

## Jack Cinquegrana

### Senior Counsel



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#### Education

Boston College Law School  
JD

Cornell University  
BA

#### Clerkship

Honorable Raymond J. Pettine,  
U.S. District Court, Rhode Island

Jack Cinquegrana is a nationally-recognized trial lawyer and bar leader, with over 30 years of experience in public service, government enforcement defense, and litigation. As head of Choate's Government Enforcement practice for two decades, Jack has represented scores of companies and their officers in DOJ investigations and prosecutions, SEC and private securities fraud litigation, False Claims Act litigation, and high stakes internal investigations. Jack is a Fellow of the American College of Trial Lawyers and has served as Special Counsel to the Massachusetts Supreme Judicial Court, President of the Boston Bar Association, and a member of the Massachusetts Sentencing Commission. He is a former Assistant United States Attorney and Chief Trial Counsel in the Suffolk County District Attorney's Office. In 2017 he was selected as a Fellow in Harvard University's Advanced Leadership Initiative. Jack teaches a course on federal white collar practice at New England Law/Boston; serves as a member and former Chair of the Committee for Public Counsel Services, the governing board of Massachusetts' public defender agency; and is a Director of the Pine Street Inn, New England's largest organization serving homeless men and women.

#### Practice Focus

##### **Government Enforcement & Compliance**

Extensive experience representing companies and individuals in government investigations, and related civil and criminal litigation, involving health care and securities fraud, the False Claims Act, money laundering, and corporate governance issues.

##### **Securities Litigation & Corporate Governance**

Handle private and SEC securities litigation, represent individuals and corporate clients before the SEC.

#### Representative Engagements

- Defense of a global information technology company in a DOJ investigation regarding alleged fraud in government contracts. After investigation, DOJ declined to take action.
- A global asset management firm in an internal investigation involving governance issues.
- Defense of a global financial institution in a DOJ money laundering investigation, settled favorably.
- Defense of the CEO of a public pharmaceutical company in investigations by the DOJ and the SEC, and in defense of private securities and False Claims Act litigation. The DOJ and SEC declined action, and the private cases were resolved favorably.
- Defense of the CFO of a global health care company in a SEC investigation into reporting practices and FCPA issues. After investigation the SEC declined to take action.

- Multiple global pharmaceutical companies and their executives in DOJ investigations regarding the sale and marketing of products, internal investigations, and False Claims Act litigation.
- A national academic institution in a federal investigation regarding academic integrity and grant administration. The government declined to take action.
- Special Counsel to the Massachusetts Supreme Judicial Court, for the purpose of conducting an independent inquiry regarding the Massachusetts District Courts and the Boston Municipal Court.
- Multiple public and private companies and their officers in internal investigations and SEC actions regarding regulatory reporting, revenue recognition, public disclosures, whistleblower claims, insider trading, and related litigation.

## Publications and Presentations

- “Trends in Qui Tam Litigation,” moderator, Boston Bar Association Life Sciences Conference, October 2019
- “Recent Developments in Regulatory Investigations and Financial Institution Litigation,” presenter, Bank of America CLE Seminar, New York, 2019
- “A Smart Alternative to Minimum Sentencing,” author, *Massachusetts Lawyers Weekly*
- “Prosecutors, Public Defenders Need a Pay Hike,” quoted, *The Boston Globe*
- “Low Pay Blamed for High Turnover Among Public Defenders,” quoted, *The Boston Globe*
- “Report of the Commission to Study Compensation of Assistant District Attorneys and Staff Attorneys for the Committee for Public Counsel Services,” (as a member of the Commission)
- “A New Trend in Health Care Fraud Settlements,” co-author, *White Collar Law360*
- “\$104M Whistleblower Award – A Sign of Things to Come,” co-author, *Law360*
- “The Intersection of Government Agencies & Internal Corporate Investigations & The Mistakes Companies Make,” panelist, Lawyers Weekly Business & Law Breakfast Forum
- “SJC Urges Change for Drunken Driving Cases,” featured, *The Boston Globe*
- “Retaliation Claims, Whistleblower Claims and the False Claims Act,” panelist, National Association of College and University Attorneys
- “Innovate @ Litter: 70 Years of Employment and Labor Law Solutions: Retaliation & Whistleblowing Workshop,” panelist, The Executive Employer Conference
- “A Reg FD Reminder from Social Media,” *White Collar Law360*
- “Liability Without Fault: New Enforcement Trends Against Corporate Executives,” *Bloomberg Law Reports*
- “Q&A with Choate’s Jack Cinquegrana,” *White Collar Law360*

