

Thomas J. Lekan

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Financial Security Consultant/Expert Witness

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Professional History

- Senior Vice President and Chief Security Officer, Key Bank N.A.
- Interim Director of Security, First Merit Bank, 2014
- Director of Security and Safety, Stouffer Hotel Company -Nestle USA
- Managing Director, Pinkerton Consulting and Investigations.
- Senior Vice-President, Atlantis Security Guard Company
- Police Officer, Parma, Ohio
- School District Security and Safety Consultant and School Board Member

Education

- AB, John Carroll University

Professional Associations

American Society for Industrial Security

Security and Investigation Experience Summary

I have provided expert witness services, depositions and testimony in cases related to robbery/murder, negligent manslaughter, assaults, bank robbery and bank physical security, hotel and hospital security, and entertainment venues. I have also been a retained consultant for a school district developing a safe school program as well as the design of security systems and training. I have been employed many times in matters relating to security guards both armed and unarmed. I am chosen by attorneys in numerous types of premise security cases.

My experience includes the evaluation of all areas of premise security measures and whether security measures are adequate and meet the generally accepted practices of many businesses and public organizations. I have worked as a consultant and an expert witness in cases that involve how well an institution or company understands and embraces the best practices of physical security and personal safety. I am very competent regarding security guard and police operations and procedures. My experience includes the study of all security measures, design of security systems, policies and procedure review and development, and skills training. I have assisted many attorneys

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in defending or developing strategies for the litigation in the defense of companies and organizations that have been sued for questioned physical security measures and policies after a major incident resulted. I have also helped many plaintiffs' lawyers develop issues and strategies. My work as a consultant and as an expert witness has provided me a unique knowledge that has helped many clients and also lawyers involved in litigation of major crimes and severe injury or death.

I have over twenty years of hands-on experience and management of all aspects of the investigation of fraud, money laundering, white-collar crime, identity crime, and special investigations involving individual investment products and brokerage systems, as well as commercial loan fraud and mortgage fraud. My experience includes the evaluation of security countermeasures to prevent fraud, the development of policies and procedures to address fraud, and how to meet changing regulatory requirements and mandates. I have many years of experience in computer-based crime and computer-assisted crime as well as anti-money laundering computer platforms that identify and alert banks to potential fraud or money laundering. I am very experienced and also was the responsible executive in establishing compliance with the rules and requirements that evolved from the USA PATRIOT ACT that included more stringent customer identification systems and modern fraud detection systems developed to meet the new requirements of the regulators to comply with the act. My experience includes an understanding of reasonable commercial standards of business and many aspects of good faith and fair dealing as defined in the Uniform Commercial Code, as well as how these apply to procedures and policies. Since retiring from Key Bank I have continued my knowledge of financial institution security and keep up to date in all of the areas described above serving as a retained security consultant to a large credit union in Texas and a large bank performing financial services industry assessments and training regarding adherence to standards of and regulations for security and fraud compliance.

I have provided expert witness services in fraud, financial investigation and money laundering, reasonable commercial standards and fair dealing, as well as the soundness of policies and procedures that apply to the cases.

I have been a Certified Protection Professional, CPP, for over thirty years and now hold lifetime CPP status with the American Society for Industrial Security. I have a related degree to my life's work in Sociology/Criminology from John Carroll University.

Professional Experience

I continue to be known as an industry leader in the area of bank security and investigations, hotel and lodging, premise liability, investigation, and fraud prevention and major crime resulting from premise security issues. I served as the Chairman of the security committee of the Bank Administration Institute, BAI, for over seven years, and am a former instructor at the Graduate Schools of Banking Operations and Retail Management at Vanderbilt University and the University of Wisconsin. I also served on the Executive Committee of the Hotel and Lodging Committee of the

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American Hotel and Lodging Group. I have been a guest speaker for the Banking Committee of the American Society for Industrial Security at the National Seminar regarding bank security and fraud.

In February of 2014 I was engaged by the Chief Executive Officer of First Merit Bank to assume the position of Security Director for the bank, evaluate the departments focus and strengths, initiate improvements and needed changes to the model used by the department and find a person to lead the bank security staff. This assignment included day to day decision making on behalf of the bank for over four months full time and continues today on a more limited basis. The initiatives I suggested are now being implemented.

