

Overview

At Dentons, our team of experienced trial lawyers throughout the United States stands ready to defend and protect our clients in an efficient, cost-effective manner in responding to criminal, civil and regulatory enforcement actions. Lawyers on our team are former US attorneys and assistant US attorneys, former state prosecutors, and criminal defense lawyers who have spent their professional careers defending individuals and corporations in government investigations and prosecutions. Our team-defense approach draws on the talents of partners in other practice groups with knowledge of myriad substantive areas.

Our team is at home in public courtrooms and behind the doors of government offices. As seasoned practitioners with substantial experience trying cases against and negotiating with government officials, we operate efficiently and cost-effectively. We stand ready, willing and able to go the distance for our clients.

Our involvement in white collar matters begins long before indictment. We conduct thorough internal investigations, reviewing and analyzing massive volumes of documents with the assistance of innovative litigation technology, and aggressively seek to convince government investigators to close their files without filing charges. Our greatest successes are those in which there is neither an indictment nor public disclosure of the investigation.

Our litigators have extensive experience in defending and coordinating the collateral proceedings that are part and parcel of white collar litigation, such as civil False Claims Act lawsuits and forfeiture actions, administrative proceedings, government audits, investigations by other governmental agencies, shareholder derivative lawsuits, and related state investigations.

Our lawyers also work closely with clients to develop or improve upon their compliance programs in order to minimize the likelihood of similar investigations in the future. These and other remedial measures are integral to convincing prosecutors that a pre-indictment resolution, including a deferred prosecution agreement or declination of prosecution, is the appropriate outcome.

Dentons' white collar defense lawyers have distinguished track records of success, including in cases that established favorable precedents, in a variety of areas, including:

- Arms export violations
- Asset recovery
- State attorney general actions
- Bank fraud
- Campaign finance violations
- Computer fraud and cybercrime
- Corporate compliance
- Criminal defense
- Embezzlement

- Environmental crime
- False Claims Act/qui tam actions
- Federal program fraud and false statements to the government
- Food safety violations
- Foreign Corrupt Practices Act/UK Bribery Act
- Government contracts and procurement fraud
- Grand jury investigations
- Health care fraud
- Identity theft
- Immigration fraud
- Internal investigations
- International financial transactions fraud
- Labor Law violations
- Lending and insurance fraud
- Mail and wire fraud
- Money laundering and RICO
- Mortgage fraud
- Official misconduct and public corruption
- Professional gambling
- Securities and commodities fraud, including insider trading
- Tax fraud
- Trade secret theft

Government Agencies

Our team has interacted with public officials at a diverse array of government offices, including the following federal agencies and commissions:

- Centers for Medicare & Medicaid Services (CMS)
- Securities and Exchange Commission (SEC)
- Department of Labor (DOL)
- Secret Service
- Customs and Border Protection (CBP)
- Federal Deposit Insurance Corporation (FDIC)
- Internal Revenue Service (IRS)
- Department of Agriculture (USDA)
- Postal Inspection Service (USPIS)

- Department of Homeland Security (DHS)
- Immigration and Customs Enforcement (ICE)
- Citizenship and Immigration Services (USCIS)
- Food and Drug Administration (FDA)
- Department of Health and Human Services (HHS) Office of Inspector General (OIG)
- HHS Medicaid Fraud Control Unit (MFCU)
- Department of Defense (DoD)
- Department of Justice (DOJ)
- Environmental Protection Agency (EPA)
- Federal Bureau of Investigation

Our seasoned lawyers routinely lecture on and teach criminal law and related subjects, at various government law enforcement agency training centers, industry panels and legal conferences. Dentons' lawyers also frequently counsel clients who have been victims of crimes, fraud or both. We offer creative solutions on how to best address the resulting losses and how to prevent future occurrences.

Areas of focus include:

- Global Anti-Corruption
- Internal Investigations
- State Attorneys General (United States)

Representative Experience

- **Accounting fraud:** Representing a lead defendant in an alleged US\$400 million accounting fraud criminal case pending in US District Court. The case involves mail fraud, wire fraud, securities fraud and conspiracy charges asserting various schemes to inflate revenue.
- **Anti-corruption:** Representing major global engineering firm in connection with an investigation by the World Bank Integrity Vice Presidency into alleged corrupt and fraudulent practices by a foreign subsidiary involved in a bank-funded project.
- **Antitrust:** Representing senior executives of a Japanese automotive component manufacturer in federal grand jury criminal investigations relating to alleged price fixing and bid rigging conspiracies with other Japanese companies for the sale of wire harnesses, speedometers and other gauges in Japanese automobiles manufactured in the US.
- **Bribery:** Assisting international technology retailer with investigation into suspected bribery of an agent. Advising on self-reporting to the UK Serious Fraud Office.
- **Cross-border anti-corruption investigation:** Represented Fresenius Medical Care AG & Co. KGaA, a global health care/medical device company with operations in more than 150 countries, in connection with parallel SEC and the DOJ investigations into multiple alleged violations of the FCPA in Asia, Africa, Europe, and North and South America. Working with our locally based practitioners, our global team helped the client respond to this cross-border investigation and implement new global anti-corruption policies and procedures. The Dentons team ultimately resolved the US criminal inquiry through a non-prosecution agreement with the DOJ and a regulatory order by the SEC.
- **False Claims Act:** Represented GlaxoSmithKline plc in qui tam whistleblower litigation, alleging violations of the US False Claims Act in connection with the drug Paxil, and seeking billions of dollars in damages. Our team convinced the court, at an early stage in the litigation, to dismiss the whistleblower's case in its entirety with prejudice and without an opportunity to amend. Our team convinced not only the court, but also the US Department of Justice, to support our position in seeking dismissal.

- **FCPA risk assessment program:** Represented a global logistics and fulfillment company in connection with evaluating FCPA and corruption risk in its Middle East subsidiary operating in high-risk jurisdictions. Representation included legally privileged corporate compliance risk assessment, limited-scope transaction testing and compliance controls review, as well as advising on risk mitigation strategies going forward.
- **Internal investigation:** Conducting an investigation into allegations of bribery, fraud, false accounting and breaches of international sanctions by employees and contractors of a multinational consumer goods manufacturer; the investigation, which was conducted in more than 12 jurisdictions, helped the client resolve difficult issues and substantially improve its processes and procedures.
- **Procurement fraud:** Representing manager of large construction company in DOJ investigation of alleged disadvantaged business entity/minority business entity fraud.
- **Public corruption:** Won the acquittal of the three-term county executive of Jackson County, Missouri, on political corruption and fraud charges after a three-week jury trial in the Western District of Missouri.
- **Securities fraud:** Serving as lead trial counsel for the chief financial officer of NIC, Inc., who was accused, along with others, of failing to accurately disclose the compensation of the information services provider's co-founder and former CEO, achieved a total defense verdict. After a three-week trial in the US District Court for the District of Kansas, the jury rejected all 12 of the SEC charges in their entirety, completely exonerating our client.