

PRACTICE CONTACT

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GOVERNMENT ENFORCEMENT INVESTIGATIONS

Our government enforcement investigations group represents corporations, boards of directors, management and other individuals in connection with a broad range of government investigations, enforcement actions, criminal investigations, and litigation. We have been privileged to help companies of all sizes and their boards, audit and special committees, officers and directors, and other individuals with a wide range of administrative, criminal, regulatory, congressional and other sensitive government inquiries and investigations.

We know that government enforcement actions investigations can be complex, highly sensitive and time-consuming ordeals for any company. Coordination between criminal and civil regulatory authorities has increasingly blurred the line between criminal, civil and administrative offenses, resulting in heightened risks for companies conducting business, both in the U.S. and internationally. We defend corporations, directors, officers and employees against allegations in various business contexts and at every stage of the enforcement process, including federal and state grand jury investigations, trials and appeals. We handle investigations and civil and administrative proceedings brought by regulatory bodies such as the U.S. Securities and Exchange Commission, Federal Reserve Bank, Consumer Financial Protection Bureau, U.S. Commodity Futures Trading Commission, Financial Industry Regulatory Authority, Federal Trade Commission and Internal Revenue Service, as well as federal and state banking and insurance regulators and state attorneys general throughout the United States. Our experience is wide-ranging and includes investigations related to:

- Accounting Practices
- Antitrust Allegations
- Corporate Fraud
- Consumer Financial Services
- Data Breach and Privacy
- Environmental Violations and Regulatory Compliance
- False Claims Act/*Qui Tam* Litigation
- Financial Institutions Regulatory Issues
- Foreign Corrupt Practices Act
- Government Procurement
- Grand Jury Subpoenas
- Health Care Fraud and Abuse
- Insurance
- Money Laundering and Bank Secrecy Act
- Public Corruption
- RICO
- Securities Fraud and Insider Trading

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- Theft of Trade Secrets and Intellectual Property

We handle all aspects of criminal and enforcement trials and related civil and administrative actions in federal and state courts. We also have negotiated many favorable settlements involving complex parallel criminal and civil proceedings. In addition, our experienced appellate counsel pursue appeals of adverse criminal judgments and unfavorable civil and administrative determinations.

ANTITRUST AND TRADE REGULATION

We have represented clients in some of the most significant antitrust cases in recent years. Our antitrust lawyers represent large and small companies, national associations and a wide range of individuals faced with litigation and investigations. We regularly represent clients in private civil litigation, in civil investigations brought by the Department of Justice, Federal Trade Commission and state attorneys general, and in criminal grand juries and trials. We also have substantial experience in related trade regulation issues such as non-competition, trade secret and dealer termination litigation.

Our antitrust experience is reflected in the significant leadership positions our lawyers have held in the Antitrust Sections of the American Bar Association and the Ohio State Bar Association. To learn more, [click here](#).

SECURITIES ENFORCEMENT

Vorys represents financial institutions, accounting firms and corporations in their most significant investigations and securities enforcement actions.

We offer integrated teams of lawyers across multiple disciplines to advise clients on the full range of government enforcement, investigations and advisory matters, including those associated with anti-corruption laws, economic sanctions, anti-money laundering and anti-terrorist financing laws, accounting irregularities and financial fraud. We also provide a full range of services in connection with insider trading, from real-time advice to hedge funds and other active traders, to the design of compliance programs and representation of those involved in internal investigations. We routinely advise broker-dealers and other financial institutions in connection with U.S. Securities and Exchange Commission (SEC), U.S. Commodity Futures Trading Commission (CFTC) and Financial Industry Regulatory Authority, Inc. inquiries. To learn more, [click here](#).

FALSE CLAIMS ACT AND QUI TAM

With expanding governmental program expenditures, fraud and abuse has become a top law enforcement priority. Federal agencies have aggressively escalated investigations and prosecutions of government contractors and health care entities. Increasingly, the vehicle for pursuing claims against contractors and health care providers is the federal False Claims Act (FCA), which allows cases to be brought by whistleblowers suing on behalf of the government against those alleged to have submitted false claims for payment to an officer of the United States. The government views the FCA as an ideal enforcement vehicle because it

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encourages private individuals to ferret out alleged fraud on behalf of the government, and it provides for treble damages. Many states also have enacted statutes that parallel the FCA.

We are one of the few firms in the country that has tried – and won – defense jury verdicts for government contractors in FCA cases. The Vorys False Claims Act practice has been selected as one of five *Law360* Government Contracts Practice Groups of the Year.

Our experience in this area includes:

- Conducting internal investigations
- Advising corporations on the advantages and disadvantages of voluntary disclosure
- Negotiating with and convincing the Department of Justice not to intervene in civil fraud cases brought by *qui tam* relators
- Negotiating “global” settlements with the government, requiring the concurrence of the government’s civil, criminal and administrative authorities
- Preventing the suspension, debarment or exclusion of corporate entities or individuals from government contracts or grant programs
- Responding to subpoenas and defending individuals and corporations in criminal actions arising out of FCA cases
- Representing corporations in connection with congressional investigations related to the FCA
- Counseling corporations on the creation of compliance programs
- Preparing and conducting the defense at trial of False Claims Act lawsuits brought by individual relators and by the United States

Our attorneys also represent manufacturers, hospitals, retailers and other clients in connection with FCA matters, and have obtained dismissal of complaints involving the alleged failure to comply with military procurement specifications, claimed hospital overcharges of Medicare and Medicaid, and purported false claims related to government-owned, contractor-operated facilities. To learn more, [click here](#).

WHITE COLLAR DEFENSE

We represent individuals and businesses in criminal prosecutions, grand jury investigations and civil enforcement actions brought by state and federal agencies and states’ attorneys general. Our credibility with prosecutors enables us to minimize the disruption caused by these proceedings, often before charges are brought. If an indictment is filed, our attorneys advise on the trial risks and we maintain experienced trial counsel to defend.

We conduct internal investigations for companies facing internal or external allegations of wrongdoing, or desiring to audit proactively for potential misconduct. Our experience with many government enforcement agencies enables us to provide sound advice concerning the best course of action if wrongdoing is identified, including potential disclosure to authorities. We also assist clients in creating and implementing compliance programs designed to avoid problems.

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We also have substantial experience representing clients in antitrust matters, grand jury investigations, criminal and *qui tam* actions, financial and securities fraud investigations, health care fraud and abuse investigations, and public corruption. To learn more, [click here](#).

HEALTH CARE FRAUD AND ABUSE

Our lawyers have extensive experience in litigating health care reimbursement, fraud and abuse, and contract cases, across a broad spectrum of payor arrangements and business relationships. Whether the dispute involves enrollment, accreditation, provider agreements, Medicare reimbursement systems (such as IPPS, OPPS, and APCs), Medicaid reimbursement systems, cost reporting, medical records documentation, or claims submission and coding issues, Vorys' health care litigators have the knowledge and experience needed to defend our clients' interests.

In addition, we have significant experience in litigating systemic contract issues between private providers, governmental entities, and public payors. Our firm is also a recognized leader in the field of contracts and reimbursement issues for behavioral health providers (mental health, drug and alcohol, and drug treatment and prevention), mental retardation and developmental disabilities (MR/DD) providers, child welfare agencies, and in the field of Medicaid reimbursement and contract litigation. To learn more, [click here](#).