Hollingsworth LLP
Litigation Matters.®

Government Investigations, White Collar & Civil Defense

Vigorously representing corporations and their responsible corporate management in matters relating to criminal investigations and prosecutions and civil fraud investigations, litigation, and enforcement proceedings.

Our government investigations, white collar, and civil defense attorneys have more than four decades of experience successfully representing and defending the largest U.S. and international companies, and their key employees, officers, and directors in federal and state criminal prosecutions, civil antitrust fraud and false claims litigation, agency regulatory enforcement actions, and government investigations.

As a nationally recognized "go-to" litigation firm for high-stakes complex litigation nationwide, we fiercely defend our clients and provide innovative defense strategies against criminal prosecutions and civil fraud litigation brought by, among others:

- U.S. Justice Department and U.S. Attorneys' Offices
- state Attorneys General fraud investigations
- federal grand jury investigations
- federal law enforcement and agency Inspector General investigations
- Congressional Committee investigations and hearings

With a team that includes former federal prosecutors, we defend and guide clients through government investigations, criminal prosecutions, and civil litigation involving:

- alleged fraud and violations under the False Claims Act, Foreign Corrupt Practices Act, and the Anti-Money Laundering Act
- civil antitrust claims of price fixing, bid rigging, market allocation, and monopolization/attempted monopolization, among others, in a broad variety of industries – many highly regulated – under the Sherman and Clayton Acts and state antitrust and unfair competition laws
- U.S. State Department and U.S. Commerce Department export controls for military and dual-use products and services under the International Traffic in Arms Regulation, Commerce Control List
- U.S. Treasury Department Office of Foreign Assets Control trade and currency sanctions
- Foreign Agent Registration Act, securing classified government contracts
- national security information under the National Defense Industrial Security Program

- health care, pharmaceutical, medical device, and food regulatory requirements of the Food and Drug Administration, U.S. Agriculture Department, and Drug Enforcement Administration

Our attorneys also:

- develop and implement corporate compliance and training programs
- conduct internal corporate investigations, including into potential fraud, export controls, antitrust, and securities violations
- advise our clients and their senior executive officers and boards of directors on the requirements for disclosing suspected criminal and civil fraud or antitrust violations to government procurement, regulatory, and law enforcement agencies

White collar criminal prosecutions and civil litigation for violations of government contracts, regulations, and antitrust laws continue to rise, while sentencing guidelines impose harsh fines and penalties on corporations and significant sentences on responsible corporate officers and key employees; and civil damages exposure can be astronomical. The collateral consequences of a criminal conviction, and public disclosure of a government investigation, can be more costly to our clients' reputation than ever before. Our corporate clients, and their executives and employees, are increasingly subject to an evolving maze of new, complex, and ill-defined laws and regulations. We recognize that regulatory compliance, and prosecutors' creative, aggressive interpretations of the law can challenge even the most experienced company officers and directors. For many of our clients, a victory without publicity may be a preferred outcome. Our goal is to resolve the government's investigation by engaging the government prosecutors and investigators in a continuing dialogue through written and informal presentations challenging the legal and factual support for the prosecution's case. If government prosecutors file and pursue criminal charges, our white collar defense attorneys aggressively defend our clients to successfully defeat the government's prosecution and litigation claims at trial. In civil litigation, we take a similarly proactive approach to aggressively defend our clients while working to minimize burgeoning costs of discovery and other litigation expense.

Experience

Widely diverse and successful examples of our representations in government investigations, white collar, and civil defense include:

- **Government contracts** investigations alleging false claims and fraud, false cost reports, mischarging labor hours, improper product substitution, Truth in Negotiations Act disclosure violations, conflicts of interest, kickbacks, and bribery and representation in False Claims Act *qui tam* and government actions, suspension and debarment proceedings, corporate compliance programs, and agency Office of Inspector General audits and investigations
- **Criminal and civil antitrust** investigations and litigation alleging conspiracies involving price fixing, bid rigging, territorial and customer allocations, and competitor exchanges of price information, as well as a variety of single-firm conduct including monopolization/attempted monopolization and unlawful pricing and distribution practices
- **Health care fraud** investigations alleging Medicare and Medicaid violations, physician kickbacks, and false reports and false claims

- **Public corruption** investigations by the U.S. Justice Department and U.S. Attorney offices alleging kickbacks, bribery, unlawful gratuities, and conflicts of interest
- **Defense counterintelligence and security agency** inquiries and investigations including alleged unauthorized disclosure of classified national security information and U.S. industrial security violations
- **Securities fraud** investigations conducted by the Justice Department and Securities and Exchange Commission alleging violations of the Foreign Corrupt Practices Act and federal securities law
- **Environmental** investigations of Clean Water Act and Clean Air Act violations and preparing corporate environmental compliance programs and training
- **Financial institution** investigations alleging currency and money laundering violations