

## About the Contributors

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**Each contributor listed below is a member of  
ARNOLD & PORTER KAYE SCHOLER LLP'S WHITE COLLAR  
DEFENSE PRACTICE GROUP\***

**JOHN N. NASSIKAS** (*Co-Chair, Arnold & Porter Kaye Scholer's White Collar Defense Practice Group*) is a former Assistant U.S. Attorney for the Eastern District of Virginia. He advises and defends companies and individuals in federal and state criminal investigations and prosecutions, particularly in the areas of financial, healthcare, and government contracts fraud, global anti-corruption, antitrust, and SEC enforcement. He concentrates on complex parallel criminal and civil litigations, trials, and internal corporate investigations.

**MICHAEL A. ROGOFF** (*Co-Chair, Arnold & Porter Kaye Scholer LLP's White Collar Defense Practice Group*) is a former Assistant U.S. Attorney for the Southern District of New York and recipient of the Director's Award for Superior Performance as an Assistant U.S. Attorney. He has represented numerous companies, directors, and senior executives in internal investigations, regulatory proceedings, and grand jury investigations and litigations involving securities and accounting fraud, antitrust violations, and healthcare fraud.

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- \* Arnold & Porter Kaye Scholer is a 1,000-plus lawyer firm with sophisticated litigation and transactional capabilities, renowned regulatory experience, and market-leading multidisciplinary practices in the life sciences and financial services industries. Our lawyers practice across more than forty practice areas, including white collar defense, litigation, corporate finance, intellectual property, real estate, tax, and bankruptcy, to help clients with complex needs, stay ahead of the global market, anticipate opportunities, and address issues that impact the very value of their businesses. From thirteen offices around the globe, we offer clients forward-looking, results-oriented solutions that resolve their U.S., international, and cross-border legal needs. Additional information is available on the firm's website, [www.apks.com](http://www.apks.com).

**MARCUS A. ASNER** (*Co-Chair of Arnold & Porter Kaye Scholer's Anti-Corruption Practice Group*) is a former Assistant U.S. Attorney for the Southern District of New York, where he was Chief of the Major Crimes and Computer Hacking/Intellectual Property (now known as Complex Frauds) unit for two years, and served in the Public Corruption unit. He has extensive experience with investigations and prosecutions involving alleged violations of the Foreign Corrupt Practices Act, and cases involving allegations of public corruption, healthcare fraud, financial fraud, money laundering, cybercrime, tax fraud, and environmental crime.

**ANDREW BAUER** is a former Assistant U.S. Attorney for the Southern District of New York, where he investigated and prosecuted cases involving a wide variety of financial crimes and healthcare fraud offenses. As a member of the Securities and Commodities Fraud Task Force, he focused primarily on securities fraud, insider trading, investment adviser fraud, market manipulation, and Foreign Corrupt Practices Act violations, among others. In addition, he handled pharmaceutical fraud cases involving allegations of off-label promotion and violations of the Anti-Kickback Statute. He has tried numerous criminal cases and briefed and argued dozens of appeals.

**MARK D. COLLEY** has substantial experience investigating and defending complex False Claims Act matters in multiple federal district and appellate courts, including *qui tam* proceedings and multidistrict litigation. His clients have encompassed government contractors in the aerospace, defense, IT, telecommunications, professional services, energy and healthcare sectors, as well as firms serving the intelligence community on classified programs. He helps clients navigate suspension and debarment proceedings that often arise in connection with False Claims Act cases. He also handles other government contract related court litigation and bid protests. He is a past Chair of the ABA Section of Public Contract Law.

**JAMES W. COOPER** served as a senior Department of Justice attorney and Assistant U.S. Attorney for the District of Columbia, where he was the Deputy Chief of the Criminal Division and Acting Chief of the National Security Section. His practice includes the representation of business organizations and individuals through counseling, investigation, and criminal defense, including trial. His experience includes internal investigation and crisis management involving government enforcement threats, and he advises clients on alleged violations of the antitrust cartel prohibitions, the Foreign Corrupt Practices Act, export

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control laws, Bank Secrecy Act and anti-money laundering requirements, government fraud, environmental crime prohibitions, and others.

