



## **LAURA S. PERLOV**

**Partner**

**Denver /New York**

**Partner / Co-Leader, False Claims Act**

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## **BIOGRAPHY**

Laura Perlov co-chairs the firm's False Claims Act Practice, is a member of the Firm's White Collar Defense and Investigations Group, and is the hiring partner for the Denver office. Laura's practice focuses on high-stakes crisis management, particularly where an investigation, government enforcement or litigation is possible.

For over a decade, Laura has successfully defended individuals and companies in state and federal investigations, complex securities regulation matters and enforcement proceedings. Laura consistently obtains favorable results, including repeatedly persuading the Department of Justice and the Securities and Exchange Commission, among other agencies, not to bring charges. Her

clients have included hospitals and other healthcare providers, broker-dealers, national telecom providers, banks, fintech and cryptocurrency companies, food manufacturers, utilities, and oil and gas companies. Her representations have extended to parallel civil suits and to defending against allegations of wrongdoing in standalone civil litigations.

Laura regularly counsels corporations and executives in sensitive internal investigations. She performs independent investigations on behalf of corporations and boards on subjects that have included securities and financial fraud, false claims, accounting irregularities, whistleblower allegations, sexual harassment and “Me Too” claims, misuse of corporate assets, corporate governance and control, kickbacks, conflicts of interest, and environmental crimes. Her representations also include defending executives who find themselves as the subject of such an investigation. Laura frequently presents on best practices for conducting internal investigations and interacting with the government. She also advises companies on how to enhance their compliance programs to align with government expectations and receive credit for their proactive compliance monitoring.

Laura’s clients rely on her business and financial experience. Prior to attending law school, Laura received her CPA license in New York while working for a “Big 4” accounting firm, allowing her to advise clients on a broader range of financial issues and giving her a deep understanding of external auditors processes and requirements. Laura’s publicly traded clients depend on her to lead seamless interactions with their external auditors and rely on her understanding of nuances surrounding privilege issues—a topic on which she also regularly presents—that arise when preserving privilege while sharing legal information with auditors and regulators.

Laura also is known for effectively collaborating with executives to identify and mitigate legal and reputational risk, without jeopardizing broader business goals. She regularly leverages technology resources pioneered by the Firm to provide cost-effective representation in data- and document-heavy litigations and investigations. Laura’s technological fluency has allowed her to tailor these resources to specific matters, for each client, resulting in maximum efficiency. Clients have repeatedly praised this “white-glove” and business-friendly approach, with one remarking that Laura stands out for her “technical competence, attention to detail, responsiveness and hyper organization habits.”

Laura excels at keeping her clients out of the courtroom and out of the public limelight. Most recently, Laura has successfully persuaded the government to decline to intervene in False Claims Act matters involving:

- A food manufacturing company relating to the manner in which its food was manufactured and sold to the government
- A national telecom provider and the Federal Government E-Rate program
- A large regional hospital and the submission of Medicare and Medicaid claims

Laura has also recently successfully defended clients in SEC Enforcement investigations, resulting in no charges filed in matters involving:

- A broker-dealer and its parent company in an SEC sweep involving initial coin offerings (ICO)
- A broker-dealer and the operation of an Alternative Trading System (ATS)

Laura is an active member of the community. She serves on the regional board of the Anti-Defamation League (ADL) and co-chairs the ADL's Civil Rights Committee. Laura has also been an active member of the Crohn's and Colitis Foundation and recently co-chaired the Denver chapter's annual gala.

## CIVIC INVOLVEMENT & HONORS

- *Best Lawyers: Ones to Watch*, Criminal Defense: White-Collar, and Litigation - Securities, 2023-2024
- Anti-Defamation League, Regional Board Member
- Crohn's and Colitis Foundation of America

## PROFESSIONAL AFFILIATIONS

- American Bar Association
- Colorado Bar Association
- American Health Lawyers Association
- Women's White Collar Defense Association

## COMMITTEE CONTENT

- Recruiting Committee

## ADMISSIONS

- Colorado, 2011

- New York, 2008
- United States District Courts for the District of Colorado and Eastern and Southern Districts of New York

## **EDUCATION**

Tulane University, J.D., 2007

Emory University, B.B.A., 2002

## **RELATED PRACTICE AREAS**

- White Collar
- Broker-Dealer and Investment Advisor Regulatory Enforcement, Disputes and Investigations
- Crypto and Digital Assets
- Healthcare & Life Sciences
- Financial Services
- Regulation, Compliance & Advisory
- Investigations
- Litigation & Dispute Resolution
- False Claims Act
- Securities Litigation and Enforcement

## **EXPERIENCE**

- Defend a broker-dealer that operates a unique Alternative Trading System (ATS) in an SEC Investigation. Result; no charges filed.
- Defend a broker-dealer and its parent company in an SEC sweep involving initial coin offerings (ICO). Result; no charges filed.
- Defend a publicly traded company in parallel civil and criminal investigation into allegations of market manipulation, insider trading, and material misstatements and omissions in public filings. Result: investigation currently ongoing.
- Represented a food manufacturing company in an FCA case brought by an USDA inspector relating to the manner in which mozzarella cheese was manufactured and sold to the government. Damages were alleged to exceed one billion dollars. Successfully persuaded the government to decline to intervene. The relator continued with his lawsuit. Result: the District Court granted our motion to dismiss with prejudice and awarded our client costs.

