

No business “wants” to deal with whistleblowers, government inquiries, subpoenas or search warrants. Yet it is a fact of business life. Exposures to the organization, and its directors and officers, can be devastating. The good judgment of efficient, skilled counsel is essential, even more so in these uncertain economic times.

Post & Schell’s Internal Investigations & White Collar Defense Group’s insight into high-level law enforcement decision-making allows us to collaborate with corporate clients and senior executives on successful defense strategies. We are dedicated. We add value. Decades of trial experience provide seasoned risk assessment capabilities. Our team is led by:

- **Ron Levine**, former Chief of the Criminal Division of the United States Attorney’s Office for the Eastern District of Pennsylvania directing all federal white collar criminal investigations and prosecutions;
- **John Joseph**, former Deputy Chief of the Civil Division of the United States Attorney’s Office directing all affirmative fraud, *qui tam* and environmental investigations and enforcement litigation within the Eastern District;
- **Peter Hardy**, former financial crimes prosecutor with the Tax Division of the Department of Justice in Washington, D.C. and the United States Attorney’s Office in the Eastern District; and author of *Criminal Tax, Money Laundering, and Bank Secrecy Act Litigation* ([Bloomberg BNA 2010](#));
- **Barbara Rowland**, former federal prosecutor and more recently, Vice President – Litigation for the nation’s largest pharmacy health care provider, and Assistant Counsel for a Fortune 60 global pharmaceutical manufacturer.

Results Tell the Story

- Multi-national medical device manufacturer under federal investigation for kickback and price reporting violations. **Result:** Government declination.
- Multi-national pharmaceutical manufacturer under criminal and civil investigation for kickback and off-label marketing violations. **Result:** Global settlement in amount several multiples below that of comparable “pharma” cases.
- Physician targeted in federal criminal investigation for billing practices. **Result:** Criminal declination. Low civil settlement.
- Multi-national electronics corporation targeted in a federal tax fraud investigation. **Result:** Global criminal and civil settlement with stipulated lower financial penalty. No prosecution of any individuals.
- Two major hospital systems under investigation for “one-day stay” billing violations. **Result:** For one, a rare settlement under the standard “double damages” amount with no corporate integrity agreement (CIA); for other, declination.

- Multi-national advertising corporation embroiled in a federal corruption/fraud investigation. **Result:** Criminal declination. No civil exposure.
- Large durable medical equipment corporation subject to undercover recordings and told that its CEO is targeted on health care fraud charges. **Result:** Criminal declination. Low False Claims Act civil settlement.
- Major hospital system under investigation for organ transplant-related billing violations. **Result:** Government declination.
- Large multi-national food company investigated by a grand jury for environmental false statements pursuant to EPA inspection. **Result:** Criminal declination.
- National construction firm investigated for alleged fraud in highway construction project and possible debarment. **Result:** No criminal prosecution. Debarment action withdrawn.
- Large construction company sued under False Claims Act. **Result:** Motion to dismiss company granted.
- National health system sued for fraud by physicians as regards a multi-million dollar joint venture ambulatory surgery center. **Result:** Summary judgment granted by trial court; affirmed on appeal.
- Engineering firm involved in construction project sued under False Claims Act. **Result:** Nominal settlement.
- Health care system’s contract practices under scrutiny. Internal investigation results in self-disclosure to the fiscal intermediary. **Result:** No federal criminal or civil prosecution.
- Multi-national pharmaceutical corporation suspects employee misconduct. **Result:** Internal investigation uncovers sales person self-dealing. Internal corrective action.
- High-ranking executives of multi-national oil company and multi-national engineering company embroiled in Foreign Corrupt Practices Act (FCPA) investigations. **Result:** No criminal or civil sanctions.
- Owner/executive of major construction company charged with tax and immigration-related crimes. **Result:** Probation.
- High-ranking executive for a collapsed insurance company targeted for insurance fraud due to regulatory filings. **Result:** Criminal declination.
- Political figure federally charged in 47-page racketeering (RICO)/fraud indictment. **Result:** Plea agreement to a misdemeanor tax charge, \$250 fine and probation.
- Young adult charged in felony computer hacking conspiracy with worldwide publicity. **Result:** Plea agreement to misdemeanor computer charge. Probation.

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