

WHITE COLLAR, INTERNAL INVESTIGATION & COMPLIANCE



Husch Blackwell helps clients assess risk and mitigate the disruption and expense that accompany high-stakes government investigations and litigation. Our team develops comprehensive compliance programs and conducts cost-efficient internal investigations in order to detect and prevent misconduct before it leads to government intervention.

When prosecution does occur, we work to secure the best possible outcome, either through settlement or vigorous trial defense. Several attorneys on our team are seasoned trial lawyers with experience in white collar defense; others are former federal and state prosecutors or federal agents. Our white collar attorneys understand from firsthand experience how law enforcement works and thinks, and we use that insight for the benefits of clients. Our white collar defense attorneys have experience in defending clients against a wide range of conduct and finance-related offenses.

Our team's deep background in criminal law and procedure affords our attorneys a unique understanding of governmental and prosecutorial perspectives. By better understanding the true focus of an investigation, we can help clients protect their reputation and their business.

Compliance Counseling

To help clients get out in front of compliance obligations, our attorneys and compliance professionals conduct

Ninety percent of the work that we do is for the U.S. government, and we needed boots on the ground in D.C. to help us out. [Husch Blackwell professionals] in the D.C. office are making the contacts and helping us develop relationships. They have opened so many doors. The outcomes have been tremendous.

— Reachel Beichley,
General Counsel &
Corporate Secretary,
MRIGlobal —

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compliance program training and policy assessments; develop tailored, industry-specific compliance programs; draft internal policies and codes of conduct; and assist in the evaluation of vendor offerings. We also conduct audits and internal investigations, represent clients in enforcement proceedings and determine when voluntary disclosures are appropriate.

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Corporate Crime Scene

We offer comprehensive counsel and corporate crime prevention strategies to businesses that are vulnerable to internal financial fraud, unauthorized data intrusions, wrongful employee conduct and conflicts of interest.

Government Investigations

Husch Blackwell has significant experience representing clients that are subject to regulatory oversight, as well as defending them in civil and criminal enforcement actions. Our attorneys advise clients in response to investigations of bank and healthcare fraud, theft of trade secrets, Racketeer Influenced and Corrupt Organizations (RICO) allegations and more.

White Collar Defense

Our white collar defense attorneys have experience in defending clients against a wide range of conduct and finance-related offenses, including:

Accounting fraud

Antitrust

Computer and intellectual property crimes

Customs and export controls

Economic sanctions and Office of Foreign Assets Control (OFAC)

Environmental violations and regulatory compliance

False Claims Act/qui tam litigation

Financial institution fraud

Foreign Corrupt Practices Act (FCPA)

Government procurement fraud

Healthcare fraud and abuse

Immigration

Insurance fraud

Mail and wire fraud

Money laundering and Bank Secrecy Act (BSA)

Public corruption and Racketeer Influenced and Corrupt Organizations Act (RICO)

Securities fraud and insider trading

Tax offenses

Representative Experience

Achieved a favorable outcome for a southwest Missouri healthcare client. The three-hospital system faced extensive federal civil liability for physician compensation agreements put in place before the firm's representation. Additionally, there were concerns that the federal government would

consider criminal charges against individual employees for the conduct. In representing the healthcare system, our team conducted an internal investigation, counseled the client through a voluntary disclosure, and negotiated a final resolution. As part of our advocacy, we encouraged the federal government to consider legal theories that greatly reduced the amount of the government claims. Our client was able to resolve the investigation with no criminal charges and no admissions that it violated the federal False Claims Act. This course enormously reduced repayment obligations and prevented costly post-settlement government oversight.

In the wake of a merger of two major medical device manufacturers, assisted the company in analyzing compliance risks associated with the federal food and drug regulations, False Claims Act, and Anti-Kickback statutes. Wrote policies for conducting investigations and a manual for Foreign Corrupt Practices Act policies and procedures. Also conducted extensive interviews of national sales team and made recommendations to prevent off-label marketing.

Counseled a Big Four accounting firm during a crisis that began when the receiver for a bankrupt former client questioned the auditor's statement of certain financial transactions. Advised on potential criminal exposure, regulatory scrutiny, and shareholder communications.

Represented industrial users of power in opposing the first-ever hostile takeover in the public utilities industry before the Missouri Public Service Commission and the Kansas

Corporation Commission.

Achieved favorable outcomes in the defense of many publicly traded companies against whistleblower allegations investigated by the Department of Justice and the Securities and Exchange Commission.

After the Missouri Public Service Commission staff had recommended a criminal referral of the individual officers of a telecommunications company, persuaded the commission that no referral should be made.

Obtained dismissal of a whistleblower complaint filed with the Occupational Safety and Health Administration (OSHA) against one of our clients in the cable television sector in which the whistleblower accused our client of failing to provide him with certain safety equipment and of retaliating with wrongful termination.

Defended an owner and operator of senior living and healthcare facilities against a whistleblower suit alleging that its hospital referrals violated the Anti-Kickback Statute, False Claims Act and Colorado state law. The lawsuit alleged \$33 million in damages. Our team successfully argued at trial that the plaintiffs were opportunistic business competitors rather than whistleblowers who had uncovered fraud. The Tenth Circuit Court of Appeals affirmed the trial court's defense verdict in our client's favor.