



# Brittany Lawrence

*Partner*

*Rochester*

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## Education

- Syracuse University College of Law, *Syracuse Law Review*, Editorial Staff Member, JD
- University of California at Berkeley, BA

## Practices & Industries

- Commercial Litigation
- Higher Education
- White Collar & Government Investigations

## Admitted to Practice

- New York

## Court Admissions

- US Court of Appeals for the Second Circuit
- US District Court for the Northern District of New York
- US District Court for the Southern District of New York
- US District Court for the Western District of New York

## Biography

Brittany is a broad-based litigator who concentrates her practice on both civil and criminal matters, representing clients ranging from individuals and small businesses to major corporations in state and federal court and in arbitrations. In the civil context, Brittany represents clients in a wide array of commercial disputes, including prosecuting and defending claims involving business contracts, partnership and shareholder agreements, financial disputes, and other business interests. In the criminal context, Brittany represents both individuals and entities facing federal and state prosecutions. She also routinely assists businesses and other organizations in conducting internal investigations and responding to criminal and other investigational subpoenas.

In addition, Brittany devotes a portion of her practice to higher education. In that regard, she represents colleges and universities in litigation, including Title IX matters, and she regularly counsels on compliance with privacy laws, including the Family Educational Rights and Privacy Act (FERPA). Brittany has completed Title IX Investigator Training and holds a Title IX investigator certification.

Brittany also serves as one of the firm's HATCH program coordinators.

## Bar Associations

- New York State Bar Association

## Selected Memberships & Affiliations

- National Association of College and University Attorneys

## Representative Experience

- Represented a local university in connection with Family Educational Rights and Privacy Act (FERPA) compliance and information requests.
- Represented universities in connection with National Collegiate Athletic Association (NCAA) compliance matters.
- Represented an individual in a criminal prosecution involving alleged Medicare and Medicaid fraud.
- Represented a manufacturing client in connection with the voluntary disclosure of a potential violation of the Export Administration Regulations (EAR).
- Represented a private NY university in connection with a criminal investigation involving a former assistant coach.
- Represented a government contractor in the voluntary disclosure of a potential violation of the International Traffic and Arms Regulations.
- Represented an individual in a criminal prosecution involving alleged violations of the Clean Air Act.
- Represented a government contractor in a criminal investigation led by the US Department of Homeland Security.
- Represented a development company in a real estate contract dispute.
- Represented a renewable-energy company in a contract dispute before the American Arbitration Association.
- Provided pro bono trial counsel to an inmate-plaintiff in a federal civil rights matter.
- Provided pro bono trial counsel to a single mother and family who were unlawfully evicted from their home and suffered the loss of personal property.
- Represented an individual in connection with a federal tax investigation. Successfully negotiated a plea agreement that included an agreed-upon sentence and barred the government from bringing any further criminal charges in exchange for a guilty plea to two counts.
- Represented an individual in connection with a federal immigration investigation concerning allegations of harboring illegal immigrants. Successfully negotiated a plea agreement that barred the government from bringing any further criminal charges in exchange for a guilty plea to one count. The client received no jail time.
- Represented an individual charged with 30 counts of health care fraud and conspiracy to make false statements in connection with health care billing. The case was tried before a federal jury in Utica, New York.
- Represented a manufacturing company in connection with providing a voluntary disclosure to the Directorate of Defense Trade Controls – US Department of State (DDTC) concerning a potential violation of the International Traffic in Arms Regulations (ITAR) related to the outsourcing of a munitions

component part from China without proper ITAR licenses. The DDTC ultimately closed the case without taking any adverse action or penalty against the client.

- Successfully negotiated a civil resolution for a manufacturing client subject to a federal False Claims Act investigation that arose out of the client supplying a China-sourced component part to a US defense munitions contractor without the proper ITAR license.
- Successfully negotiated a civil resolution of a federal investigation into the submission of false claims for payment to the United States in connection with the Environmental Protection Agency's Disadvantaged Business Enterprise (DBE) program. The investigation arose out of the client's improper use of a contractor who was not performing a commercially useful function and, thus, was not an authorized DBE contractor. Also successfully defended the client in a related investigation by the EPA's suspension and debarment division, which ultimately took no adverse debarment action against the client.
- Represented a former telecommunications services provider in a six-day trial involving various breach of contract claims and defenses.

## Prior Experience

- Hiscock & Barclay, LLP, Associate
- US Attorney's Office, Northern District of New York, Law Clerk
- US District Court for the Northern District of New York, Judge Frederick Scullin Jr., Extern

## Selected Community Activities

- Menorah Park Senior Living Facility, Volunteer

## Selected Honors

- *The Best Lawyers in America*®: Ones to Watch: Commercial Litigation, 2004; Education Law, 2022
- Selected to *Super Lawyers* Upstate New York Rising Stars: Commercial Litigation, 2015–2018; Business Litigation, 2019–2023
- New York State Bar Association, Empire State Counsel Honoree, 2013
- US District Court for the Northern District of New York, Pro Bono Service Honor Roll, 2012–2014

## Selected Speaking Engagements

- Syracuse University, “An Overview of FERPA: The Family Educational Rights and Privacy Act (20 USC § 1232g)”
- Barclay Damon, “Higher Education” CLE

## Selected Media

- *Rochester Business Journal*, "What Businesses Need to Know About Future Litigation Risks"
- *Buffalo Law Journal*, "Guidance for Disclosing Student Medical Records"
- *Rochester Business Journal*, "Snapshot of Commercial Litigation Amid A Pandemic"

## Selected Alerts & Blog Posts

- Key Takeaways From a Recent College Data Breach
- An Overview of the US Department of Education's Final Title IX Regulations Released May 6
- DOE and HHS Release Updated Joint Guidance on the Application of FERPA and HIPAA to Student Health Records
- NY Federal Judge Rules Male Coach Can Bring a Sex Discrimination Claim Based on Alleged Title IX Violations Affecting a Women's Sports Program
- The Supreme Court Clarifies the Meaning of a Personal Benefit in Insider Trading Cases