



Fox Rothschild Podcast

The Presumption of Innocence

Episode 45: The Grit, Grace and Gift of Second Chances

Featuring Matt Adams of Fox Rothschild and Justin Paperny

Adams: Hi, everyone, and welcome to "The Presumption of Innocence," a podcast brought to you by the White-Collar Criminal Defense & Regulatory Compliance practice at Fox Rothschild. I'm your host, Matt Adams.

And, you know, it's come up many, many times before. But we take such a deep dive into legal issues on this program that sometimes we -- not intentionally, but -- lose sight of what happens when a government investigation begins and you find out that you are in the government's crosshairs. And most of the time, my response. -- all the time, my response is -- hey, you need a lawyer. But there's just so many issues to unpack as a byproduct of that monumental event, that I'm delighted to have our guest here, Justin Paperny.

He is the founder of White-Collar Advice. And Justin, welcome to the program. I'm going to let you tell your own story rather than give your background here today, because I think the story itself is what brings credibility to what it is that you do. So Justin, launch right into that day, that dreadful day. And I know that it was April 28, 2005. How did your life change that day? And what happened?

Justin Paperny: Thanks for having me. On the 28th of April 2005, I'd go to prison three years to the day later. Paul Bertrand, a retired FBI agent, and another agent knocked on my front door, Studio City, California. Walked in and they had like binders. I'm only 5' 10". They had binders up to my waist. And I later learned that it was every email I'd ever sent as an executive at Bear Stearns and then UBS. And I learned that day I was the target of a government investigation.

And I said, I should probably get a lawyer. They said good idea. Then I hired a lawyer. But because I was in such la la land and didn't think what I had done was really that bad and immediately began blaming Bear Stearns and then UBS and my senior partner. Even though I hired a lawyer, I wasn't really in a position to work well with my lawyer because all I did was spin tales and feign ignorance. And he believed as much as he could. So, when I met with the FBI one month later, suffice to say, I was not prepared for the questions they asked.

And I only dug myself a bigger hole because I flat out lied to the FBI. And I later learned because of that lie, something that possibly could have avoided prosecution, it's part of the reason they recommended to David Willingham, the U.S. Attorney at the time, that I should be prosecuted. And I eventually pled guilty to a count of conspiracy to commit securities fraud.

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So the biggest mistake I made initially was I hired a good lawyer. Didn't know how to work well with the lawyer.

Matt Adams: Yeah, and let's dig into that. Because I think it's easy enough for somebody to say, oh, I'm a subject or a target of investigation. I need a lawyer. Okay. Call the lawyer, get the lawyer retained.

But how to deal with a lawyer, right? And I am probably ill equipped to give that advice because it's a given to me that people are going to be honest and truthful. But what was it about your predicament, Justin, that forced you into that position of not being truthful with your lawyer? Why did you choose to shade facts from the person who has -- if there's anybody in the whole world that you can be truthful with in that predicament, it is your lawyer. But what was it about your situation or the way that it was coalescing against you that forced you into that position?

Justin Paperny: I'd always admired lawyers. My mom was a paralegal for more than 30 years with some very powerful lawyers in Los Angeles. And they were always very kind to me. I was impressed by them. So I was not only impressed, I was a little scared to deal with them directly. I didn't want to shake a perception a lawyer could have of me as a former baseball player at USC and as a young executive at Bear Stearns.

I didn't want them to see me as someone who broke the law. Or who, as Judge Wilson later said, turned the other way for commissions. I didn't want to do anything to shatter that perception.

So the tragic irony is the more I thought I was helping myself, the more I was actually hurting myself. I didn't know anyone that had ever been to prison. I grew up in Encino. The only name we knew was Michael Milken, the "junk bond king." I actually played baseball with his nephew. And I just didn't want to be perceived as someone who hurt people. And for that reason, I only made matters worse for myself.

I did not give any lawyer, initially, an opportunity to represent me well. And for that, I only have myself to blame. So part of what our team strives to do -- not as lawyers, but as people who have gone through the system -- understand the value of introspection. Putting yourself in the shoes of a judge or a prosecutor or probation officer or case manager in prison. What is their perception of you? What do they know?

What don't they know? What do they expect of people who go through this? To blame and excuse? And if we can approach it from that perspective, we can create a better mitigation plan and work better with our lawyer. I wish I would have had some of that guidance when I saw the FBI show up at my home in 2005.

