



Ronald H. Levine

Senior Counsel
Internal Investigations & White Collar Defense

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Counseling and defending corporations, as well as directors, executives, professionals, and others, confronting potential allegations of fraud or other misconduct at all stages of the government enforcement cycle.

Bio

Ronald H. Levine is a Senior Counsel and the former Chair of the Firm's Internal Investigations & White Collar Defense Group. He counsels and defends corporations, as well as directors, executives, professionals, and others, confronting potential allegations of fraud or other misconduct at all stages of the government enforcement cycle: pre-enforcement internal investigations and compliance/governance counseling; responding to government inquiries, audits, subpoenas, search warrants and investigations; and trials and appeals, be they administrative, civil, or criminal.

He has successfully represented clients in a broad spectrum of industries, including health care, pharmaceutical, and medical device, securities, financial services, banking and insurance, high-tech, education, communications, food processing, and transportation.

Formerly Chief of the Criminal Division of the U.S. Attorney's Office in Philadelphia, Mr. Levine's experience, ability to understand and communicate with law enforcement, close client collaboration and demonstrated willingness to take a matter to trial, have achieved favorable outcomes for his clients: dismissals; acquittals; nominal or low civil settlements; "win-win" regulatory agreements; and government criminal declinations or probation agreements.

Mr. Levine's practice areas include:

- Health Care, Mail, Wire and Financial Institution Fraud
- Federal False Claims Act (FCA) and Foreign Corrupt Practices Act (FCPA) defense
- Government Procurement and Program Fraud
- Securities and Tax Fraud
- Identity Theft and Data Integrity
- RICO
- Consumer and Insurance Fraud
- Public Corruption, Immigration Offenses, and Environmental Crime
- Fraud and Abuse Compliance

Practices

- Internal Investigations & White Collar Defense
- Health Care
- Health Care Litigation Services
- Health Care Regulatory Services
- Data Privacy & Cybersecurity
- Information Technology
- Class Action Defense
- Shale Resource
- Hospitality and Retail
- Appellate
- Data Privacy & Cybersecurity Complex Litigation

Industries

- Pharmaceutical
- Medical Device & Life Sciences
- Hospitality
- Health Care
- Banking and Financial Services
- Energy and Utilities

Education

- J.D., *Cum Laude*, Harvard Law School, 1981
- M. Phil. in Sociology, Oxford University, 1976
- B.S. in Economics, *Summa Cum Laude*, The University of Pennsylvania Wharton School, 1974

Bar Memberships

- Pennsylvania

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Eighth Circuit

Mr. Levine was appointed by the United States Sentencing Commission to be Chair of the Practitioners Advisory Group (PAG), a standing defense attorney advisory group to the Commission. In 2018, he was named a Fellow of the American College of Trial Lawyers (ACTL), an invitation-only organization of trial lawyers from the United States and Canada whose professional careers have been marked by the highest standards of advocacy, ethical conduct, and professionalism. In 2016, Mr. Levine was honored by the Pennsylvania Association of Criminal Defense Lawyers (PACDL) with the Alan Jay Josel Advocacy Award for his advocacy in the U.S. Supreme Court case, *United States v. Elonis* (the "Facebook threats" case). In 2020, he was selected as a Lifetime Achievement Award honoree by *The Legal Intelligencer* for his imprint on the legal history of the Commonwealth of Pennsylvania and the legal profession during his nearly 40-year career.

During his time at the Department of Justice, Mr. Levine was a member of national working groups responsible for implementing "white collar" law enforcement policies concerning health care and government contracting fraud, *qui tam* lawsuits, and electronic discovery. Before leading the 80-lawyer Criminal Division at the U.S. Attorney's Office, he supervised both its Public Corruption and its Government & Health Care Fraud Units. He successfully prosecuted multi-month RICO or conspiracy trials in the areas of bank fraud, tax shelter fraud, public corruption, and domestic terrorism and received the Attorney General's Award for Distinguished Service, the Justice Department's second-highest award. His experience extends across enforcement agencies including the FBI, IRS, SEC, EPA, Postal Inspection Service, DEA, and Offices of Inspector General (OIG) for HHS, FDA, and Departments of Defense, Transportation, and Labor.

