

Winklevoss Twins Say SEC Crypto Probe Over, Attys Must Go

By **Jessica Corso**

Law360 (February 27, 2025, 4:53 PM EST) -- The founders of crypto exchange Gemini are calling on the U.S. Securities and Exchange Commission to fire and publicly call out staff members who worked on crypto enforcement cases under the Biden administration as they announced that the agency has dropped its investigation into the company.

Cameron Winklevoss, who founded Gemini alongside his twin, Tyler Winklevoss, announced in a Wednesday post on the social media site X that the SEC had closed its investigation into the company, making it one of many fintech companies that **have seen reprieves** from agency action in recent weeks.

While Cameron Winklevoss called the dropped investigation "another milestone to the end of the war on crypto," he also laid out a number of steps he believed the agency should take to prevent future administrations from going after the crypto industry or "any other exciting, new frontier industry."

One suggestion: Name and shame the SEC staff members who worked on crypto matters.

"Everyone involved in these actions should be fired immediately and in a public way," Cameron Winklevoss wrote. "Their names, roles, and the actions they participated in should be posted on the SEC website."

The SEC declined to comment on the status of the investigation or the calls for staff to be fired.

Republican Commissioner Hester Peirce also didn't immediately respond to a request for comment on Cameron Winklevoss' post, but she did provide a general defense of the agency's enforcement staff when she issued a statement celebrating the end of the Coinbase case Thursday.

"The Commission—unwisely in my view—chose not to use its policy tools but instead relied on a series of enforcement actions to write crypto policy," she said. "Regardless of their own policy preferences, the Commission's talented enforcement staff, who report to the Chairman, crafted an enforcement program that reflected this choice."

The Cameron Winklevoss X post comes two months after fellow crypto firm Coinbase pressured BigLaw firms **not to hire** former SEC attorneys who led the charge on crypto enforcement suits. It also comes a month after Tyler Winklevoss said that Gemini would

not hire from the Massachusetts Institute of Technology as long as former SEC Chair Gary Gensler works there. Since leaving the SEC in January, Gensler has resumed teaching at MIT's Sloan School of Management.

Some industry participants believe that Gensler and other leaders at the agency sought to stop the growth of crypto trading in the U.S. by filing a series of lawsuits calling out the likes of Coinbase, Binance and Ripple for failing to register their products and services with the commission despite allegedly trading in securities.

The SEC has put the Binance case **on hold** for review and announced Thursday that it was dropping the Coinbase case as the agency shifts its priorities to be more crypto-friendly under President Donald Trump.

In his broadside against SEC enforcement staff, Cameron Winklevoss said Wednesday that it "should not be acceptable to bring the full might of the U.S. government to bear against fledgling companies in a nascent industry and then hide behind a faceless agency or say you were 'just doing your job' or 'following orders.'"

Tyler Winklevoss separately said in a Thursday X post that fired staff should receive a lifetime ban from ever working at the agency again.

In addition to firing staff members and publishing details about them, the brothers asked that the SEC pay them three times what Gemini spent defending itself against the nearly two-year investigation, which Cameron Winklevoss said cost the company tens of millions of dollars in legal fees.

John Reed Stark, a former SEC enforcement attorney who led the agency's Office of Internet Enforcement in the early 2000s, told Law360 that it would be "outrageous and unprecedented" for SEC leadership to take action against staff members who worked on crypto matters.

But given that the agency has "completely gutted and rebranded" its **former crypto enforcement unit** and reportedly pushed the unit's former leader out of the enforcement division, "the idea that staff firings could follow is not a crazy one," Stark said.

"I think they should be worried about both their future careers and their safety," Stark said of SEC staff who worked on the crypto matters. "And it's shameful that SEC leadership has not stood up and defended the SEC staff. It's absolutely shameful."

--Editing by Robert Rudinger.

Update: This story has been updated with a statement from Commissioner Peirce on the Coinbase case.

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