Matt Adams: So they show up. They knock on the door. Is it early in the morning or?

Justin Paperny: It was around 1 pm. And I joked that they had the FBI jacket on. They had the hat, pants. They had everything, but the FBI Air Jordan shoes.



So I live in a condominium complex. Everyone knew the FBI was there. I'm like, I know you're proud to work at the FBI. Does everyone have to know? My dog is freaking out.

And when I met with them a month later, I didn't fully recognize how much information they had. And they flat out asked me a question that included, did I ever see my client, who is a hedge fund manager, send an email stating that his hedge fund was averaging 27% a year?

And my job as the broker as UBS was to execute the trades for his hedge funds. So that was part of the reason I didn't do anything wrong. I didn't manage the money. The trades were unsolicited. That's how I convinced myself that it was okay.

And I told the FBI, no, I do not remember a press release stating that his hedge fund was averaging 27%. Of course, I knew he lost every penny that he raised. And Paul Bertrand asked me again, Justin, do you remember an email stating that your client, Keith, averaged 27% a year? And I said, no, I don't.

And then he had pulled out an email that I had sent many years earlier, where I was arguing with my client over commissions. And in that email, I had said, I enjoyed your press release touting the 27%, average annual return. And that's when everyone knew that I had lied to the FBI.

My lawyer abruptly ended the meeting. And I think he said, that wasn't a perjury because you weren't under oath, but you certainly obstructed a federal investigation. And that helped lead to my prosecution.

Matt Adams: So, they show up at your house. And do you immediately get a lawyer? Or do you make the common mistake of waiting?

Justin Paperny: I had hired a civil lawyer to help represent me in a number of the lawsuits that were coming in. He said, you need a criminal lawyer. He recommended me to an excellent firm that I could not afford. One of the biggest firms in the world, that I just could not afford.

I still had resources at the time and I didn't fully understand how expensive it could be, how severe it would be. So, I hired a lawyer at a big firm against a very expensive hourly rate that I blew through in a month. I got a bill and I wanted to pass out.

So, besides the concern of legal costs and losing my job and loose lawsuits coming in, even though I hired great lawyers I couldn't afford, I still didn't work openly with them. So they had no chance to defend me. And it wasn't until the lawyer abruptly ended the meeting with Paul Bertrand -- with whom I'm very good friends now -- it wasn't until the lawyer abruptly ended the meeting that we fully understand the depths of my troubles once I was caught lying to the FBI.

Matt Adams: When you say you didn't cooperate with your lawyer and that was the root of what flowed from it, including your incarceration, give us an example. I mean, I conduct these types of new client intakes all the time where, sometimes, believe it or not, it's like pulling teeth to get information. And as many times as I reassure the client, this is a privileged conversation, nobody can



compel the contents of this conversation. I want you to tell me the truth so that I can try to help you. I have had and know certain situations where clients have either kept things from me or actually overtly tried to mislead me.

And we got into the why you did it right? You didn't want to disrupt your reputation. But how did you do it? What did the lawyer try to elicit from you that you were resistant to which ultimately set in motion this later proffer, it sounds like, 30 days later, where things went terribly wrong?

Justin Paperny: Well, back to the lawyers without stroking your ego. You have law degrees. You're powerful. You negotiate with the government. So it is an intimidating process for someone who's never been in trouble to hire a lawyer.

I spoke with a new client last week. He has an excellent lawyer. And for some reason, the client's comfortable telling us everything because I have the DOJ press releases. I went to prison for fraud. My partner served 26 years in prison, Michael Santos, for a nonviolent drug crime. And a part of him was like, well, I didn't do anything as bad as you, let me tell you everything. And I said, unless your lawyer knows everything, you're flushing money down the toilet. They can't fully help you. And just, so many people don't understand that.

Back to how I spun tales to my lawyer: I blamed UBS, my former employer. Now, UBS was later found to be somewhat culpable. They scratched checks to the victims of about \$8.5 million, which helped make everyone whole, which helped me in sentencing. I contributed \$500,000, my restitution's paid in full.

But it was easier to focus on UBS, UBS compliance knew. They knew this hedge fund manager client lost money. They knew that when he lost money, he raised more money and the trades were unsolicited. So, all I did was focus on what UBS did, what my codefendant had done. And what I did not know was that while I was lying to my lawyer, my codefendant, Keith, the organizer of this scheme, and even the government wouldn't acknowledge I was more periphery on a tangential. He was cooperating to get that valued cooperation credit. So he's in a meeting with David Willingham at the U.S. Attorney's office, Paul Bertrand, giving them information. Including information about me. So the greatest thing that happened to him was my going in to lie. And not work well with my lawyer, because he was getting that valued cooperation credit.

