

Investigations

Our team includes former Assistant U.S. Attorneys and lawyers with experience in major investigations at leading BigLaw firms, equipped to handle complex, high-stakes, and sensitive investigations. We help prevent or mitigate enforcement actions and criminal investigations by state and federal agencies.

Our value rests on four pillars:

- We have strong relationships with government investigators in Colorado and many other states, who know our credibility, professionalism, and respect for the process.
- Those officials know we are experienced trial lawyers - unafraid to try a case but able to leverage trial perspective to reach reasonable resolutions.
- We are deeply experienced in criminal, civil, and parallel proceedings.
- We handle investigations efficiently, minimizing client burden and distraction while exercising every discretion to limit the public scrutiny these proceedings can bring.

Our clients include corporations, officers, directors, and public officials - including targets of government investigations and grand jury proceedings. We help clients prevent enforcement actions and investigations through compliance programs, remediation, and internal safeguards.

Our investigations span a wide range of areas, including:

- Consumer protection
- False Claims Act
- Civil fraud
- Healthcare fraud
- Immigration fraud
- Arms Export Control Act

- Sanctions

Cases

Lead investigator for the Town of Mountain Village in a public corruption investigation that received substantial local and national media coverage.

Represented large multinational document services company and large accounting firm in connection with investigations by the U.S. Securities and Exchange Commission regarding alleged accounting irregularities.

Conducted a multiyear anti-corruption compliance investigation of a major transnational company's relationships with hundreds of third parties and dozens of associated investment projects.

In re MF Global Inc.: Conducted an internal investigation for the trustee for the liquidation of MF Global Inc. surrounding the events leading to the shortfall of customer property in preparation for court and U.S. congressional hearings.

Represented a finance executive in a criminal investigation of alleged marketing kickbacks.

Defending a venture capital fund's founder, C-Suite executive, and management company in an SEC investigation regarding the Securities Act, the Exchange Act, and the Advisors Act.

Defending a construction industry CEO in civil investigation being conducted by the U.S. Attorney's Office for the SDNY alleging False Claims Act violations.

Representing a special committee of board of directors of a closely held corporation in conducting internal investigation of company-to-executive lending activity and related corporate governance and controls.

Obtained a termination/no action letter in defending the co-founder/CEO of a digital asset issuer in an SEC investigation alleging violations of the anti-fraud provisions of the Securities Act, the Exchange Act, and the Advisors Act.

Obtained a termination/no action letter in defending a mutual fund's former independent trustees in an SEC investigation alleging violations of the Investment Company Act of 1940.

Obtained summary judgment for Lockheed Martin with regard to the majority of potentially \$2 billion in exposure in a major federal False Claims Act case in Idaho. Allegations included false claims associated with a contract for management of the U.S. Department of Energy facility in Idaho Falls, ID. Following summary judgment, the remainder of the case settled favorably.

Won a \$4.2 million judgment for a renewable energy client involving an executive's embezzlement from the company.

Conducted an investigation of a major national bank's foreign exchange program. Brought a civil fraud action under FIRREA asserting claims of mail and wire fraud against the bank and an individual employee of the bank. Defeated the defendants' motions to dismiss the complaint. This was a case of first impression concerning the scope of FIRREA, and the court's opinion has since been followed by other judges.

Investigated a major FHA lender's mortgage lending and underwriting practices, and brought a civil fraud action under the FCA and FIRREA against the lender, its owner and CEO, and another senior employee. Defeated defendants' motions to dismiss the FCA and FIRREA claims.

Successfully represented a university in a grand jury investigation regarding various school scandals.

Successfully represented a leading global chemical company in an investigation involving multiple federal agencies and international trade compliance issues. Voluntary self-disclosures were made to OFAC and BIS and neither agency elected to pursue civil penalties.

Represented a private school following a sexual assault investigation.

Participated in an international electronic discovery investigation for a computer hardware manufacturer in response to investigations by the U.S. Department of Justice, the U.S. Federal Trade Commission, and the European Commission.

Conducted internal investigations of international private equity firm and large semiconductor manufacturer.

Successfully defended a Fortune 50 telecommunications conglomerate against allegations brought by a competitor that our client had breached FCC phone number portability regulations.

Conducted an internal investigation of a hospital employee accused of sexually assaulting two patients in the recovery room following surgery.

Led investigation of an explosion at a commercial facility that caused personal injuries and damages in excess of \$4 million.

Represented an oil and gas developer in responding to a multi-agency securities investigation involving the Securities Exchange Commission and several state securities boards and divisions.

Conducted an internal investigation for a Fortune 500 holding company for various life insurance companies and investment firms relating to a former employee's allegations of retaliation, discrimination and violations of the Securities Exchange Act.

Represented a defense service contractor in response to a Department of Justice investigation involving alleged Foreign Corrupt Practices Act violations.

Managed the global investigations, class action, and commercial litigation dockets for a Fortune 150 products manufacturer.

Successfully defended a manufacturing company against multiple government investigations of false advertising allegations related to the company's fastest growing product category.

Defended a public company auditor at trial and on appeal in a proceeding brought by the United States Securities and Exchange Commission.

Represented a gastroenterologist in a criminal and civil health care fraud investigation. The United States declined to intervene in the civil *qui tam* action and no criminal charges were filed.

Conducted an internal investigation for a Southern Colorado hospital into claims of sexual assault by an employee and advised the hospital concerning the criminal indictment and subsequent prosecution of the employee.

Represent a stock transfer agent in securities fraud investigated by the United States.

Represent a federal contractor in a procurement integrity investigation.

Represent senior executives in a False Claims Act investigation involving allegations of fraud on defense agencies.

Represent a senior partner of a physicians group in a federal investigation into alleged healthcare fraud and related qui tam proceedings.

Represent the former CEO of a hospice care organization in a federal False Claims Act investigation and related qui tam litigation.

Represent a technology company under investigation for alleged conflict of interest charges in a government contract.

Represent a cloud-based healthcare recordkeeping service in Stored Communications Act and related compliance issues and grand jury proceedings.

Represented an originator and servicer of mortgage loans in multiple investigations conducted by the United States into allegations of mortgage and appraisal fraud.

Represented one of the nation's largest manufacturers of mobile home parts in allegations of corruption and regulatory noncompliance.

Represented an airline pilot in an investigation by the United States of crew intoxication.

Represented a prominent Colorado lawyer in an investigation by the State of Colorado involving allegations of securities fraud.

Represented a senior public official in corruption-related proceedings being investigated by the United States.

Obtained a favorable settlement and an administrative order for a private equity fund and management team in an SEC investigation alleging a Ponzi scheme and related violations of the anti-fraud provisions of the Securities Act, the Exchange Act, and the Advisors Act, and in a parallel receivership action and investors' actions.

Contacts

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