

White Collar Defense & Investigations

White collar defense is all about delivering results when the stakes are high. Companies, boards, special committees, and individuals engage Cozen O'Connor's White Collar Defense & Investigations practice to navigate their most serious inquiries. Whether managing an internal report of potential misconduct or a full-blown government investigation, our team is efficient, responsive, discrete — and, most importantly, effective.

360-Degree Perspective

Cozen O'Connor lawyers bring a critical perspective to every case. Our White Collar Group includes former federal prosecutors from large U.S. Attorney offices; a former deputy chief of the Civil Division of the District of Columbia's U.S. Attorney's Office; former federal prosecutors (and supervisory prosecutors) with DOJ and SEC; former state and local prosecutors; and a former assistant federal public defender.

Our practitioners have been on both sides of the table, so they know how white collar cases are built — and how they can be dismantled.

Government Enforcement

The goal for clients facing a government investigation is quite simple: prevent prosecution. Cozen O'Connor is exceptionally skillful at maintaining that focus. Having worked in government and formed professional relationships with government officials, our attorneys are able to identify persuasive arguments, narrow the scope of inquiries, limit exposure, and negotiate favorable resolutions.

In the rare event that prosecution is unavoidable, Cozen O'Connor's team of veteran trial lawyers stands ready to vindicate our clients in court. Our attorneys have collectively tried hundreds of cases, both as defense attorneys and as prosecutors.

Internal Investigations

Cozen O'Connor regularly conducts complex internal investigations on behalf of corporate clients and is recognized by *Global Investigations Review* as one of the world's top 100 investigations practices.

Our attorneys lead comprehensive investigations with speed. We set priorities, judge witness credibility, make factual findings, and help clients understand their potential exposure. In the end, we offer clients actionable, jargon-free advice, including whether to discipline rogue actors, self-report misconduct, revamp compliance mechanisms, or take other remedial protective measures.

Similarly, Cozen O'Connor provides sophisticated preventative compliance advice outside the context of an internal investigation.

Experienced Counsel

Over decades of practice, the team has accrued extensive subject-matter knowledge, including in the areas of criminal antitrust, international anti-corruption, trade sanction, False Claims Act, health care fraud and financial fraud statutes. Cozen O'Connor directs client strategy in the context of inquiries, investigations, and enforcement actions by federal, state, and local authorities, including DOJ, SEC, FTC, CFTC, executive agency inspector generals, U.S. attorneys, state attorneys general, and the U.S. Congress.

Experience

Secured a no-jail plea deal for a construction contractor who was prosecuted for commercial bribery



Barry Boss

Co-Chair, Commercial Litigation Department
Co-Chair, White Collar Defense & Investigations

bboss@cozen.com
Phone (202) 912-4818
Fax (866) 413-0172



Stephen A. Miller

Co-Chair, White Collar Defense & Investigations

samiller@cozen.com
Phone (215) 665-4736
Fax (215) 665-2013



Nicole H. Sprinzen

Vice Chair, White Collar Defense & Investigations

nsprinzen@cozen.com
Phone (202) 471-3451
Fax (202) 861-1905

Related Practice Areas

- Antitrust & Competition
- Capital Markets & Securities
- Capital Markets & Securities — Canada
- Commercial Litigation
- Construction Law
- Insurance Corporate & Regulatory
- Securities Litigation & SEC Enforcement
- State Attorneys General
- Strategic Communications/Reputation Management

involving contracts tied to New York high-rise buildings.

Won a motion to dismiss in a case brought under the Illinois False Claims Act in which plaintiffs alleged that the client violated the law by causing authorized retailers of certain phone devices to fail to collect and pay to the State Department of Revenue an Illinois-specific sales tax on a charge for setting up the devices at the time of purchase.

Represented a high-profile attorney facing felony criminal contempt charges, negotiated a misdemeanor plea agreement, and secured a sentence of unsupervised probation and a fine.

Represented a non-profit organization being investigated by a Congressional oversight committee.

Successfully moved to dismiss a False Claims Act case brought by an employee relator against a defense contractor.

Represented a health care company in civil investigations under the False Claim Act and the Anti-Kickback Statute.

Representing an executive of a generic pharmaceutical company in wide-sweeping multidistrict litigation involving alleged price fixing of generic drugs in violation of the Sherman Act.