So it was just easier to focus the blame on UBS. And for a while, my lawyer believed that this, we could avoid prosecution. If anything, this could be civil. Maybe I get sanctioned by the FCC or I forfeit my securities licenses. It wasn't until I lied and he saw the actual evidence, along with my codefendant cooperating. And frankly, the biggest break I got, -- and this is a good lesson -- if you're cooperating with the government, don't get into trouble. My codefendant got indicted on new charges.

And eventually the government gave me a second opportunity of veracity. And that meant spending time with the Securities and Exchange Commission, which I did over a year at 100 hours with them at great legal expense. But that second chance with the SEC positioned me to have a little better



outcome in front of Judge Wilson because I helped them understand the culture at UBS. But it didn't excuse my conduct. And it just took me so long. Frankly, I didn't, it wasn't until I went to prison that I fully understood what I did.

Matt Adams: So, in that 30-day span that you retained counsel, got ready for this proffer meeting, your lawyer thought things were not as terribly bad. And everything just came crashing down when you went into this meeting.

You know, it's the old adage, right? Don't ask a question you don't know an answer to. And the government does that the best. So, I'm envisioning this scenario in which, you know, they give you a couple chances. And are you sure that's your answer, sir? Are you sure? And then they pull out the document.

What was the feeling like when you were confronted with the evidence right there in the room? You know--

Justin Paperny: I got --

Matt Adams: Government conference room.

Justin Paperny: I got chills. My heart was pounding.

I felt like such a fool. My mom had worked for great lawyers for more than 30 years, such admiration for them and her. I remember her going to the USC paralegal law program five nights a week when I was a little boy and working full time. So I felt like such a fool to waste these FBI agents time. To make matters worse for myself. And I'll tell you, it really hit me in March of 2011. Paul Bertrand invited me to speak at the FBI Academy in Quantico, Virginia. And Paul introduced me to the new agents at enrichment night and he told them before I spoke, had Justin told us the truth when we interviewed him, we would not have recommended him for prosecution.

And he said it knowing that I could take it. But it didn't change that it was very difficult to hear. Because the trajectory of my life is different as a convicted felon. Having gone to prison with two young children, a six and 10-year-old. And frankly, a very odd life, going on TV or TikTok or YouTube to continually talk about crime and prison and white-collar crime. It's an odd life. I'm grateful for it. But had I made different choices earlier in the process, I would have had a better outcome and made it better for the victims, who suffered the most. And also my parents, who were devastated as a result of my terrible, terrible choices. I knew better. And most people who come into our community, they knew better, too. So it requires not doubling down on bad choices, but trying to get back on a path to making amends. And it starts with, how did I end up here?

Matt Adams: Yeah, and not everybody can talk, right? Maybe sometimes the best approach is not to talk at all. And the best legal advice is just to keep your mouth shut because once you open it --

Justin Paperny: Unless you are going to tell the truth. You're going to tell the truth.



Matt Adams: Yeah. Yeah. And the cat is out of the bag.

So you have this proffer meeting. It abruptly ends. Your lawyer sort of ushers you out of the government building. I'm envisioning you standing on a street corner somewhere where your lawyer says, yeah, we need to talk. This is bad. And what's the sequence of events that flowed from that decision you made there in the office not to be truthful?

Justin Paperny: Well, here's how white-collar crime can trap you. I thought they forgot about me. Nothing happened for one year. My lawyer did say you're going to have legal fees coming and you can expect to pay more to victims who, UBS is going to want some money. So I immediately got a real estate license and started selling real estate at Sotheby's in Calabasas, California.

And I was thriving. And I'm building a new business. And I used to think to myself, I'm so lucky I never got caught. I'll never do it again.

So nothing happens for a year. And then April 28, 2006, one year after that interview, my mom calls me crying. Said, I'm reading this article in the *Los Angeles Times* that says your former client Keith has pled guilty as the hedge fund managers conspiracy to commit fraud. And at the end of this article, it lists an unindicted, unnamed co-conspirator, a broker at this firm. And my mom said, could that be you? And I said, how could it be me? I've been selling high-end real estate for a year. Like, I'm doing great. UBS is settling all these lawsuits. Like, it can't be me.

