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### Lawyer Keeps Watchful Eye on Bear Trial

By Dan Slater

An event as ballyhooed as the criminal fraud trial of two former Bear Stearns hedge fund managers is guaranteed to attract a mess of media attention. The trial, now in full swing, has a press gallery that includes reporters from major news outlets — including Bloomberg, Reuters and The Wall Street Journal — and from more local publications like The Record, a newspaper from Bergen County in New Jersey, where Ralph Cioffi, a co-defendant in the case, resides.

Also present and scribbling away during the first week of trial was a less-obvious member of the reportorial class: a plaintiffs lawyer, Jacob Zamansky, above.

Mr. Zamansky, a specialist in filing securities lawsuits on behalf of aggrieved investors, is representing individual investors in civil suits against Bear Stearns and the two hedge funds whose implosion led to the case against Mr. Cioffi and his co-defendant, Matthew Tannin.

On Oct. 6, Forbes published an article by Mr. Zamansky about the trial. The magazine billed the piece as a “curtain raiser” — journalistic lingo for an article

that lays out the issues involved in an coming event, like a trial, and explains to the public what to expect. In the piece, Mr. Zamansky compared the case against Mr. Cioffi and Mr. Tannin, who are accused of lying to investors about the health of the funds they managed, to “the demise of Henry Blodget, the tech analyst who produced bogus research so that his employer, Merrill Lynch, could win investment banking business.”

In a second Forbes report about the opening statements in the case, Mr. Zamansky wrote:

The government did an excellent job ... stressing that “the defendants are not on trial because the hedge funds collapsed or because of the market meltdown. The defendants are on trial because they lied to investors” ... The defense, on the other hand, chose to educate the jury on hedge funds, leverage and CDOs. Their strategy appears to be to blame their clients’ behavior on the fog of war.

It’s not uncommon, of course, for lawyers of all stripes, particularly plaintiffs lawyers, to promote their own causes and

those of their clients in the press. But in the case against the two former Bear Stearns hedge fund managers, Mr. Zamansky has been especially aggressive, effectively advocating for the positions of his clients in the civil suits by pushing the view that Mr. Cioffi and Mr. Tannin are guilty in the parallel criminal case.

Last week, on the day before trial began, Mr. Zamansky appeared on CNBC's "Power Lunch" segment. (Forbes disclosed Mr. Zamansky's role in the civil suits; CNBC did not.) He said: "I think the feds have a very strong case of securities fraud

here based on the smoking-gun e-mails." Then he added: "I think these guys are in a lot of trouble ... I think they're going to be convicted, and I think it's the first of many cases."

To this, Tom Curran, a white-collar defense lawyer who appeared on the CNBC segment with Mr. Zamansky, said, "I hope so for your sake, Jake."

*Dan Slater, a former litigator and freelance journalist in New York, is following the criminal trial of two former Bear Stearns hedge fund managers for DealBook.*