Other Significant Experience and Accomplishments

- Served as a member of the security committee, the investigations committee, and the utility committee for the American Society for Industrial Security. I served as the chapter secretary and the chapter chairman of the Cleveland, Ohio Chapter of ASIS.
- Member of the FBI Joint Task Force on Identity Theft, an industry and federal law enforcement task force to address the growing problems of identity theft.
- Member leading to First Vice President of the International Security Managers Association.
- Developed modern security procedures and policies for the banking, hotel and lodging industry, and manufacturing industries as a member of the Executive Security Committee of the American Hotel and Lodging organization, serving as Chairman of the Bank Administration Institute Security Committee, and various bank industry groups including the Fraud Working Group, The Group of Twenty Five, a bank industry group of the twenty-five largest bank Security Directors, and numerous local groups.
- For the majority of my career with Nestlé, I reported directly to the General Counsel of Nestle responsible for North America. Much of my responsibility was to provide litigation support and investigation regarding security matters and litigation arising from the hotel, restaurant, and manufacturing divisions of the company. Today, and for the last six years I am a senior consultant to Nestlé providing security assessments, security training, including workplace violence and crisis management, and other security consulting as requested.
- I have developed standards for bank security assessments for my clients and contributed through committee and working groups to develop prevention programs to deter robberies and fine-tune post-robbery procedures. I continue to assist my clients in methods to protect bank customers and employees.

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- Designed and delivered numerous presentations as a faculty member for the Bank Administration Institute Graduate School of Banking, teaching "***Enhancing Revenue through Aggressive Loss Prevention***" and provided numerous one and two day security training for more than fifteen state banking associations and the BAI. As Chairman of the BAI Security Committee for over seven years I developed numerous presentations regarding all aspects of bank security, fraud investigations, money laundering, physical security, and identity crime. I was also a paid instructor for one and two-day workshops at over twenty state bankers' association security seminars regarding all aspects of bank security and investigations, bank policy and procedures, and compliance with the Bank Protection Act.
- Designed and implemented procedures and practices to comply with regulatory requirements for filing and submitting all suspicious activity reports and anti-money laundering investigations. Trained numerous bank groups and state banking association members regarding suspicious activity reports and compliance through direct seminar delivery and sponsored webinars.
- Developed extensive security assessment tools and conducted training for a Caribbean Bank and large credit union to contain losses, and provided safety guidance and assistance to branch operation managers and employees after violent robberies.
- I have served as an expert witness and provided deposition testimony in major fraud matters involving business clients of financial institutions who have filed litigation accusing the financial institution of violating the standard of care and violating the bank's own policies. I have also provided guidance, opinion reports, and depositions testimony in bank cases where a company insider or trusted resource has embezzled money or converted monetary documents in order to steal money from them. I have additionally provided guidance, opinion reports, and deposition testimony for plaintiffs who have filed litigation that alleges that the bank did not follow their procedures regarding customer identification requirements and anti-money laundering protocol.
- I have been an instructor at the American Society for Industrial Security National Seminars on three occasions including the 2012 seminar. In 2012, I addressed the ASIS Banking Standing Committee workshop regarding protecting your institution from unnecessary litigation through active compliance.
- Served as Chairman of the Safety and Security Committee of the Brecksville-Broadview Heights School District. I was selected after the Columbine shootings to lead the community school district in building a stronger school security program and to provide expert advice as a volunteer. Subsequently I was appointed a member of the School Board.

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- For over twenty five years I have served as an instructor in many courses such as economic crime, security, law enforcement, investigations, and loss prevention at Cuyahoga Community College, a large two-year college in Cleveland, Ohio. I served as a part-time adjunct professor and an advisor to the university security and law enforcement department regarding course development and operations. Today I am involved with the college to develop security internships for students.
- I have been a guest on National Public Radio speaking on Identity Theft on two separate occasions.
- I was the source and named in two articles in USA Today regarding bank security and identity theft. I am also a local source to our NBC affiliate and others for comments regarding bank security matters.
- Past Editorial Advisor to Bank Accounting and Finance Magazine regarding bank security

Select Publications and Presentations

- "Are You at Risk" Properties Magazine, 2007 and 2008
- "Can You Really Afford Low Cost Security Guards," Properties Magazine, 2007 and 2008
- "Have you had your Security CheckUp," Properties Magazine October 2008 and 2010
- "Robbery Prevention," Credit Union National Magazine January 2009
- Guest on National Public Radio speaking on Identity Theft.
- Source and named in two articles in USA Today regarding bank security and identity theft. Source to local NBC affiliate and others for comments regarding bank security matters.
- "Risk Management Skills are useful in Curbing Workplace Violence," Business Insurance Magazine 1997
- Contributing consultant to Credit Union Times Magazine article "Opening and Closing Time Robberies can be especially Devastating" June, 2009
- Contributing Consultant to IBMAG.Com article "Hiring employees without running background checks is risky business" 2009
- Contributing Consultant to Risk Management Magazine article in 1999, "The Everyday Face of Workplace Violence"
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