And while I'm on the phone with her, my lawyer called and said, uh, do you want the good news or bad news? I said, okay. He said, the bad news is you're going to prison. The good news is I can get you to plead guilty to one kind of conspiracy with a cap of 60 months. You won't do more than 60 months in federal prison. They know that you lied. Your co-defendant has been cooperating. And I know this is a tough day for you. I need you to come in and talk about it.

All in a span of five minutes from thinking they had forgotten about me, to my mom calling, and then my lawyer calling to tell me you can expect 60 months in federal prison.

Matt Adams: Man, oh, man. I've had it go longer than a year. I've had clients where the government just goes silent for two years, three years. In one instance, that just got resolved, I had a situation where it was six-plus years and there's a tolling agreement in the middle of it. Because the government works in these methodical ways where they look for details left and right and center.

And at the end of that process, that yearlong process, every day that went by, you must have started to feel confident as you're rebuilding your life from presumably having left UBS at that point, or been forced out of UBS at that point. So, how did your situation play out from there after that terrible phone call that this thing caught up with you a year later?

Justin Paperny: I didn't live with dignity well as a defendant once I learned. So, I ate poorly, I chewed a lot of tobacco. Kind of locked myself in my man cave. I didn't go to family events. I was still blaming other people.



The waiting and wondering is the hardest part of the sanction. Didn't know anyone that had been to prison and you begin to wonder what that could be like. And I tended to think catastrophically. I'm unhirable. I'll never get married. I'll never have children. This is such a stain.

Once I agreed to plead guilty, asked my lawyer, Bob Corbin and Joel Athey, not to have the U.S. Attorney's Office issue a press release. Of course, they do, for the deterrence component. I was later exploited and leveraged off of by a reputation management firm that claimed they could suppress or remove the releases. They can't. I was scared.

And once I signed the plea agreement, it took about six months, actually, to get in front of the judge. And then once I did, that's when my co-defendant got indicted. And David Willingham was very kind and said, we're going to give Justin a second chance at veracity. He cannot lie to us. I want him to work with the Securities and Exchange Commission. So, for the next year and a half or so, before I ever got sentenced, I was helping them understand the culture at UBS and how so many people could turn the other way for commissions at UBS.

And I spoke honestly with them. I was open with them. I didn't lie to them. I finally came clean. Now, one thing I did that helped me after I pled guilty, I should have done this sooner. I shared with them things they didn't know, including bad things that I had done. And I think that gave me more credibility with them by clarifying and just confirming you think this, this is actually what happened. It made me look worse. And my lawyer, Bob Corbin, later said, had you done this earlier in the process, you wouldn't be looking at four to five years in federal prison.

Towards the end, I wanted to get sentenced so badly. I was begging for clarity. And eventually, I think, due to working with the SEC, I paid as much of the money back as I could, my co-defendant getting indicted on new charges. The government having a better understanding of UBS's conduct and turning the other way and facilitating it. The government asked for 24 months at my sentencing hearing in February 2008.

Judge Wilson, I think, was impressed that I had worked for three years successfully as a real estate agent. Which is crucial, I tell defendants. I don't care if you're doing Uber, selling real estate, picking up phones, delivering coffee. I don't care. Build a new record as a law-abiding citizen. Pay taxes. It's humbling for some people who are used to being doctors and lawyers. Work, work, work. I had letters that spoke to my character rather than enabling my conduct.

And lastly, I'll say, Judge Wilson said, I'm tired of salesman turning the other way for commissions. Most don't get caught. You did. You're going to prison for 18 months. And I surrendered the 28th of April 2008 for 18 months.

Matt Adams: And at your sentencing, let's talk a little bit about that. So, three years to the day or something like that?

Justin Paperny: Three years to the day.



Matt Adams: You walk into court for your sentencing. At that point, you had sort of had the roller coaster experience of being in the crosshairs of the government investigation. You had begun with that sort of invincibility that maybe existed early on, where you weren't truthful.

You sort of had the full-on realization that that wasn't going to work. And then you clawed and scratched to come back to a position of credibility before your sentencing, by both making restitution and operating in a new business and cooperating with the SEC. What was your worst-case scenario, from a sentence perspective?

Justin Paperny: Well, I'm embarrassed to say, I was still somewhat delusional, thinking maybe I would avoid prison. And then I had friends and family who like, you're JP. You're a good guy. You've been working for three years. Why would they send you to prison three and a half years later? That doesn't make any sense. I'm like, yeah, you're right.

