

White Collar Criminal Defense

Businesses or individuals faced with a government investigation, indictment, or trial need rapid, creative, and sound legal advocacy. Lowenstein Sandler's White Collar Criminal Defense team draws on a deep well of collective knowledge enhanced by battle-tested experience to safeguard our clients' reputations and protect their futures.

The group includes eight former federal prosecutors with career experience at the Department of Justice and the U.S. Attorney's Office in the Southern District of New York and District of New Jersey. Additionally, the group includes two former New Jersey Attorneys General, and a former New Jersey State Comptroller. Our in-depth understanding of governmental agencies lends the practice a strong advantage in investigations brought by the DOJ, US Attorneys' Offices, the SEC, the IRS, OFAC, DDTC, BIS, state attorneys general, and other regulatory bodies.

Our lawyers are tirelessly committed to successful outcomes. We represent large corporations, boards of directors, and audit committees, and we dedicate equal passion and attention to individuals such as directors and officers of public and private corporations and investment professionals. Areas of focus include the Foreign Corrupt Practices Act (FCPA); criminal antitrust; health care, securities, and tax fraud; internal investigations; political corruption; and regulatory compliance.

The team is a "front runner in white-collar criminal litigation, with significant capability in the healthcare, criminal antitrust and FCPA spaces" (*Chambers USA*), and has an excellent track record of favorable results. While we're proud of our reputation at trial, we're also aware that white collar allegations are often tried in the court of public opinion. Our lawyers know when to fight and when to keep clients out of court, and some of our greatest successes are the nonpublic resolutions we achieve in extremely sensitive matters.

EXPERIENCE

- > Successfully represented numerous entities accused of FCA and FCPA violations. Recently secured a deferred prosecution agreement for a global company that provides engineering and environmental consulting services to various federal, state, regional, and local governmental and quasi-governmental agencies. The case was initially brought as an FCA Qui Tam matter, which led to an investigation of alleged FCPA violations. The lead enforcement agencies were the U.S. Department of Justice and the U.S. Attorney's Office for the District of New Jersey.
- > Represented a union official accused of engaging in a kickback scheme, laundering money, and other criminal misconduct.
- > Represented a pharmaceutical scientist charged with misbranding pharmaceutical products, including parallel licensing and FDA regulatory matters.
- > Represented a physician accused of participating in a conspiracy to improperly bill Medicare and Medicaid.
- > Represents approximately 75 people in connection with federal and state tax offshore voluntary disclosures.
- > Represented a heavy-road contractor in the first challenge to the "pay to play" law to reach the Supreme Court of New Jersey.
- > Successfully defended a securities industry professional in parallel investigations brought by the Securities and Exchange Commission, the Financial Industry Regulatory Authority, the New York Attorney General's Office, and multiple state securities regulators involving allegations of mutual fund market timing. No charges were brought against the client.
- > Successfully defended an executive of an international bank against insider trading charges brought by the SEC in the U.S. District Court for the Southern District of New York. The most significant aspects of the case were dismissed at the summary judgment stage.
- > Secured entry into the Internal Revenue Service's Voluntary Disclosure Program on behalf of an entrepreneur whose business interests focused on the securities industry and electronic trading platform technology. No charges were brought despite the failure to report income of roughly \$10 million.
- > Successfully defended a Fortune 500 retailer in parallel investigations brought by the DOJ, the SEC, and the IRS regarding alleged stock options backdating, as well as related civil suits brought by shareholders. No charges were brought against the company or any of its directors or officers, and all civil claims were dismissed at the pleadings stage.
- > Successfully defended the chief financial officer and chief compliance officer of a New York-based hedge fund in parallel investigations conducted by the SEC and the Commodity Futures Trading Commission involving allegations of market manipulation. No charges were brought against the executive.
- > Represents individuals under investigation for alleged tax-fraud violations by the U.S. Attorney's Offices in the Southern District of New York and the District of New Jersey.
- > Successfully represented an entity under investigation by the New Jersey Bureau of Securities for alleged violations of the New Jersey Uniform Securities Act.
- > Successfully represented individuals in political corruption investigations and prosecutions.
- > Successfully represented individuals who were the subjects of alleged tax-fraud violations.
- > Successfully represented numerous individuals in the banking and securities industries who were the targets of investigations conducted by the DOJ and the SEC. Currently representing a client in connection with an SEC investigation concerning the potential mismanagement and/or misappropriation of funds of a multibillion-dollar international hedge fund.
- > Successfully represented numerous individuals investigated for alleged insider trading violations.

- > Represents individuals under investigation for alleged wire fraud by the U.S. Attorney's Office in the District of New Jersey.
- > Represents numerous investment advisors in connection with government investigations.
- > Represents a major figure in the governmental investigation of statewide office holder corruption.
- > Represents an individual involved in an investigation of offshore banks' promotion of alleged tax evasion by U.S. citizens.
- > Represented an executive of a multinational company accused of participating in an international price-fixing conspiracy.
- > Successfully represented an international company in an antitrust investigation by the DOJ.
- > Successfully represented numerous clients in federal antitrust investigations.
- > Represents an international engineering firm in connection with Foreign Corrupt Practices Act and criminal and civil False Claims Act allegations.
- > Represents an agency of an international state in defending against a bankruptcy adversary proceeding arising from the Bernard L. Madoff Investment Securities LLC Ponzi scheme recovery.
- > Representing a commercial lender in its multi-jurisdictional suit against an entity-borrower after its principal was indicted by the U.S. Attorney's office for financial fraud and money laundering.
- > Representing an officer in a U.S. Attorney office investigation into the officer's company for alleged financial improprieties.
- > Conducted an independent investigation into allegations of workplace misconduct including sexual harassment, domestic violence, and inappropriate behavior within the Dallas Mavericks' business operations. The seven-month investigation culminated in the release of **The Report of the Independent Investigation of Dallas Basketball Limited**, detailing harassment and workplace misconduct over 20 years, lack of compliance and internal controls within the organization, errors in judgment among Mavericks' leadership, and recommendations for changes to the Mavericks' organization.

HONORS & AWARDS

- > **Chambers USA: America's Leading Lawyers for Business:**
Ranked in Band 1 in New Jersey for White Collar Crime & Government Investigations