Mr. Levine writes and speaks frequently on white collar defense issues. He is past President of the Federal Criminal Law Committee (EDPA), was Vice-Chair of the Corporate Governance Task Force of the American Health Lawyers Association and Project Advisor to its Sarbanes-Oxley Task Force, and participated in the Working Group On Crime As Business at the University of Pennsylvania's Zicklin Center for Business Ethics Research. He has also served the Disciplinary Board of the Supreme Court of Pennsylvania as a Hearing Committee Member, consulted for both the National Institute of Justice and the Department of Homeland Security, and is a Board Member of PACDL and of the Committee of 70, a municipal government watchdog group dedicated to enhancing the efficiency and integrity of city government. He has guest taught or lectured at the University of Pennsylvania, Temple, and Villanova law schools as well as at Brown University, West Chester University, and Penn's Wharton School.

Over the years, Mr. Levine has been recognized as or listed in:

- *Chambers USA: America's Leading Lawyers for Business* in the Litigation: White Collar Crime & Investigations – Pennsylvania category
- Pennsylvania Super Lawyer for White Collar Criminal Defense by his peers as published by American Lawyer Media and *Philadelphia Magazine*
- Best Lawyers in America in the practice of Health Care Law
- Counsel with a Martindale Hubbell's peer review AV Preeminent rating for White Collar Criminal Defense
- *The International Who's Who of Business Crime Defense Lawyers*
- Super Lawyers Business Edition
- Life Sciences Star in Non-IP Litigation and Enforcement in *Euromoney's LMG Life Sciences Guide* (billed as the "definitive guide to the leading attorneys in U.S. life sciences")
- Listed among "the world's leading investigations lawyers," by *The International Who's Who of Investigations Lawyers & Forensics Experts*

- U.S. District Court for the Eastern District of Pennsylvania

and *The International Who's Who of Business Lawyers*

- *Who's Who Legal: Business Crimes Defense*
- *Who's Who Legal: Investigations* (one of 255 attorneys selected in the U.S. and one of eight chosen in the Commonwealth of Pennsylvania)
- *Who's Who Legal: Global Investigations Review* (one of only six attorneys from Pennsylvania)



Representative Cases

- 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.
- 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.
- 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.
- Internal investigations for various hospital systems under federal scrutiny for physician contract practices, hospice billings and diversions of narcotics. **Result:** No federal criminal prosecutions at all; in several cases, no civil action either; in others negotiated False Claims Act or other settlements.
- Multi-national pharmaceutical corporation suspects employee misconduct. **Result:** Internal investigation uncovers sales person self-dealing. Internal corrective action.
- Head of investment fund targeted for insider trading. **Result:** Criminal declination.
- Congressional staffer indicted in federal public corruption case. **Result:** Acquittal on the most serious RICO conspiracy charge following 6-week jury trial.
- High-ranking executives of multi-national oil, engineering company, and pharmaceutical companies embroiled in Foreign Corrupt Practices Act (FCPA) investigations. **Result:** No criminal or civil sanctions.
- High-ranking executive for a collapsed insurance company targeted for insurance fraud due to regulatory filings. **Result:** Criminal declination.
- State official federally charged in 47-page racketeering (RICO)/fraud indictment. **Result:** Plea agreement to a misdemeanor tax charge, \$250 fine and probation.

- Prominent political consultant and former official under federal investigation for bribery. **Result:** Plea agreement and probation.
- Political consultant under state investigation for bribery. **Result:** Immunity granted.
- Surgeon under federal investigation for billing fraud. **Result:** Criminal declination.
- Young adult charged in felony computer hacking conspiracy with worldwide publicity. **Result:** Plea agreement to misdemeanor computer charge and probation.
- Physician targeted in DEA investigation for Internet prescribing. **Result:** Criminal declination. Low civil settlement.