- Represented a national telecom provider in a qui tam matter under the False Claims Act alleging fraud into the Federal Government E-Rate program. Result: the federal government declined to intervene.
- Represented a large regional not for profit hospital in a qui tam matter under the False Claims Act alleging Medicare and Medicaid fraud. The investigation lasted 18 months. Result: minimal settlement with the state Attorney General's office and the federal government declined to intervene.
- Represented a large civil engineering firm in a qui tam matter under the False Claims Act and a civil and criminal investigation by the Department of Energy and the Department of Justice. Result: the relator was dismissed and there was a civil settlement with the DOJ that included a non-prosecution agreement.
- Represented a principal investor in a complicated investment plan investigated over a 3 year period for securities fraud. Result: no charges filed.
- Represented large engineering and infrastructure corporation in qui tam and False Claims investigation by the U.S. Department of Justice and the U.S. Attorney's Office related to liquid petroleum gas installation issued during Hurricane Katrina recovery. Result: the federal government declined to intervene.
- Represented Chemical & Metal Industries, Inc., in an appeal from a \$3 million fine and restitution award in the U.S. 5th Circuit Court of Appeals. Result: restitution vacated completely and fine reduced to \$500,000.
- Represented an executive at a Fortune 500 healthcare company in a matter involving the Anti-Kickback Statute and the Stark Law. Result: no charges brought.

## RESOURCES

### PUBLICATIONS

- "Private Equity Firms Continue to Face Increased Risk of FCA Liability in a Post-Covid World," *Wall Street Lawyer*, Volume 25, Issue 9, September 2021 (Co-authored with Andrey Spektor)
- "Keeping the Fox out of the Henhouse: How Recent Court Decisions and a Mid-Trial Debacle Can Help Shield Privileged Material from the Government," *New York Law Journal*, September 2021 (Co-authored with Andrey Spektor, Eric Chartan, and Jaclyn Gallian)
- "When Should a Company Voluntarily Disclose Wrongful Conduct to the Government? Factors to Consider, Part 1," *White Collar Crime Report*, Volume 4, Number 18, August 2009

- "When Should a Company Voluntarily Disclose Wrongful Conduct to the Government? Factors to Consider, Part 2," *White Collar Crime Report*, Volume 4, Number 19, September 2009

## SPEAKING ENGAGEMENTS

- Panelist, "Keeping the Fox Out of the Henhouse: How Recent Court Decisions and a Mid-Trial Debacle Can Help Shield Privileged Material From the Government," Thomson Reuters West LegalEdcenter, November 1, 2021
- "Internal Investigations: Getting the Answers You Need the Right Way," Presenter, BCLP In-House Counsel CLE (yearly 2015 – present)
- "Update on Privilege: Tricky Questions in a Complex World," Presenter, BCLP In-House Counsel CLE (December 3, 2020)
- "Examining the Unnatural Disaster of eDiscovery," Presenter, Garmin Legal Department Annual Retreat (September 5, 2019)
- "Post-Yates Memorandum: Crafting Internal Investigation Practices and Strategies for Interacting with the Government," Presenter, BCLP Webinar (January 12, 2016)
- "When State and Federal Health Care Laws Collide: Application of the Stark Law to Medicaid Claims and Advice on Protecting a State-Law Based Peer Review Privilege During a Federal Health Care Fraud Investigation," Presenter, WestLegalEd CLE Webinar (September 30, 2015)
- "Successfully Navigating False Claims Act Enforcement in the Health Care Space," Presenter, West LegalEdcenter/Celesq Webinar (April 29, 2015)

## RELATED INSIGHTS

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**U.S. Health Care Industry: Risk Mitigation Tips in the Post-Supervalu FCA Landscape**

News

Apr 19, 2023

**Partners author article in 'Law360' on FCA case**

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Apr 19, 2023

## **U.S. Health Care Industry Takes Note: U.S. Supreme Court 2023 Attention on False Claims Act**

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Jan 17, 2023

### **How Far Will the DOJ Go? Individual Accountability in Corporate Criminal Cases**

Blog Post

Oct 27, 2022

### **SEC approves executive officer incentive compensation clawback rules**

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### **The Best Lawyers in America© 2023**

Events

Nov 04, 2021

### **Attorneys Host Panel on Privilege Issues in the Context of Government Investigations**

News

Oct 12, 2021

### **Attorneys Author Article in 'Wall Street Lawyer' on Private Equity Firms and FCA Liability Risk**