Represented a mid-sized skilled nursing facility in a False Claims Act investigation involving alleged health care fraud that resulted in the DOJ terminating the investigation.

Represented the owner of an international health care marketing company in a criminal prosecution that resulted in a sentence of 48 months imprisonment where the applicable Sentencing Guidelines range called for a minimum of 12 years.

Conducted an internal review of the senior leadership of a prominent non-profit education provider based in New York City.

Conducted an internal investigation surrounding diversity and inclusion issues for a nationally recognized cancer research institute.

Represented a skilled nursing facility facing allegations of health care fraud, and convinced the U.S. Department of Justice to terminate its False Claims Act (FCA) investigation into the matter.

Conducted an internal investigation on behalf of the National Hockey League Players Association.

Secured a full acquittal for a wealth management company and its Chief Compliance Officer in a civil contempt proceeding in California centering on alleged violation of a preliminary injunction order. After seven days of hearings in a Zoom bench trial that involved multiple motions and witness examinations, the court granted our motion for acquittal/judgment.

Negotiated a settlement agreement with the potential to revolutionize the U.S. sports-betting market on behalf of Laura Varela and 5Dimes, a popular offshore sportsbook in Costa Rica. The U.S. Department of Justice had been investigating illegal gambling and money-laundering activity associated with 5Dimes and Ms. Varela's husband at the time of his death in 2018. Our team negotiated an unprecedented resolution with prosecutors in the Philadelphia U.S. Attorney's Office that resolved 5Dimes's legal liability and that allowed Ms. Varela to reposition the sportsbook to enter the regulated U.S. sports-betting industry. Further, the Government expressly agreed to advise state regulators, banks, and investors about her extraordinary cooperation and impressive efforts to transform 5Dimes into a lawful, regulated company.

Industry Sectors

- Cannabis
- Sports

Represented a prominent union-side accountant charged with filing a false IRS form. The matter concluded with the client receiving a non-custodial sentence.

Served as lead counsel to a car carrier in a five-year federal antitrust investigation into price-fixing, bid-rigging, and customer allocation by all major players in the roll-on/roll-off shipping industry. After extensive negotiations, the carrier pleaded guilty to one count of Sherman Act conspiracy in exchange for a reduced fine with no forfeiture or restitution.

Represented a major Brazilian company in multijurisdictional litigation and arbitration proceedings.

Represented a global pharmaceutical company in one of the largest price-fixing cases ever filed.

Represented a major international financial institution in an ICDR arbitration in connection with the bank's private equity investment in a Chinese start-up company.

Represented an international financial and insurance provider in a federal securities fraud class action brought as a result of the global credit crisis.

Advised multinational corporations on compliance issues and risks, including assessing and developing anticorruption compliance programs and conducting FCPA due diligence in connection with mergers and acquisitions.

Represented various employees of a major financial institution in connection with a federal investigation of the London Interbank Offer Rate.

Represented a major financial institution in its settlements with federal and state criminal and regulatory authorities related to the bank's international payments practices and potential OFAC violations.

Represented an executive of a major financial institution in connection with an investigation by various U.S. authorities into alleged OFAC violations.

Represented various senior executives of a multinational corporation in an FCPA investigation being conducted by the U.S. Department of Justice and the U.S. Securities and Exchange Commission.

Conducted an internal investigation for a committee of a multinational construction company into alleged fraud relating to the use of disadvantaged business enterprises.

Conducted an internal investigation for a major U.S. technology company of potential violations of the FCPA and other alleged wrongdoing in connection with a Russian state-owned company.

Conducted an internal investigation for a major high-technology engineering and manufacturing company in connection with potential violations of the FCPA at the company's subsidiaries in China, Brazil, Peru, and Russia, and negotiated a favorable settlement with the U.S. Securities and Exchange Commission and U.S. Department of Justice.

Represented the audit committee and supervisory board of an Italian company in connection with an internal investigation of the acquisition of oil rights in Nigeria.

Represented a major German bank in connection with litigation brought against it for coupon payments on securities issued by bank's Delaware LLC. After successfully having the case dismissed, argued an appeal before the Delaware Supreme Court.

Conducted extensive FCPA due diligence in connection with the acquisition of a Swiss drugmaker by a U.S.-based pharmaceutical company in a deal valued at more than \$5 billion.

