

## White Collar Criminal Defense & Government Investigations

### TEAM

Peter E. Gelhaar  
Matthew N. Kane  
Peter K. Levitt  
Timothy H. Madden  
Alexander K. Parachini  
Joshua N. Ruby  
George W. Vien

### OVERVIEW

In 2015, the United States Department of Justice made crystal clear that it intended to make the investigation and prosecution of corporate executives and employees a top priority. Indeed, the Department of Justice stated in no uncertain terms that it would leverage all of its resources to identify and prosecute culpable individuals at all levels of corporate criminal cases. We understand from years of experience that such scrutiny, and the associated potential exposure to criminal penalties, weigh heavily on an individual from a personal, reputational, and financial standpoint.

Our White Collar Criminal Defense and Government Investigations Group has several decades of experience, both as prosecutors and defenders. Our team includes former Federal prosecutors in the United States Attorney's Office for the District of Massachusetts in the Major Crimes, Public Corruption, Health Care Fraud, and Drug Task Force Units, as well as State prosecutorial experience as Special Assistant District Attorneys for Middlesex and Plymouth Counties in Massachusetts.

In the health care space, for example, we have successfully defended corporate executives in virtually every major health care fraud investigation undertaken by Federal prosecutors in Boston over the last 15 years. Among them have been investigations concerning alleged off-label promotion of pharmaceutical drugs and medical devices, violations of the Federal Anti-Kickback Statute, false statements to regulators concerning adverse event reporting, and Federal research fraud, among many others. In addition, we have successfully defended executives in Federal and State investigations involving the following subject areas:

- Securities, mail and wire fraud
- Bank fraud and financial fraud
- False Claims Act enforcement
- Price-fixing and antitrust claims

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- Foreign Corrupt Practices Act (FCPA)
- Arms Export Control Act
- Tax fraud
- Accounting fraud
- Labor union racketeering

Stated simply, we take on our clients' burdens as our own, vigorously and relentlessly advocating on their behalf, providing responsive, clear communications and personal attention. Our principal objective is to stop criminal or administrative charges before they are brought, by presenting effective legal arguments to prosecutors, regulators and opposing counsel whom we know and have worked with for decades. We master the facts of the case, analyze the legal principles, and leverage our experience and judgment to develop and execute an effective defense strategy.

Should a case proceed to trial, we employ smart, aggressive defense tactics drawing upon decades of experience in court. We will out-work and out-think our adversaries for your benefit.

### **EXPERIENCE**

- Defended numerous individuals in federal and state health care fraud investigations.
- Represented present and former employees of several major pharmaceutical companies in federal investigations concerning alleged healthcare fraud.
- Successfully defended numerous targets of grand jury investigations addressing allegations of health care fraud.
- Defended numerous individuals in investigations into potential violations of the Anti-Kickback Statute and other allegations of health care fraud.
- Represented an officer and director of a publicly-traded company in an SEC and Department of Justice investigation involving the Foreign Corrupt Practices Act.
- Defended in-house counsel and other individuals in a Department of Justice international anti-trust cartel investigation.

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- Represented individuals in federal investigations and prosecutions involving money laundering, wire fraud, insurance and bankruptcy fraud.
- Represented individuals involved in Export Control Act investigations and prosecutions in multiple federal jurisdictions.
- Obtained a not guilty verdict against an individual accused of defrauding a federal agency.
- Obtained the dismissal at trial of bank fraud and bank bribery charges against the president and director of a large metropolitan Boston bank.
- Exonerated numerous individuals accused of committing fraud against federal and state taxing authorities.
- Represented the owners of a privately held company in a Department of Justice investigation of fraud allegations relating to business valuation.
- Represented individual employees of a medical device company and a long-term care company involved in Department of Justice investigations concerning sales, marketing and billing practices.
- Defended individuals concerning violations of the state and federal environmental laws.
- Represented individuals and corporations in connection with investigations of alleged tax fraud.
- Defended an international broker-dealer in connection with market timing investigations initiated by multiple civil and criminal authorities.
- Represented an importer in connection with a customs fraud investigation involving the alleged underpayment of import duties.
- Successfully defended criminal investigations into the fatal collapse of ceiling tiles in the Central Artery Tunnel of Boston's Big Dig.
- Represented a retail client in connection with an audit by the Internal Revenue Service concerning compliance with anti-money laundering regulations.
- Participated in the Stern Commission's investigation into the shooting death of a college student following a 2004 Red Sox playoff victory.
- Represented large multinational information technology company in investigation of subcontractor fraud on a government contract.