

Andrew Patton

Associate

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Andrew Patton specializes in white collar civil and criminal defense with a primary focus on matters involving the Foreign Corrupt Practices Act (FCPA), U.S. health care fraud and abuse regulations, and False Claims Act (FCA) litigation, among other areas. Andrew supports companies in internal investigations in response to allegations of wrongdoing or government investigations, as well as proactive risk assessments of their operations and policies. Andrew has counseled companies in a range of industries such as health care, manufacturing, and life-sciences.



Andrew has investigated cases involving potential violations of the Anti-Kickback Statute (AKS), False Claims Act (FCA), and Foreign Corrupt Practices Act (FCPA), as well as in large-scale government investigations. When potential issues arise, Andrew works with stakeholders to assess whether a violation has occurred and understand and evaluate options for responding to it. For clients under government investigation, Andrew applies his investigative skills and analytic experience to help his clients present responsive information, prepare witnesses to meet with the government and, when necessary, represent them in any enforcement action. Similarly, Andrew helps clients build and assess their compliance programs in light of their business model and risk profile, including conducting anti-corruption and anti-bribery due diligence. Andrew's work in this area includes conducting extensive data gathering through document review and employee interviews and then synthesizing findings to help businesses manage risk and improve company policies.

In addition, Andrew advises clients in civil litigation. His work in those matters includes drafting a range of motions and briefs at both the trial and appellate levels, preparing witnesses for testimony, taking depositions, managing and organizing exhibits during trial, and delivering oral arguments in court and arbitration sessions.

With prior work experience ranging from teaching fifth grade English in the Mississippi Delta through Teach for America to preparing Federal Trade Commissioners for testimony to Congress, Andrew is skilled at coming up to speed quickly and delivering high quality work product in demanding environments and difficult circumstances.

EXPERIENCE

Clerkships

Judicial Intern, Hon. William G. Young, U.S. District Court for the District of Massachusetts (2018)

Legal Intern, Illinois Office of the State Appellate Defender (2019)

Representative Engagements – Internal Investigations

- Performed internal investigation of alleged violations of the Foreign Corrupt Practices Act (FCPA) in Mexico for an international material company.
- Investigated allegations that medical device company made improper submission to federal government agency.
- Prepared and represented chief medical officer of regional hospital in civil and criminal investigation of alleged violations of Anti-Kickback Statute (AKS) and False Claims Act (FCA).
- Performed internal investigation of alleged violations of Anti-Kickback Statute (AKS) concerning medical director relationships with skilled nursing facility and advised on CMS Self-Referral Disclosure Protocol concerning physician compensation arrangements.

Representative Engagements – Compliance and Risk Assessments

- Counseled medical technology company on compliance with the Anti-Kickback Statute (AKS) in hiring practices.
- Counseled medical technology company on the appropriateness of proposed marketing campaign under federal health care laws.
- Performed anti-bribery/anti-corruption compliance assessment for medical device company to determine compliance with the Foreign Corrupt Practices Act (FCPA).
- Performed anti-bribery/anti-corruption compliance assessment for international steel company to determine compliance with Foreign Corrupt Practices Act (FCPA).
- Performed compliance program assessment for Board of Directors of pharmaceutical company under Corporate Integrity Agreement and advised as to certification.
- Counseled medical technology company on compliance with Uyghur Forced Labor Prevention Act (UFLPA).

Representative Engagements – Civil Litigation

- Obtained favorable settlement for client who was wrongfully convicted and incarcerated for 29 years for a crime he did not commit.
- Represented global insurance brokerage in litigation following a corporate raid, bringing claims against former employees and a competitor for breach of contract, misappropriation of trade secrets, tortious interference, breach of fiduciary duty, and related claims.
- Obtained favorable settlement for global food and beverage ingredient provider in suit relating to the breach of a servicing contract.

CREDENTIALS

Education

Boston College Law School, J.D., 2020

Merit Scholarship Recipient

Mock Trial Quarter-Finalist

Connecticut College, B.A., Government and American Studies, 2011



Bar Admissions

Illinois

U.S. District Court for the Northern District of Illinois

PUBLICATIONS & PRESENTATIONS

“Strategies For Conducting More Effective Plea Negotiations,” (co-author) *Law 360* (July 24, 2023)

“SuperValu's Lesson: Always Be Building An FCA Defense,” (co-author) *Law 360* (July 27, 2023)