



Government Investigations & White Collar Defense



Some of the largest scandals in American history started with an inside whistleblower or government agency alleging wrongdoing. What an organization does next is critical, as senior executives and board members will be left ultimately accountable for their company's integrity – and future. That's why, at the first sign of suspected misconduct, companies increasingly engage counsel to perform thorough investigations of possible criminal or noncompliant behavior.

Parker Poe's Government Investigations & White Collar Defense group helps companies to understand the foundation of an allegation by building an investigative strategy, conducting an independent investigation, providing conclusions and recommended courses of action and, if appropriate, dealing with relevant regulators and law enforcement. We have worked with clients facing prosecution or government investigations, both state and federal, across a wide variety of industries. Our attorneys have represented executives and corporations in high-profile cases where their years of courtroom experience were critical to success. We have a deep bench of trial lawyers with a background in bet-the-company cases, including Department of Justice alumni, former state prosecutors, and members of the American College of Trial Lawyers.

Our team also assists clients who are themselves the victim of crime, typically from rogue employees, vendors, or competitors. We help companies to either secure the prosecution of individuals who have committed crimes against the company or seek redress against those individuals through the civil courts.

In addition, we counsel clients on avoiding scrutiny from regulators or law enforcement in the first place by designing and implementing compliance and detection policies to identify risks and avoid them. We work quietly on internal matters that never receive public attention and also represent clients in all states of investigations involving grand juries, federal and state court actions, regulatory investigations and audits, congressional inquiries, as well as civil disputes.

When clients are called on to testify before state or federal congressional committees, or other select state agencies, they also have the benefit of our Government Relations attorneys as part of their team working to fully prepare them and utilizing the good-faith working relationships they have built with congressional and executive branch staff.

A Global Focus

Because our clients conduct business around the world, we've participated in global investigations of alleged price-fixing, bribery and kickbacks, violations of the False Claims Act, as well as breaches of corporate compliance programs. When necessary, we've represented these clients before international authorities. Additionally, our team has handled multiple export investigations dealing with the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR), and the U.S.



sanctions and embargoes administered by the U.S. Office of Foreign Assets Control (OFAC). We've represented companies in investigations by the U.S. Department of Justice, the Securities and Exchange Commission, HHS-OIG, the International Trade Commission, the Federal Trade Commission, the Consumer Financial Protection Bureau, U.S. Senate committees, state Departments of Justice, the North Carolina Insurance Commission, and a variety of other state and federal agencies.

Public Corruption and Legislative Investigations

Parker Poe has also counseled governments and government officials in investigations into alleged corruption and campaign violations. Among these clients are members of the U.S. Congress, the North Carolina General Assembly, local governments, and witnesses in federal and state legislative hearings.

Our attorneys' range of experience includes the following:

- Accounting irregularities
- Agriculture
- Anti-boycott
- Antitrust and price fixing
- Aviation
- Bribery and kickbacks
- Campaign finance
- Computer crimes and intrusions
- Economic espionage
- Electronic surveillance
- Environmental crimes
- Ethics in Government Act
- Export law (EAR, ITAR, OFAC)
- False Claims Act
- Federal fraud, mail and wire
- FERC audits and investigations
- Food and Drug Administration



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- Foreign Corrupt Practices Act (FCPA)
- Foreign Intelligence Surveillance Act
- Foreign Bank Account Reporting
- Government contracting
- Government corruption
- Health care fraud (including pharmaceutical and DME companies)
- Immigration
- Intellectual property crimes
- Investigator liability
- Money laundering
- National security matters
- Online gambling
- Public corruption
- RICO
- U.S. sanctions and embargoes (OFAC)
- Securities fraud
- Security and privacy investigations
- Tax – state and federal
- Whistleblower/qui tam defense

REPRESENTATIVE EXPERIENCE

- Represented senior banking officials during a federal grand jury investigation.
- Represented officers and directors during SEC investigation of possible securities and accounting violations.
- Counseled on major health care fraud investigations and defense involving the U.S. Department of Justice, HHS-OIG, and state Departments of Justice.
- Advised, counseled, and assisted in the defense of pharmaceutical and biotech companies in False Claim Act litigation involving off-label usage and PBM/GPO arrangements.



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- Counseled on federal criminal investigation of a health care products company suspected of improper billing, marketing, and sales practices.
- Represented a major laboratory facing parallel state and federal investigations.
- Represented defense contractor in comprehensive export enforcement action (ITAR and EAR) conducted by multiple federal agencies.
- Represented a Fortune 500 client in a private federal grand jury investigation.
- Served as counsel in federal court to a court-appointed receiver managing an SEC-related matter.
- Achieved dismissal by U.S. Attorney's Office of all charges against our executive client concerning allegations of federal criminal fraud.
- Served as antitrust counsel to a Fortune 500 company.
- Represented a major manufacturer victimized by a key competitor's criminal conduct.
- Represented doctors and a hospital targeted by federal and state agencies for alleged criminal, civil, and regulatory violations.
- Defended a major health care provider facing federal allegations of fraud.
- Conducted an internal review of sensitive allegations of attorney misconduct for a federal district court.
- Defended companies and individuals in antitrust grand jury investigations.

CASE BRIEFS

International Intrigue – In a three-year investigation and litigation matter, we assisted the client with issues arising from the conduct of an eastern European CEO of a joint venture with our American client and several other European companies. The complex and high-stakes matter ultimately involved state court litigation, administrative hearings before a federal administrative law judge, and investigations and related proceedings before federal authorities and the whistleblower arm of OSHA (part of the U.S. Department of Justice).

Acquiring Trouble – We represented a global high-tech company in an action initiated by the Federal Trade Commission under Section 2 of the Sherman Act and arising from the client's acquisition of a competing company.

Antitrust Issues – Our team has represented companies in a variety of national and international antitrust and price fixing investigations. As an example, we represented an American subsidiary of a



Japanese company in an investigation conducted by the Antitrust Division of the Department of Justice resulting in a declination of prosecution (no charges filed).

Risky Business Overseas – Our team assisted a defense contractor in a two-year multicountry FCPA investigation regarding allegations in the news media of bribes paid to a foreign government official to obtain an operating license. Although the government expanded its investigation several times, our team successfully resolved the matter with a “declination letter” from the Department of Justice (no prosecution, no fines, no penalties).