Representative Experience

- Conducting internal corporate investigations and compliance audits
- Tracking and responding to administrative, civil, criminal and grand jury investigations
- Representing officers, directors, employees and corporations
- Negotiating settlement, plea and corporate integrity agreements
- Resolving government debarment proceedings
- Training and educating corporations and other enterprises on fraud and abuse exposures
- Trial defense; post-trial and appellate advocacy

Speaking Engagements

- Moderator, "COVID-19 Round-up: Navigating BOP Issues and Federal Criminal Proceedings," Federal Bar Association, Criminal Law Committee webinar (2020)
- Moderator, "When the Government Looks But Your Client Cannot See: Non-Disclosure Letters, Grand Jury Practice and Search Warrants," Federal Bar Association, Criminal Law Committee (2020)
- Moderator, "Proffers: Possibilities, Pitfalls, and Predicaments," Federal Bar Association, Criminal Law Committee (2018)
- Panelist, "Managing Attorney General Investigations: Increased State Environmental Enforcement and How You Can Survive," Marcellus Shale Coalition's Shale Insight Conference 2017, Pittsburgh, PA (September 27, 2017)
- Panelist, "To Comment or Not Comment: The Ethics of Dealing with the Media in High Profile Cases," Pennsylvania Association of Criminal Defense Lawyers' (PACDL) 2016 White Collar Practice Seminar, Philadelphia, PA (November 10, 2016)
- Panel Moderator, "Is The Supreme Court Pro-Defense? That Was The Year That Was (2014-2015)," PACDL 2015 White Collar Practice Seminar, Philadelphia, PA (November 12, 2015)
- Co-Presenter, "ABCs of DEA Enforcement," Pennsylvania Bar Institute's (PBI) Health Law Institute, Philadelphia, PA (March 13, 2015)
- Co-Presenter, "Creating a Culture of QSR Compliance: A Guide for Building an Effective QSR Team and Incorporating QSR Protocols into Your Comprehensive Compliance Program," American Conference Institute, 14th National Summit on Reducing Legal Risks in the Sales and Marketing of Medical Devices, Chicago, IL (April 9, 2014)

- Co-Presenter, "The Whistleblowers Among Us: Implications of the FCA, IRS and Other Whistleblower Regimes," ABA Fifth Annual National Institute on Internal Corporate Investigations, Washington D.C. (April 25, 2013)
- Co-Presenter, "Strategies to Limit the Risk of Individual Liability for 'Responsible Corporate Officers' in the Health Care Industry Under *United States v. Park*," Pennsylvania Bar Institute Health Law Institute (March 14, 2012)
- Panelist, "Avoiding Individual Accountability: How to Steer Clear of Prosecution and Exclusion under Responsible Corporate Officer Doctrine," American Conference Institute on Fraud and Abuse in the Sale and Marketing of Drugs (2012)
- Panelist, "Trends in Health Care Fraud Enforcement," American Bar Association National Institute on White Collar Crime, American Bar Association National Institute on White Collar Crime in Miami, FL (March 2, 2012)
- Co-Presenter, "Conference Room' Advocacy: Favorably Resolving Your Client's Matter With the Government," The 15th Annual Health Law Institute of the Pennsylvania Bar Institute, Pennsylvania Convention Center (March 12, 2009)
- Mr. Levine has taught or guest lectured on aspects of white collar crime, criminal procedure and trial advocacy at Temple Law School, the University of Pennsylvania Law School, and the Wharton School.
- He has been a faculty member at seminars sponsored by the ABA White Collar Crime Section, the Institute on Federal Program Fraud, the Professional Liability Underwriting Society, the American Health Lawyers Association, the Health Care Compliance Association, the American College of Healthcare Executives and the Philadelphia Bar Association. He has appeared as a panelist on the "Law Journal" television program on the topics of "Terrorism and Civil Liberties" and "The Upcoming Supreme Court Term."
- He has written for *Corporate Compliance Officer*, *Business Crimes Bulletin*, *Attorney-CPA Update*, *Briefings On Long-Term Care Regulations* and *Transport Topics*. He is on the Editorial Advisory Board of *Business Crimes Bulletin*.

Affiliations

- Federal Bar Association Criminal Law Committee (Chair, 2011-12)
- Pennsylvania Association of Criminal Defense Lawyers (Board member)
- U.S. Sentencing Commission, Practitioners Advisory Group (appointed Chair in October 2016)
- National Association of Criminal Defense Lawyers
- American and Philadelphia Bar Associations
- Health Care Compliance Association
- American Health Lawyers Association
- Hearing Committee Member - Disciplinary Board of the Supreme Court of Pennsylvania (2006-2012)
- Member, Case Review Committee, The Innocence Project

Clerkship

- The Honorable Norma L. Shapiro, United States District Court, Eastern District of Pennsylvania