**SEAN CURRAN** focuses his practice on the representation of companies and individuals in complex criminal cases involving a wide range of industries and backgrounds. He is experienced in defending allegations against executives or professionals of public or international fraud, bribery and corruption, including those involving senior-level journalists accused of phone hacking damages. Mr. Curran is also experienced in respect of post-conviction matters relating to confiscation, company fines, and enforcement under the provisions of the Proceeds of Crime Act 2002.

**PHILIP A. GIORDANO** draws on more than fifteen years of experience as a prosecutor in the Antitrust Division of the U.S. Department of Justice. As a trial attorney in the Antitrust Division's National Criminal Enforcement Section, he conducted complex international criminal antitrust investigations and prosecuted numerous cartel and related violations, including wire fraud, obstruction of justice, perjury, bribery, and accepting kickbacks. Previously, Mr. Giordano was Special Assistant to the Directors of Enforcement in the Antitrust Division's Office of Operations, where he assisted directors and deputy assistant attorneys general in criminal matters.

**JONATHAN E. GREEN** is a former Assistant U.S. Attorney for the Eastern District of New York, where he investigated and prosecuted securities fraud and mortgage fraud and served as deputy chief of the office's General Crimes Section. He has received the Director's Award for Superior Performance by a Litigative Team and twice has been awarded the Excellence in Criminal Litigation Award. Mr. Green also served as a staff attorney and senior counsel in the New York Office of the SEC's Division of Enforcement, where he investigated and prosecuted cases involving insider trading, market manipulation, and accounting improprieties, among others.

**DREW A. HARKER** concentrates his practice on government contracts, healthcare, and white collar and other enforcement matters, including debarment and suspension proceedings. He has defended companies in both federal and state False Claims Act cases, and state attorney general consumer protection litigations. Mr. Harker advises clients on compliance with the Foreign Corrupt Practices Act (FCPA), including conducting internal FCPA investigations, representing clients before the SEC and Department of Justice, and formulating FCPA compliance programs, including for the pharmaceutical industry.

**KATHLEEN HARRIS** (*Co-Chair of Arnold & Porter Kaye Scholer's Anti-Corruption Practice Group*) served as a Senior Civil Servant Heading the Fraud Business Group and Head of Policy at the Serious Fraud Office (SFO), Senior Strategic Policy Adviser in the Attorney General's Office, and held positions in HM Revenue & Customs and The Revenue and Customs Prosecutions Office in the United Kingdom. She has extensive knowledge of and experience in matters involving internal and external investigations and prosecutions under the full range of potential criminal offences and sanctions. Ms. Harris is also the lead criminal adviser to GSK in the United Kingdom in the ongoing investigation by the SFO.

**DANIEL M. HAWKE** served as the Director of the SEC's Philadelphia Regional Office and as the first chief of the Division of Enforcement's Market Abuse Unit. Over the course of his sixteen years in the Enforcement Division, Mr. Hawke led numerous significant SEC enforcement investigations and worked closely with federal criminal law enforcement authorities in many high-profile parallel proceedings. He represents public companies, investment advisers, broker-dealers, and other financial institutions in responding to regulatory and enforcement inquiries, conducting internal investigations, and answering corporate governance, internal control, whistleblower, and compliance questions.

**RONALD K. HENRY** has extensive experience across all regulatory regimes, including ITAR, EAR, and OFAC, in developing compliance programs; assisting clients with internal investigations and audits; evaluating compliance and preparing risk mitigation plans in M&A transactions; preparing voluntary and directed disclosures; defending against allegations of violations; and implementing remediation plans. Mr. Henry's clients include a wide range of corporations and individuals in the defense contracting, aerospace, and commercial sectors.

**DAVID HIBEY** is a former trial attorney in the National Courts Section of the U.S. Department of Justice. He is an experienced first chair trial and appellate lawyer. His experience at the Department of Justice focused upon defending the United States in more than fifty different lawsuits brought by government contractors, as well as bid protests involving contracts worth hundreds of millions dollars. In addition to his courtroom experience, Mr. Hibey has participated in numerous internal investigations for white collar clients and made presentations to prosecutors in the Criminal Fraud and Antitrust Divisions of the U.S. Department of Justice on behalf of white collar clients being

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investigated for criminal violations of the Sherman Act, the Foreign Corrupt Practices Act, and the Anti-Kickback Statute.

