

# White Collar & Government Investigations

Chaired by a former US attorney, the White Collar & Government Investigations Practice Area consists of experienced attorneys who have collectively handled over 100 criminal trials as well as complex investigations. Our team assists clients who find themselves affected by state, federal, and international government investigations and enforcement proceedings that carry the risk of significant enforcement penalties. We represent businesses and individual clients in matters involving health care fraud, environmental crimes, the Foreign Corrupt Practices Act, the False Claims Act, money laundering, RICO, tax, securities, and other white collar issues.

Our attorneys represent clients in all aspects of criminal defense matters, from the execution of search warrants and grand jury proceedings through trial and appeal. We also defend clients in parallel civil or administrative litigation that is frequently associated with criminal investigations. In these matters, our White Collar & Government Investigations Practice Area attorneys routinely interact with the full range state and federal enforcement and regulatory agencies.

Our attorneys conduct internal investigations to detect and prevent problems, allowing us to advise clients on the implementation of effective compliance programs. Preventing enforcement actions and criminal investigations through compliance programs and internal safeguards is a critical aspect of the White Collar & Government Investigations Practice Area.

Our team additionally collaborates with other firm practice areas to provide industry-specific knowledge and experience that is critical to effectively representing clients and delivering the most comprehensive legal services possible.

## Representative Experience

- 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.
- 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.
- 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.
- 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 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 subscribing and filing a false tax return. The client received no jail time.

- 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 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 a physician accused of health care fraud, including fraudulent billing and falsifying records. Successfully negotiated a civil resolution with no criminal charges imposed. Assisted in instituting a practice-wide compliance program.
- Represented a law firm partner accused of fraud by the US Department of Justice (DOJ) and US Department of Labor (USDOL). No charges or civil penalties were imposed.
- Represented a business owner charged with 21 felony counts of criminal sales-tax fraud involving amounts approaching \$750,000. Successfully reduced the counts to one misdemeanor charge of failure to maintain adequate records and successfully negotiated the abatement of civil-fraud penalties.
- Represented a business under criminal investigation by the NY Attorney General's Antitrust Bureau for numerous violations of antitrust laws under threatened penalties of millions, incarceration for top executives, and forced closure of the business. Negotiated a civil resolution favorably with no criminal charges imposed.