Represented a Norwegian oil and gas services company in their plea agreement with the U.S. Department of Justice to resolve FCPA charges.

Represented a global defense company to resolve charges in a U.S. Department of Justice investigation involving possible FCPA issues and in a related civil derivative lawsuit which won dismissal in the federal district court.

Represented an international offshore engineering and construction company in connection with an inquiry by the U.S. Department of Justice and U.S. Securities and Exchange Commission into issues relating to stock option backdating.

Conducted an internal investigation for a prominent technology company to determine whether a contract with a Russian state-owned company was obtained through improper means and whether any misrepresentations were made to the U.S. Export-Import Bank in connection with funding for the transaction.

Conducted an internal investigation and negotiated a favorable settlement with the U.S. Department of Justice and the U.S. Securities and Exchange Commission for a global manufacturing company in connection with allegations of improper payments to government officials in China, Russia, Peru, and Brazil in connection with large public projects.

Represented a Japanese pharmaceutical company in connection with the largest antitrust matter ever prosecuted criminally by the U.S. Department of Justice, and also handled the related civil class action litigations, all involving the worldwide vitamins industry.

Reviewed, revised and implemented an anti-corruption compliance program for a world-leading planning, design, management and supervision consultancy operating across offices in the Middle East, Africa, Asia, and Europe.

Represented a Korean pharmaceutical company in connection with litigation in New York State Court involving a dispute under the terms of a licensing agreement.

Represented a third-party payment processor in connection with both civil and criminal investigations being undertaken relating to the payday lending industry.

Represented the trustees of a Liechtenstein trust in connection with an internal investigation into allegations that associated companies obtained mining concessions in Africa through improper payments to individuals associated with African government officials.

Represented a REIT in connection with an antitrust investigation being undertaken by the New York Attorney General.

Represented a major Pakistani bank in connection with a forfeiture action filed under the U.S. Patriot Act.

Conducted an internal investigation for a global defense company in connection with potentially improper payments to a third party agent in China.

Represented a global medical device company as an interface between the company and the government-appointed corporate monitor under a deferred prosecution agreement.

Served as a government-appointed integrity monitor monitoring for fraud, waste, and abuse in connection with Hurricane Sandy rehabilitation and reconstruction efforts in New York City.

Advised a global investment bank in connection with FCPA risks associated with establishing a securities joint venture in China.

Represented a large British bank in connection with a series of lawsuits against hedge funds arising out of the financial crisis.

Successfully appealed a denial by the U.S. District Court for the District of Columbia of a claim of ineffective assistance of counsel. In reversing and remanding, the U.S. Court of Appeals for the D.C. Circuit agreed with our contention that the defendant's trial counsel's errors in the handling of a mental health expert in a sensitive criminal matter were sufficiently serious to support an ineffective assistance claim.

Represented a U.S. Navy Captain (ret.) and former Naval Attaché who was charged in the alleged largest U.S. Navy criminal bribery scheme, resulting in the indictment of the principal and employees of a foreign defense contracting firm, and the indictment or discipline of dozens of Naval officers and Naval Criminal Investigative Service agents.

Represented an international supplier of automotive parts in connection with a federal antitrust investigation. We convinced the U.S. Department of Justice to drop the investigation without any charges filed against the client.

Defended the founder of a well-known internet gambling site against felony charges pursued over a five-year period by federal prosecutors. Ultimately, prosecutors dropped the felony charges in exchange for a guilty plea on a misdemeanor charge, resulting in a sentence of unsupervised probation and payment of a fine. The client also was able to reacquire a domain name that had been forfeited during the course of the prosecution. The resolution of the matter was covered by *Forbes* magazine [here](#).

Secured dismissal of a *qui tam* action filed against our client, a provider of mortgage lender processing services, alleging violations of the federal False Claims Act, as well as those from almost two dozen states, stemming from allegedly faulty assignments created in connection with mortgage-backed-securities trusts. In dismissing the action, the federal district court accepted the argument that the relator had not offered specific facts necessary to plead that the allegedly fraudulent scheme resulted in the submission of specific false claims nor did she plead allegations sufficient to create a reasonable inference that false claims necessarily were submitted. This result was affirmed by the U.S. Court of Appeals for the Fourth Circuit.
