

BENJAMIN CALITRI

+1 (401) 575-1360 · ben.calitri@kkc.com

EMPLOYMENT:

Kohn, Kohn & Colapinto, LLP, Washington DC

September 2021 – Present

Associate Attorney

Representing whistleblowers through whistleblower reward programs, including at the Securities and Exchange Commission (SEC), Commodity Futures Trading Commission (CFTC), Internal Revenue Service (IRS), and Financial Crimes Enforcement Network (FinCEN); as well as representing whistleblowers in their claims under the False Claims Act and retaliation cases under the Sarbanes-Oxley Act. Has expertise illegally restrictive non-disclosure agreements (NDAs), bringing claims for whistleblowers with tax and cryptocurrency claims and international whistleblowers.

EDUCATION:

Northeastern University School of Law, Boston Massachusetts *September 2019 – May 2022*

*Juris Doctor with concentrations in International Business Law
and International Law and Human Rights*

Suffolk University, Boston Massachusetts

September 2016 – May 2019

*Bachelor of Science majoring in Government with a concentration
in Law and Public Policy and minors in History and Law*

LITIGATION EXPERIENCE:

SEC Complaint Against OpenAI for Illegal Non-Disclosure Agreements

Co-Counsel for OpenAI whistleblowers with illegally restrictive non-disclosure agreements (NDAs) that prevented OpenAI employees from bringing information on dangers of AI to regulators. Provided an analysis of how the NDAs violated Rule 21F-17(a), which was used by Senator Grassely's office to apply Congressional pressure to end this practice by OpenAI. The complaint led to the successful resolution of the case, with OpenAI releasing employees from their NDAs. *See* Pranshu Verma, Cat Zakrzewski, and Nitasha Tiku, *OpenAI Illegally Barred Staff from Airing Safety Risks, Whistleblowers Say*, WASHINGTON POST (Jul. 13, 2024); *See* Pranshu Verma, Cat Zakrzewski, and Nitasha Tiku, *Senator Calls Grow for OpenAI to Prove It's Not Silencing Staff*, WASHINGTON POST (Aug. 2, 2024).

Multiple Agency Whistleblower Complaint Against Major Cryptocurrency Exchange

Represented a whistleblower bringing money laundering, sanctions violations, and terrorist financing concerns to investigators from the Department of Justice (DOJ), CFTC, Office of Foreign Asset Controls, and FinCEN. After extensive cooperation and interviews with investigators, the case was successful, leading to multiple sanctions against the cryptocurrency exchange totaling over \$1 billion.

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Whistleblower Complaint for Criminal Activity Against Cryptocurrency Exchange

Ongoing representing of highly confidential and sensitive international whistleblowers bringing information on criminal activity by international cryptocurrency exchange to US law enforcement, which has led to international interviews with investigators.

Arguing Successfully for Whistleblower Confidentiality in Tax Court

Arguing against IRS in Tax Court for the confidentiality protections of IRS international whistleblower with a major successful money laundering case.

Ongoing Multi-Agency Environmental Case

Representing whistleblowers before multiple agencies including SEC, Environmental Protection Agency (EPA), and Forestry Service for case with major environmental impacts.

Money Laundering Case with International Investigative Journalists

Representing international investigative journalists investigating money laundering scheme by major international corporation.

Bringing Automotive Safety Concerns to US Regulators

Representing international engineering whistleblower in bringing information on unsafe vehicles made by Vietnamese electric car company VinFast to US agencies including SEC and National Highway Traffic Safety Administration (NHTSA). *See Andy Verity, Electric Car Whistleblower Sacked by Jaguar Land Rover*, BBC (Dec. 18, 2024).

False Claims Act Case Under Seal in Southern District of Indiana

Confidential representation of whistleblower under False Claims Act.

Whistleblower Retaliation Case Under Sarbanes-Oxley Act

Bringing retaliation claim for whistleblower under Sarbanes-Oxley Act for their termination after internal whistleblowing at the company.

PUBLICATIONS:

What the US Can Teach the UK on Whistleblowing, FINANCIAL TIMES (Jul. 28, 2025).

Discusses the importance of US-style whistleblower reward programs in the UK, despite cultural differences regarding whistleblowers between the countries.

Key Tenets of Whistleblower Rewards Programs for the UK to Follow, OXFORD BUSINESS LAW BLOG (Dec. 1, 2025).

Discusses the key elements that a whistleblower program needs in order to be successful, in anticipation of the release of the tax whistleblower rewards program by the UK's HM Revenue and Customs.

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UK Whistleblower Reform is Crucial for Global Anti-Corruption Enforcement, OXFORD BUSINESS LAW BLOG (Apr. 23, 2025).

Discusses the importance and effectiveness of whistleblower rewards programs, while urging the UK to adopt such a program and pointing to the large number of UK whistleblowers who utilize US whistleblower programs.

Kohn, Kohn & Colapinto Discusses Confidentiality Protections for Whistleblowers, COLUMBIA LAW SCHOOL BLUE SKY BLOG (Oct. 7, 2025).