So I was still a little delusional. Then I heard my codefendant get sentenced to 60 months, the maximum under his plea. And I'm like, this isn't great. So, once I heard my codefendant, who had been taken into custody after he got indicted again, once I heard that, I said, okay, I'm going to prison.

But something came over me. I felt better that sentencing day than I did the day of my guilty plea. Because at least I was going to get clarity. The waiting and wondering, as you said earlier, is brutal for defendants. Some people mock my 18 months. I really feel like I did five years. The 18 months in prison, which was the easiest part of the process because it's clearly defined with the beginning and an end, and I was very productive because I had a mentor in Michael Santos.

That three and a half years before I went in was difficult. So, after I got sentenced to 18 months, I turned to the right. My mom was crying. My father chose not to attend. He's a little more stoic and quiet. Didn't want to be there. Very supportive, just didn't want to go. Some victims were clapping and celebrating. And I suppose if I were them, I would too.

Thankfully, Judge Wilson gave me 60 days to surrender. And that was a difficult time, too. The finality had set in, it was real. Renting out my home, preparing to go to a foreign or unknown world, relinquishing my real estate license. And the fallout continues. And once I got to prison, I said to myself, I'm not going to let this become a life sentence. Like unfortunately, it is for so many good people who go through this process.

Matt Adams: What do you mean by that? What do you mean by that, "I'm not going to let this be a life sentence?"

Justin Paperny: I'll tell you what's crazy. Imagine serving 18 months or two years for a tax or an account fraud charge and you're scared to go home. You hear it in movies: Oh, 30, 40 years, they can't function, *Shawshank Redemption*. I saw men scared to go home at the end of their two or three-year sentence because they can no longer be a doctor or lawyer. They owe restitution. Wives visit and say, how are you going to support and sustain our family? What are you going to do? What do you do here all day to prepare for the inevitable obstacles that await you?

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So they go home. Their job doesn't get approved in the halfway house. They work at a job that is beneath their skill set. And years later, they're talking about the 18 months they served inside. It becomes a life sentence reputationally, financially. Mental health.

It is devastating if people do not immediately begin working to overcome all of the collateral consequences that follow. So I said, I'm only going to let the government get 18 months, not a day longer. But to do that, I've got to build. I've got to create. I've got to try to change the government's version of events and somehow prove that I could be a value to society. Own it, rather than continue to blame other people for my own problem.

Matt Adams: So, tell me about that first day when you reported to prison. What was it like?

Justin Paperny: My mom and brother dropped me off at that Taft Federal Prison Camp. I walked in, tried to shake hands with the guard like a fool. He said, you're an inmate. We don't shake hands with inmates.

My mom and brother left. And it was a several hour intake process of squatting and coughing and probably 100 questions about my mental health. And some background information. Four hours later, I was inside the minimum security camp. And I remember thinking, why are so many guys smiling? Why are they so happy? They're walking around with khakis and a white t-shirt. What are they doing? Will I ever smile? Will I ever be happy here?

That first day, I remember immediately running to the showers and toilets to see, are they clean? What do they look like? I'll never forget that first meal in the chow hall and just sitting there around people I didn't know. And, of course, people come up to you to try to help. You have to be careful about the friendships that you make in prison for myriad reasons.

And thankfully, things changed that second day when I met my now business partner, Michael Santos, who had been inside for 22 years. He walked in the library and said, how you doing young man? I said, not great. I just got to prison. He said, I'll serve every day of that sentence with you. And he mentored me. And from prison, Michael and I created what is now White -Collar Advice.

So, while I lead the consumer side, White Collar Advice, Michael leads our nonprofit, Prison Professors. And he creates content, for example, that is in every Bureau of Prison facility. His course, "Preparing for Success After Prison" is a First Step Act-approved program. So, meeting Michael in prison changed my life. And the lessons we teach through White Collar Advice really stem from his lengthy journey. He changed my life and I'm so lucky to have met him. Without that, it could have been a wasted experience.

Matt Adams: So how did you pass the days?

Justin Paperny: The first three months, I kind of wasted my time and endless fun with exercise. Like so many people, I went in overweight and out of shape. And I began running extensively. But I would exercise for six or seven hours a day.



