme," *JD Supra*, Sept. 3, 2020
- Co-Author, "Charles Ponzi Fans Abound - SEC Charges Maryland Cryptocurrency Ponzi Scheme," *JD Supra*, Sept. 1, 2020
- Co-Author, "Another One Bites the Dust - SEC Charges Issuer and CEO in Fraudulent ICO," *JD Supra*, Aug. 31, 2020
- Superman29 - Welcome to the Phantom Zone, *JD Supra*, Aug. 10, 2020 (Co-Author)
- Co-Author, "The Accountant II - OCAOB Shoots Straight on Crypto Audits," *JD Supra*, Jun. 17, 2020
- Co-Author, "Show Me the Money... All the Money - ICO Issuer Required to Return \$25 Million to Investors," *JD Supra*, Jun. 8, 2020
- Co-Author, "BitBlog Bi-Weekly Update - May 2020," *JD Supra*, May 19, 2020
- Co-Author, "An Ode to Joy - Congressional Research Service's Report on FinTech Innovation and Policy," *JD Supra*, May 13, 2020
- Co-Author, "BitBlog Bi-Weekly Update - April 2020," *JD Supra*, Apr. 23, 2020

- Co-Author, "New Crypto Lawsuits... Just Desserts for ICOs or Legal Obstacles to Claims?" *JD Supra*, Apr. 15, 2020
- Co-Author, "Il Grande Vecchio Would be Mortified – Fraudsters Use Digital Asset Scam to Buy a Ferrari," *JD Supra*, Apr. 11, 2020
- Co-Author, "BitBlog Bi-Weekly Update – March 2020," *JD Supra*, Mar. 4, 2020
- Co-Author, "Under Siege – Zen Master Steen Seagal Loses to the SEC," *JD Supra*, Feb. 28, 2020
- Co-Author, "Wind of Change – The Year FinTech Came in from the Cold – Polsinelli BitBlog: Year-End Edition," *JD Supra*, Jan. 3, 2020
- Co-Author, "BitBlog Weekly Update," *JD Supra*, Sept. 11, 2019
- Co-Author, "BitBlog Weekly Summary: Kik Kicks Backs and the SEC Continues its Enforcement Campaign Against ICOs," *JD Supra*, Aug. 20, 2019
- Author "On Being Open and Honest with Regulators: The Gladius Network Cease & Desist Order and the SEC's Map for ICO Remediation," *Crowdfund Insider*, Mar. 24, 2019
- Contributor, "Will Crypto ICO Creators Get Any Do-Over Second Chance Mulligan with the SEC for Compliance?" *Bitcoin Exchange Guide*, Feb. 21, 2019
- Author, "Digital Assets and the Long-Arm of the Law," *JD Supra*, Nov. 9, 2018
- Author, "The First Federal Court Hearing on SEC Jurisdiction over ICOs," *The D&O Diary*, May 10, 2018
- Author, "Ruling on What Isn't a Security Needed for ICO Clarity," *Law360*, May 9, 2018
- Author, "Blockchain: Coming to a CMBS Near You," *JD Supra*, Mar. 13, 2018
- Author, "Outcomes in Single Asset Real Estate Chapter 11 Cases," *Journal of Bankruptcy Law*, Feb./Mar. 2018
- Co-Author, Loan Enforcement and Creditors' Rights, *JD Supra*, Jun. 28, 2016
- Co-Author, "Supreme Court Decision Fails to Provide Clarify on ECOA Claims," *JD Supra*, Jun. 24, 2016
- Contributor, "Make-Whole and No-Call Provisions," *Caveat Lender, Business Workouts Manual Edition*, 2015 – 2016

Jason has also been quoted or featured in the following publications:

- "Digital Assets: What to Do When the SEC Comes Calling, *Crowdfund Insider*," Jan. 26, 2020
- "Heard at Tel Aviv FinTech Week, *Crowdfund Insider*," March 10, 2019
- "The SEC's 'Get Out of Jail Free Card (Kind Of)," *Forbes*, Feb. 20, 2019
- "The Future of Blockchain Adoption and Digital Asset Regulation at Blockchain for Wall Street," *investFeed Edge*, Nov. 20, 2017
- "Feds start to crack down on fraud as Bitcoin soars," *CNN Tech*, Dec. 9, 2017

EDUCATION

- Brooklyn Law School, J.D., Moot Court Honor Society
- New York University, B.A., cum laude, with honors in English

ADMISSIONS

- Connecticut
- New Jersey
- New York
- North Carolina
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Western District of New York
- U.S. District Court, District of New Jersey
- U.S. Bankruptcy Court, District of New Jersey
- U.S. Bankruptcy Court, Southern District of New York
- U.S. Bankruptcy Court, Eastern District of New York
- U.S. Bankruptcy Court, District of New Jersey United States