Analyzes and compares in detail the confidentiality and anonymity protections available to whistleblowers who utilize the whistleblower programs at the SEC, CFTC, and FinCEN. Future articles in this series, which are pending publication, analyze and compare the confidentiality protections for whistleblowers who utilize Inspectors General, Office of Special Counsel, National Highway Traffic Safety Administration Whistleblower Program, and DOJ pilot programs, among others.

Kohn, Kohn & Colapinto Discusses IRS and False Claims Act Confidentiality-Protections for Whistleblowers, COLUMBIA LAW SCHOOL BLUE SKY BLOG (Nov. 26, 2025).

Analyzes the strengths and drawbacks of the confidentiality protections available to whistleblowers under the IRS Whistleblower Program and False Claims Act.

CFTC Begins Its Enforcement of NDA Rule with Action Against Trafigura, NEW YORK UNIVERSITY SCHOOL OF LAW PROGRAM ON CORPORATE COMPLIANCE AND ENFORCEMENT (Sept. 6, 2024).

The latest article published in a series on enforcements against illegally restrictive non-disclosure agreements, which prevent employees from reporting possible regulatory violations. This article focuses on CFTC's first enforcement of Regulation 165.19(b), following the lead of SEC's numerous enforcements of Rule 21F-17(a).

Consumer Financial Protection Bureau Stands Up to Protect Whistleblowers from Overly Broad NDAs, NEW YORK UNIVERSITY SCHOOL OF LAW PROGRAM ON CORPORATE COMPLIANCE AND ENFORCEMENT (Aug. 29, 2024).

Discusses the CFTC's efforts to follow in the footsteps of the SEC in regulating illegally restrictive non-disclosure agreements.

SEC Continues to Elevate its Enforcement of Rule 21F-17(a), NEW YORK UNIVERSITY SCHOOL OF LAW PROGRAM ON CORPORATE COMPLIANCE AND ENFORCEMENT (Feb. 11, 2024).

Discusses the SEC's enforcement of Rule 21F-17(a) against JP Morgan, where they paid \$18 million for the violations.

\$10 Million Penalty Against D.E. Shaw a Major Step in SEC's Enforcement of Rule 21F-17(a), NEW YORK UNIVERSITY SCHOOL OF LAW PROGRAM ON CORPORATE COMPLIANCE AND ENFORCEMENT (Dec. 5, 2023).

Discusses the SEC's enforcement of Rule 21F-17(a) against D.E. Shaw, which resulted in a \$10 million sanction against the company, an exponentially larger sanction than had previously been paid in a Rule 21F-17(a) enforcement. Also provides a detailed history on the developments in Rule 21F-17(a) enforcements.

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SEC Takes First Rule 21F-17(a) Action Against Private Company, NEW YORK UNIVERSITY SCHOOL OF LAW PROGRAM ON CORPORATE COMPLIANCE AND ENFORCEMENT (Oct. 13, 2023).

Discusses the SEC's first enforcement against a private company for violations of Rule 21F-17(a).

PRESENTATIONS:

Association of Certified Fraud Examiners, White Collar Crime Conference *October 2023*

Invited to speak on how compliance officials can navigate blowing the whistle and discussing the effects of non-disclosure agreements for whistleblowing. Presentation available at https://youtu.be/uRcgZ-1_b98?si=K-weWwZWTomj5Y5C.

Whistleblowers of America, Workplace Promise Institute Conference *September 2024*

Panelist on the Legal Panel, discussing how whistleblowers can utilize whistleblower reward laws and the economic theory on why these programs are so effective at combatting white collar crime and corruption. Presentation available at https://youtu.be/OAnwa_fXdr4?si=EiJvYmxHrLpxN2Zp&t=2207.

Whistleblowers UK, Whistleblowing Awareness Week *July 2025*

Presenter on multiple panels advocating for the use of US whistleblower laws by whistleblowers in the UK and the implementation of US style whistleblower reward laws in the UK, through explaining the effectiveness of US style whistleblower reward programs.

International Visitor Leadership Program (IVLP) *December 2023*

Presenting to a group of anti-corruption advocates from around the world, who were selected by the US Department of State to receive the 2023 Anti-Corruption Champions award, regarding the transnational use of US whistleblower programs.

The Anti-Fraud Coalition, Multiple Conferences and Webinars *March 2024 - June 2025*

Presenter on multiple panels discussing ethical marketing for lawyers and firms, at both the TAF 24th Annual Conference and the TAF Young Lawyers Division Conference; organizing and presenting in the webinar: Financial Frauds 101 – Year in Review for the TAF Young Lawyers Division; and moderating a webinar discussing the representation of international whistleblowers.

The Washington Center, Site Visits *January 2024 – Present*

Speaking with students who come to DC through The Washington Center seminars and internships to give them an introduction to the concept of whistleblowing and the practice of law.

BAR ADMISSIONS:

District of Columbia Court of Appeals

Member in Good Standing

Admitted December 2022

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United States Tax Court

Member in Good Standing

Admitted May 2023

Southern District of Indiana

Member in Good Standing

Admitted August 2025