And three months in, Michael said to me, how much are people going to pay you to run those miles or do those pull ups? I'm like, I don't think anyone's going to pay me. And he said, you have more struggle coming. And you should prepare to encumber your parents' retirement because you have no idea what you'll do when you come home.

That was my "ah-ha" moment. From there I pivoted. Started waking earlier. Reading. Then I began writing, with Michael's help, a daily blog, which is now at whitecollaradvice.com, every day documenting my journey from prison. And within a month, I started getting 10 to 20 letters a week at mail call. And based on the success of those blogs, Michael helped me write *Lessons From Prison*, which chronicles my experience through the system.

So every day was reading. Not just reading. If you're going to jail and listen to this, don't just read a book, write a book report. Why did you read it? What did you learn from it? How will it help you moving forward? I would write book reports and put them on my website. I still rely to them to this day. Documented every single day of my journey. And by doing that, I was able to share it with my family, with my probation officer Isaiah Murrow. I wrote letters to my probation officer from prison: This is what I want to do when I come home. This is how I'll be law abiding. I'm not talking about it, I'm doing it. Hold me accountable.

So documenting my journey helped me overcome very cynical stakeholders. And it helped show that I was productive. And it helped me, the day that I was released from prison, work with justice-impacted people. People in prison said it will never happen. They'll never let you work with felons, you're on probation. Day one, because of the record I'd built from prison, my probation officer Isaiah Murrow, good man, said I'm going to give you an opportunity. Don't waste it. That was August 16, 2009 and I never looked back.

And I began getting clients that first month because tens of thousands of people were reading my daily prison blog. I'll never forget when my probation officer said when I went to the halfway house, he said, I know what you want to do. I'll approve it. Don't do any consulting while you're in the halfway house. Wait until you're free. I said, you never have to worry about me being compliant.

So what did I do? I worked every day preparing for the hardest part: coming home with a sullied reputation.

Matt Adams: And what was that like? What was that first step out of prison like, with the, what you say, the sullied reputation you had?

Justin Paperny: I didn't enjoy it. I didn't enjoy my release. You know, some people would think, that you're home, you're fitter, you're stronger, you have this asset blog and a book and a website.

I felt behind. I'm 34. My friends are getting married. They're having children. They're building businesses. They're selling their businesses. They're traveling. Here I am, 34, broke. With very little, really nothing coming in. Anything that came in went out.



I didn't have interest in eating bad food. And meeting women, the idea of sex, no interest in that. These are all cliches you hear in movies. My own thought was, how can I not encumber my parents' retirement? How can I earn enough money to make my minimum restitution payment and eventually pay it all off?

So, I was driven and focused. But I can't tell you that I enjoyed any moment of my release. I felt like I had years of catching up to do.

Matt Adams: And that you did. You started White Collar Advice in 2008. I got a kick out of on your website you say that you pretty much started it before you left prison. You believed that, you're not really sure the start date, but it's somewhere in 2008.

What are you doing now? I know that your services range everywhere from the presentencing to post-sentencing to reputation management. But what is the full circle version of Justin now that you have the benefit of this all being in the rear view? You've got the life experience now of somebody who made things harder on themselves because of the approach that you took to defend your case. And it probably could have been worse, to be honest with you. But what positive have you spun out of that situation?

Justin Paperny: Many positives. I'll tell defendants listening to this, I was prepared to embarrass myself when I came home from prison. I cold walked into law offices handing out my book. Many lawyers threw me out. Many took it. I wasn't afraid to try, and at least I had the dignity of trying. Even when I would call people and they wouldn't call me back or no one would shake my hand or had interest in working with me.

I believed in what I did. I was willing to try. I also picked up phones for many months. Bringing the minimum wage job. All work is honorable. So I was willing to do things as I began to build quickly the reputation. What our team will do is not pretend that this didn't happen. We don't suppress or remove. We build a new record on top of it.

To what we're doing now, 15 years in, we built a team, a national presence of all formerly justice-impacted people. When opportunities arise, we have former BOP officials on our team who can help us work through issues that we might not know the answer to. We're not lawyers, but rather people who have gone through it and want to help people get through it with their dignity, with a plan. Not have any regret, which is what so many people do.

They'll call us and say, oh, I wish I did a better job of preparing. Maybe I could have got a better outcome. We tell people, can't change the past, can't predict the future, but it's coming. You might as well prepare. And lastly, I'll say we've worked with so many phenomenal lawyers over the years. And what our team is beginning to develop -- which your colleague Andrew, I'm so fortunate, he's agreed to join -- Top WCA. Last year, we sent out more than 300 referrals to lawyers across the country because we have hundreds of thousands of followers on TikTok and [White Collar Advice](#). We get millions of views on our website. We do a weekly webinar. We have books that we give away, podcasts.