- “A Securities Litigator’s Guide to D&O Insurance: Parts I and II,” *Securities Law360*
- “A Securities Litigator’s Guide to D&O Insurance,” panel presentation, ABA National Institute on Securities Fraud
- “D&O Insurance, Indemnification and Advancement, ABA National Institute on Internal Corporate Investigations and In House Counsel,” panel presentation
- “Trends in Government Enforcement, Center for Business Intelligence, Pharmaceutical Compliance Congress”
- “Fraud & Abuse in the Sale & Marketing of Drugs,” moderator, American Conference Institute
- “Tackling Diversity at Top Law Firms,” *Boston Globe* Spotlight Interview
- “A Special Responsibility,” *Boston Bar Journal*
- “Can We Be Silent?,” *Boston Bar Journal*
- “Two Very Different Days,” *Boston Bar Journal*
- “Step-By-Step Guide to Conducting Internal Investigations for the Pharmaceutical Industry,” presenter, American Conference Institute
- “Counting on New Lawyers,” *Boston Bar Journal*
- “Work in Progress,” *Boston Bar Journal*
- “New President Defined by Passion for Public Service,” *Boston Bar Journal*
- “Justice’s Defense Must Never Rest, Letter to the Editor,” *Boston Herald*
- “Increasing Scrutiny and Shifting Theories,” *Pharmaceutical Executive*
- “Legal: Shifting Perspective on Off-Label Promotion,” *Pharmaceutical Executive*
- “The USA Patriot Act in 2005,” *Boston Bar Journal*
- “United States Sentencing Guidelines 2004: An Experiment that has Failed, American College of Trial Lawyers” (as a member of the College’s Task Force on the United States Sentencing Guidelines)
- “Special Trial Issues (with Josh Wall),” Massachusetts Superior Court Criminal Practice Manual, Massachusetts Continuing Legal Education
- “The USA Patriot Act: Effects on American Employers and Businesses,” *Boston Bar Journal*
- “Crisis in Corrections in Massachusetts, a Report of the Boston Bar Association’s Task Force on Justice,” Boston Bar Association

## Professional and Community Involvement

Jack's professional activities have involved service to the bar, public interest organizations and legal education, including:

- President of the Boston Bar Association (2006-2007)
- Member and former Chair of the Committee for Public Counsel Services, the governing board of Massachusetts' public defender agency, which provides legal representation to indigent persons in criminal and civil cases throughout the state (2012-present); Member (2009-2012)
- Board of Directors, Pine Street Inn (2017-present)
- Special Counsel to the Massachusetts Supreme Judicial Court, for the purpose of conducting an independent inquiry regarding the Massachusetts District Courts and the Boston Municipal Court.
- Member of the Commission to Study the Compensation of Assistant District Attorneys and Staff Attorneys for the Committee for Public Counsel Services, by appointment of the Governor (2014)
- Committee on Judicial Performance Evaluation, by appointment of the Supreme Judicial Court (2013-2014)
- Member of the American Bar Association's nine-member Criminal Justice Standards Committee, which monitors, updates and implements the ABA's Standards for Criminal Justice. Jack served as a reviewer of the ABA Standards for Criminal Justice: DNA Evidence (2007) and ABA Standards for Criminal Justice: Prosecutorial Investigations (2008)
- Member of the Massachusetts Sentencing Commission, by appointment of the Governor (2004-2005)
- Member of the American College of Trial Lawyers' Massachusetts State Committee and Federal Criminal Procedure
- Over ten years' of service as an officer and director of the Crime and Justice Foundation (now Community Resources for Justice) in Boston, a non-profit organization providing support and advocacy for individuals transitioning from the adult and juvenile criminal justice
- Adjunct Faculty member at New England Law School, teaching Federal White Collar practice
- Instructor in trial practice at Harvard Law School, The Attorney General's Advocacy Institute in the Department of Justice, Boston College Law School, Suffolk University Law School, the Massachusetts Academy of Trial Attorneys, Massachusetts Continuing Legal Education and the Boston Bar Association.