

**Professional Biography of
CARL M. BORNSTEIN**

**Adjunct Assistant Professor
Public Management**

**Tel: (212) 422-0500
cbornstein@carlbornstein.com**

Carl Bornstein is a lawyer practicing in New York City who has tried significant, major criminal cases to verdict and conducted complex criminal, civil and sensitive business investigations in his career as a federal and state prosecutor, as an inspector general and in his private practice.

Professor Bornstein has taught Investigative Techniques and Ethics in Public Service, in the Master's in Public Administration – Inspection & Oversight program. In the Investigative Techniques course, his curriculum includes, among other topics: the investigative role of the inspector general; the related New York and federal criminal laws defining corruption and fraud, the rights and risks of public employees, bribery and racketeering. He also covers oversight of public procurement and construction, and the strategies and tactics used to develop proof and witnesses in both criminal cases and inspections.

He has also taught as an instructor for the National Institute of Trial Advocacy, Northeast Region, for over 25 years, and as a lecturer for the Association of Inspectors General in a 2005 certification course for its members.

His early public service included 12 years trying major organized crime and public corruption cases as a Special Attorney in the U. S. Attorney's Offices in both the Southern and Eastern Districts of New York, as an Assistant District Attorney in The Bronx, where he was the Rackets Bureau Chief and then as the Deputy Chief Assistant District Attorney of Queens County. He then became the Executive Special Assistant Attorney General in the Office of the NYS Special Prosecutor Investigating the NYC Criminal Justice System, during the tenure of now U.S. Judge John F. Keenan. Among other cases, he won convictions of significant organized crime figures including a soldier, a *capo*, and a family boss, in three separate federal and state trials.

In his private practice, Professor Bornstein has represented clients in criminal tax, securities and insurance frauds as well as lawyers and doctors in professional disciplinary proceedings. Among other matters, his practice has included: representing physicians or health-care providers fraud investigations or privilege proceedings; attorneys in legal malpractice and hearings in disciplinary proceedings; being trial counsel defending a civil copyright infringement claim concerning the contested use of software to service MRI machines, and another involving competing trademark claims for publications; as well as the 11-week trial defense of a lawyer charged with criminal tax fraud involving over \$1 billion of trading in financial futures.

He has held Martindale–Hubbell's AV rating for excellence in legal ability and ethical standards for over 25 years. He has been named as a Top Lawyer by the New York Law Journal; and he has been selected by Marquis' Who's Who in America.

As part of his practice from July 2007 until December 2014, as a co-founder, Professor Bornstein was the Chief Operating Officer of the Fortress Monitoring Group (FMG), a multi-disciplinary joint venture with five partners. It was appointed by and reported to the Inspector General of the Port Authority of New York and New Jersey, as the integrity monitor for the \$3.8 billion construction of 1 World Trade Center, a project of national significance..

FMG personnel included former Special Agents of the FBI, the IRS, and the Office of the Inspector General of the U.S. Department of Labor, former NYPD detectives from its Organized

Crime Control Bureau and its Intelligence Division. a former NYC DOI Assistant Commissioner and inspector general, along with independent engineers and forensic auditors. FMG personnel conducted monitoring and investigations to prevent fraud and corruption, and to detect any infiltration of the project by organized crime. If any illegality was detected, FMG personnel coordinated with the Inspector General to take the definitive and effective actions needed.

In December 2013, Professor Bornstein was appointed to a Special Mayoral Independent Advisory Commission to Evaluate the Philadelphia Department of Licenses & Inspections. The Commission, was formed after a building collapsed during demolition killing six people and injuring 13. In 2015, he was appointed to the Mayor's Building Safety Oversight Board which tracked the implementation of the Commission's recommendations.

He also served as the Inspector General of the NYC School Construction Authority (SCA-IG) where he managed a staff of 47 including investigators, auditors, lawyers and analysts. During his tenure as the SCA-IG he reported directly to its board chairman and its president about integrity matters, safety procedures, major on-site accidents, and construction deficiencies.

Professor Bornstein oversaw 10 corporate monitors engaged by the SCA-IG and supervised the SCA-IG's participation in numerous joint investigations with both United States Attorneys' Offices in New York City, the Manhattan District Attorney's Office, and the New York State Organized Crime Task Force. The cases were directed against labor racketeering, money laundering, contract and federal program fraud, and bribery. His personal responsibilities included the integrity screening of all contractors bidding on contracts in excess of \$10,000 under the SCA's annual \$1 billion construction budget.

He also has served as a member / co-counsel to several integrity monitoring teams including:

- One which assessed GM's compliance with its deferred prosecution agreement with the U. S. Attorney's Office for the Southern District of New York relating to its ignition switch recall;
- As the draftsman of a report to the SEC concerning a major bank's compliance with the Global Research Settlement Agreement;
- On a monitoring team which conducted a self-assessment and evaluation by the MTA of its integrity and procurement controls;
- As co-counsel and lead draftsman of a report to a California court for a team assessing Hewlett Packard's compliance with the Court's order covering its business investigative practices. and procedures.

He is a member of the New York City Bar Association, where he was active in the Association's judicial selection process; the New York State Bar Association, where he's been active in committee work, and the American Bar Association for which he has served as a moot court judge in its regional and national competitions.

Professor Bornstein graduated from New York University and the Brooklyn Law School where he served on its Law Review as its Articles Editor and as a Senior Editor. He was honorably discharged from the U.S. Army Reserve, Military Police Corps.