**JEFFREY H. HOROWITZ** is a former Assistant Attorney General, State of New York Office of the Attorney General. Mr. Horowitz is an experienced trial lawyer whose diverse life sciences practice includes representation of pharmaceutical manufacturers in mass tort product liability litigation and government investigations. He has extensive experience addressing a broad array of regulatory issues related to sales, marketing, and promotional practices, as well as issues related to pharmacovigilance and safety reporting. As part of his practice, Mr. Horowitz also provides compliance counseling regarding the Food, Drug and Cosmetic Act, False Claims Act, Anti-Kickback Statute, and Foreign Corrupt Practices Act, and counsels as to remediation programs.

**AMY JEFFRESS** served as the Department of Justice Attaché to the U.S. Embassy in London; Counselor to the Attorney General; and a federal prosecutor and Chief of the National Security Section in the U.S. Attorney's Office for the District of Columbia. Ms. Jeffress represents clients in criminal defense, national security, government contracts, and compliance matters. She conducts internal investigations and advises companies and individuals on export enforcement, FCPA, classified information, and mutual legal assistance and other international law enforcement issues, including extradition and INTERPOL notices.

**LAURA S. LESTER** represents both individual and corporate clients in global investigations and enforcement actions. She has deep experience representing pharmaceutical and medical device manufacturers and healthcare providers and has particular experience in global corruption, criminal antitrust, government contracts fraud, False Claims Act, healthcare fraud, and FDA enforcement matters.

**STEPHEN MARTIN** began his career as an Assistant Attorney General for the state of Missouri, and subsequently served as an Assistant U.S. Attorney for the District of Columbia, as well as in-house counsel and compliance officer for three major companies. Mr. Martin focuses his practice on global compliance matters, risk assessment and management, and advising companies in connection with corporate internal and governmental investigations. He regularly counsels clients on developing, implementing, and enhancing corporate compliance and ethics programs.

**MANVIN S. MAYELL** is a former Assistant U.S. Attorney for the Southern District of New York, where he prosecuted federal False Claims Act cases, including those brought by relators alleging health-care fraud and fraud in the financial markets. He is a recipient of the Director's Award for Superior Performance as an Assistant U.S. Attorney. Mr. Mayell has conducted numerous internal investigations involving the healthcare, defense contracting, and financial industries and has represented corporations in defending and litigating numerous False Claims Act cases, including those in the healthcare and defense contracting areas.

**AARON F. MINER** has extensive experience handling white collar and regulatory litigation concerning securities and financial transactions. He has represented public companies, major financial institutions, and individuals in criminal, regulatory, and internal investigations involving alleged corruption, insider trading, market manipulation, accounting fraud, and deficient disclosures.

**EVELINA J. NORWINSKI** served as an Assistant Federal Public Defender in Washington, D.C. She regularly counsels clients on corporate and regulatory compliance, internal investigations, and ethics issues and represents clients in a range of criminal and civil matters in federal and state courts and in administrative proceedings. Ms. Norwinski has particular experience assisting clients in developing and implementing strategies to address counterfeit or contraband versions of a client's products, including collaborative engagement with law enforcement agencies, litigation strategies, and longer-term regulatory or legislative strategies.

**KIRK OGROSKY** served as the Deputy Chief of the Fraud Section within the Criminal Division of the U.S. Department of Justice, where he managed prosecutors across the country handling False Claims Act parallel proceedings, FCPA investigations, as well as securities fraud matters. Mr. Ogrosky received the U.S. Attorney General's Award for Distinguished Service; U.S. Assistant Attorney General's Award for Special Initiative; and HHS OIG's Exceptional Achievement Award. He also served as an Assistant U.S. Attorney in the Southern District of Florida and as an Assistant Attorney General in Kentucky. He represents clients in government investigations, qui tam litigation, and trial. His clients include corporations and executives in the pharmaceutical, medical device, provider, and government contracting industries.

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**PAULA RAMER** represents major pharmaceutical and medical device companies in criminal and civil government investigations involving allegations of healthcare fraud, including off-label promotion, Anti-Kickback Statute violations, False Claims Act violations, and other issues related to sales, marketing, and pricing practices. She also conducts internal investigations and litigates cases brought under the federal False Claims Act and state laws, including state false claims acts and deceptive trade practices statutes. Ms. Ramer also has developed fraud and abuse training for clients and advises companies on their compliance programs.

