



# Andrew (Drew) Hinkes

OF COUNSEL

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## Overview

Drew Hinkes is nationally recognized for his experience in cryptocurrency-related legal issues. He advises blockchain, fintech, and financial services clients in corporate matters, including regulatory compliance and capital formation.

Drew is general counsel, chief legal officer, and co-founder of Athena Blockchain Inc., an investment bank focused on structuring and placement of tokenized securities. He is also an experienced trial attorney who has litigated a variety of complex commercial matters, with a particular emphasis on fiduciary representation, data privacy, and cybersecurity cases.

The trade publication *CoinDesk* named Drew one of its Most Influential People in Blockchain in 2017. He frequently speaks and writes about digital assets and blockchain technology for legal, financial, and real estate industry audiences. Drew is also an adjunct professor at New York University Stern School of Business and New York University School of Law, where he co-teaches “Digital Currency, Blockchains, and the Future of Financial Services.”

## Experience

- Litigated discovery dispute regarding access to data held on a proprietary cloud storage platform, including extensive litigation of third-party privacy rights in federal bankruptcy court.
- Represented multiple court-appointed receivers appointed based upon defendant's violations of Florida's Deceptive and Unfair Trade Practices Act (Chapter 501, Florida Statutes), and the FTC Act.
- Represented victims of data breaches related to their reporting and compliance obligations under state and federal law, including HIPAA, HITECH, and developed litigation defense strategy.
- Defended *Fortune* 1000 company in litigations in multiple state and federal district courts related to alleged consumer fraud.
- Represented employers in injunction actions related to violations of restrictive covenants, tortious interference.

- Drafted privacy policies and terms of use policies for websites.

## All Insights

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- 07.03.2019    How State Remote Sales and Use Tax Statutes May Impact Crypto Assets
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- 07.03.2019    Impact of New State Sales and Use Tax Laws on Remote Commerce
- 
- 07.03.2019    Carlton Fields Attorneys Author Article Series in Bloomberg Law on State Sales and Use Tax Statutes
- 
- 05.24.2019    Discovering Cryptoassets: A Journey into the Unknown
- 
- 05.02.2019    Is a Digital Asset a Security Or... Is It Not?
- 
- 05.01.2019    Throw Away The Private Key, or The Private Key Holder?
- 
- 04.29.2019    'Cryptokicks': What We Know About Nike's Potential Gateway Into Crypto
- 
- 04.04.2019    Carlton Fields' Andrew (Drew) Hinkes Quoted in Media Reports on Blockchain Issues
- 
- 03.27.2019    Carlton Fields Adds Renowned Virtual Currency Lawyer Andrew Hinkes
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- 03.22.2019    Carlton Fields Hires Prominent Blockchain Attorney Andrew (Drew) Hinkes
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- 02.09.2019    The Security Token Market Needs Better Lingo
- 
- 01.03.2019    How Tokenized Private Placements of Securities and the Development of Markets will Create Trading Liquidity and Enhance Demand
- 
- 03.24.2018    OFAC's Bitcoin Blacklist Could Change Crypto
- 
- 04.28.2017    Florida's Money Laundering Statute Won't Affect Most Bitcoin Users
- 
- 10.25.2016    Protecting Consumers in the Digital Currency Economy
- 
- 08.03.2016    Why Florida's Bitcoin Ruling Could Lead to Legislative Action
-

06.22.2016	Hacks Happen: What Are Your Rights in Florida If You Are Hacked
06.21.2016	A Legal Analysis of the DAO Exploit and Possible Investor Rights
05.19.2016	The Law of The DAO
02.18.2016	Bitcoin In Bankruptcy: Is It Commodity Or Currency?
02.02.2016	Beyond Regulation: Why Bitcoin's Pressing Problem is Civil Law
01.19.2016	Why Private Blockchains will not Replace Relational Databases (yet)
08.19.2015	Why Lawyers Collecting Judgments Need to Understand Bitcoin
06.08.2015	What Bankruptcy Trustees Need To Know About Bitcoin
05.06.2015	Two Key Lessons from Sand Hill Exchange
03.20.2015	A Closer Look At Florida's Attempt To De-Anonymize Websites

## Recognition

- Listed in *South Florida Legal Guide*, "Top Up and Comer" (2016-2018)
- Listed in *Florida Trends Florida Legal Elite* (2010, 2013, 2015)
- Listed in *Florida Super Lawyers* as a "Rising Star" (2013, 2015)
- Listed in *Florida Super Lawyers, Business Litigation, E-Discovery, Employment & Labor* (2014)

## Professional & Community Involvement

- The Florida Bar
  - Business Law Section, Crypto Task Force (2016-present)
- Young President, Mt. Sinai Medical Center Foundation
- Digital Currency Council

## EDUCATION

- University of Miami School of Law  
(J.D., *cum laude*, 2005)
- Washington University (B.A., *cum laude*, 2000)

## Background

- General Counsel, Chief Legal Officer, Co-Founder, Athena Blockchain, Chicago

(2018-2019)

- Adjunct Professor, NYU Stern School of Business, New York University School of Law, New York (2018-present)
- Berger Singerman LLP, Miami (2007-2018)
  - Associate, Of Counsel, Partner
- Siegfried, Rivera, Lerner, De La Torre & Sobel, P.A., Coral Gables, FL (2004-2007)
  - Summer Associate, Associate
- Certified Legal Intern, Felony Division, Miami-Dade Office of the Public Defender, Miami (2005)
- Intern to the Honorable A. Jay Cristol, U.S. Bankruptcy Court, Southern District of Florida, Miami (2003)
- Technology Auditor, Continuity of Business Administrator, Citibank, Ballwin, MO (2001-2002)

## Areas of Focus

### PRACTICES

- Business Transactions
- Blockchain and Digital Currency
- Cybersecurity and Privacy
- Esports and Electronic Gaming
- Litigation and Trials

### INDUSTRIES

- Technology & Telecommunications