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So many people are like, I need a lawyer. How do I hire a lawyer? What do I do? I've never been in trouble before. I don't want to go to a lawyer website that has 5000 lawyers. How do I choose? Help me pick. So we're developing TopWCA.com which will profile just a handful of lawyers in every district. So, when someone who comes into our community needs a great lawyer in New York, they come across your firm. Because I know Andrew, I know the work that he does. I know that he's ethical and honest and fair and cares. I know, because he's spoken with clients of ours. And I see, that is so valuable. I could have used that.

So we're so grateful to partner with wonderful law firms who embrace mitigation. Who don't have god complexes. Who recognize we're not lawyers, but we can help defendants get through this in a way that really aligns beautifully with what the excellent lawyer will do. I couldn't have done that when I came home, but 15 years later with our, kind of our depth and breadth of experience, we're in a position to do that.

So right now, we're helping more people than ever and I'm developing a team of formerly incarcerated people.

Matt Adams: I just keyed into something you just said: We don't try to bury it, but we try to rewrite the narrative. Really a second chance. It's how to create your second chance.

Justin Paperny: Can't pretend, I can't change that I went to prison and made bad choices at 29. I can't change that Judge Wilson sentenced me to prison. I can't change that someone who hired our team last night, a position in Arizona, paid hundreds of thousands of dollars and kickbacks to marketers to grow his practice. Initially he thought it was marketing, but it was kickbacks every day of the week. Can't change that.

But he can do better moving forward. He'll speak with me at the USC Marshall School of Business, as many students will speak with me. I think Emily, your colleague, might have gone to Temple in Philadelphia. I've spoken there. So we can give back. We can give back. We can educate others on the consequences that follow. But we cannot pretend that it wasn't our name versus the United States of America.

And if anything, if we build a new record, some people will say you're better because of this experiment. You truly understand the consequences that follow bad choices. This is actually an asset for you. You can't do in that by living like so many people do, like an ostrich with their head buried in the proverbial sand.

Matt Adams: All these years later, despite your successful business venture, despite the fact that you're harnessing your experience to help others.

Does the criminal conviction still follow you?

Justin Paperny: It does.

Matt Adams: Does it still haunt you?

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Justin Paperny: I can't believe I did it. I was raised to know right from wrong. If anyone, it sounds cliché, if anyone hit the parent lottery in the life, it was me. Not only that, I was a baseball player at USC with ruthless coaches that held me accountable.

I knew what I did was wrong. And I recall at times doing things that were wrong. And I had convinced myself that everything would be okay, that I wasn't as culpable. And perhaps I wanted to get in three years where it takes 10 or 15 years. So, yes, there are times where I will sit back with a cup of coffee or maybe a glass of wine with my wife and think, I did really bad things. And there should be consequences. And my actions hurt people. So I'm proud of the second chance I continue to earn. But it doesn't change that I have got to reconcile with the fact that I made bad choices. And even though I built a successful business with my team, my young children know that I went to prison. And they know that it's something I talk about. But I hope value comes from it and they learn lessons as well. It's why I choose to write so aggressively. And attempt to give back, not to happy talk or platitudes and clichés, but by actually doing the work.

But, yes, it's still hard to reconcile. And I made bad decisions that hurt people.

Matt Adams: Well, Justin, you've certainly found your voice these years later about your experience and how you can harness it. I can only imagine how you can use your experience to help people, whether it be pre-sentencing, post-sentencing, or just getting back on their feet as they reintegrate with society.

That is all the time we have here on "The Presumption of Innocence," a very poignant and impactful version of "The Presumption of Innocence."

We've been speaking with, Justin Paperny, a former convicted felon who has now begun White Collar Advice available online at www.whitecollaradvice.com, a consultancy for those who find themselves in the crosshairs of government enforcement action.

Justin, thank you so much for being with us and sharing some of your story. And my hope is that the lessons that you learned the hard way can help others, perhaps, chart a different course for themselves. And that really is, I think your goal as well.

Justin Paperny: Thank you for the opportunity. Grateful to contribute. Thank you.

Matt Adams: That's all the time we have. We'll see you next time.

Take care.