**DEBRA E. SCHRECK** represents clients in investigations and litigation related to healthcare, securities, and antitrust. She has extensive experience representing major pharmaceutical and medical device companies in criminal and civil investigations involving allegations of healthcare fraud, including violations of the Food, Drug, and Cosmetic Act, the Anti-Kickback Statute, and the False Claims Act. She also defends clients in federal and state white collar litigation, including actions brought under the qui tam provisions of the federal False Claims Act and state statutes. Ms. Schreck also advises and assists clients in connection with large-scale internal investigations, internal training, and regulatory and compliance issues.

**SARA L. SHUDOFSKY** was the Chief of the Civil Division of the U.S. Attorney's Office for the Southern District of New York. During her earlier, sixteen-year tenure in the Civil Division, Ms. Shudofsky served as Chief of the Civil Rights Unit, Deputy Chief of the Civil Division, and Chief Appellate Attorney. Her practice focuses on financial, healthcare, and contract fraud investigations, including under the False Claims Act and the Anti-Kickback Statute; environmental litigation; challenges to the design and construction of buildings under the Americans with Disabilities Act and the Fair Housing Act; and general defensive litigation.

**JONATHAN L. STERN** is a former Chief of the Trial Division at the District of Columbia Public Defender Service. As a trial lawyer with more than thirty years of experience, he has served as lead counsel in over forty jury trials. Mr. Stern has experience representing companies and individuals in a broad range of litigation matters, including healthcare fraud, antitrust, products liability, commercial litigation, and consumer class action litigation. Mr. Stern also has substantial experience representing clients in state and federal government investigations in the areas of healthcare fraud, antitrust, product

safety, and False Claims Act litigation. Mr. Stern is a Fellow of the American College of Trial Lawyers.

**CRAIG A. STEWART** is a former Assistant U.S. Attorney in the Southern District of New York, where he served in both the Civil and Criminal Divisions. While serving in the Criminal Division, Mr. Stewart held a number of supervisory positions, including Chief Appellate Attorney, Deputy Chief of the Criminal Division, and Chief of the Narcotics Unit. His practice encompasses white collar defense, corporate internal investigations, and complex commercial litigation, including extensive experience handling criminal appeals. He represents corporations and individuals in conjunction with investigations and prosecutions initiated by federal and state prosecutors and regulators and also counsels on issues related to corporate compliance and on trafficking in counterfeit goods.

**MICHAEL D. TRAGER** (*Co-Chair, Arnold & Porter Kaye Scholer LLP's Securities Enforcement and Litigation Practice Group*) previously served in the SEC's Division of Enforcement in Washington, D.C. He defends clients in investigations by the SEC, DOJ, Congress, FINRA, PCAOB, and other agencies and regulators as well as conducts internal investigations and counsels on compliance, corporate governance, crisis management, and disclosure. His clients include public companies, financial services firms, accounting and law firms, boards and their directors, executives, and professionals.

**GREGORY J. WALLANCE** is a former Assistant U.S. Attorney for the Eastern District of New York; former member of the ABSCAM prosecution team, which convicted six U.S. Congressmen and a U.S. Senator of bribery; and former member of the Ad Hoc Advisory Group to the U.S. Sentencing Commission on the Organizational Sentencing Guidelines. Mr. Wallance has represented companies and individuals in grand jury and regulatory proceedings, tried numerous criminal and civil cases and arbitrations, and argued appeals in multiple state and federal appellate courts. He has testified in Congress as an expert on corporate governance issues. He was Chief Litigation Counsel for Kidder Peabody & Co., Inc. (while a partner at Arnold & Porter Kaye Scholer).

**BARUCH WEISS** served for eighteen years with the U.S. Attorney's Office, Southern District of New York, focusing primarily on white collar matters. Thereafter, Mr. Weiss served at the Department of the Treasury as Assistant General Counsel for Enforcement and then at

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the Department of Homeland Security as Associate General Counsel and Acting Deputy General Counsel. He represents clients in both criminal and SEC securities fraud investigations; homeland and national security investigations; OFAC enforcement, delisting, and licensing matters; off-label and anti-kickback investigations of the pharmaceutical industry; public corruption matters; FCPA investigations; administrative and criminal immigration enforcement actions against employers; and criminal tax evasion cases.