

INTERNAL INVESTIGATIONS AND REGULATORY COMPLIANCE

In today's challenging regulatory environment, corporations must promptly and thoroughly investigate alleged wrongdoing and potential exposure. Armstrong Teasdale lawyers have extensive experience conducting internal investigations for clients, both in the United States and abroad, investigating regulatory compliance, contract performance, financial management and employee misconduct, including fraud and harassment.

Internal investigations are a powerful tool in mitigating risk. We work closely with clients and prosecutors to resolve matters before charges are filed. By conducting thorough internal investigations, our lawyers have had success in preventing emerging actions and limiting government intervention, as well as persuading regulators to decline pursuing charges. From interviewing employees and reviewing business records, to negotiating with prosecutors for favorable disposition short of criminal prosecution, engaging counsel to conduct an internal investigation before a disgruntled employee becomes a whistleblower is key.

The best investigators distinguish between distractions and key issues, track down reluctant or recalcitrant witnesses, and testify confidently and effectively about their findings. Such "street smarts" are hard to teach, and come from years on the job. Our distinguished trial team includes a fellow of the prestigious American College of Trial Lawyers and former federal prosecutors who have conducted high-profile, highly publicized investigations for both the public and private sectors across a range of industries. In addition, our team includes judges and clerks in jurisdictions across the country and is supported by lawyers in other practice areas firmwide with varied government agency experience, including the former Missouri Commissioner of Securities. They work closely with regulatory bodies and enforcement agencies including the Department of Justice and the U.S. Securities and Exchange Commission, and understand the risk and cost of noncompliance.

Companies can proactively manage risk by instituting strong corporate governance and compliance programs to ensure that they are operating within the regulatory guidelines of their respective industries. Our lawyers have instituted compliance programs across a range of industries and have significant background conducting compliance reviews and training, and advising public and private companies on compliance issues.

EXPERIENCE

Led Governor-Ordered 35-Day Investigation of Missouri Veterans Homes After COVID-19 Outbreak

Selected to conduct a rapid, independent, external review of seven Missouri Veterans Homes – as ordered by Gov. Michael Parson – to assess their performance and identify what steps, if any, should be taken to improve their management and prevention of COVID-19. Led a 35-day investigation that considered all relevant information, including interviewing 174 individuals including Missouri Veterans Commission (MVC) staff, Veterans, Veterans' families and Missouri government officials; implementing a hotline staffed by attorneys for Veterans' families to voice concerns; reviewing and analyzing hundreds of documents; directing a management and consulting organization serving clients in the long-term care and post-acute care industry, to conduct on-site audits of all seven Homes, following all necessary safety protocols; and issuing early recommendations to the MVC. Compiled and delivered a 53-page summary report and a comprehensive 415-page report, including recommended corrective actions, to state officials.

**Selected to Assist OIG DHS as Directed by IL Governor in Investigation of Veterans' Home**

Selected to assist the Office of the Inspector General for the Department of Human Services (OIG DHS), as directed by Illinois Gov. J.B. Pritzker, in conducting an investigation into the Fall 2020 COVID-19 outbreak at the LaSalle Veterans' Home in LaSalle, Illinois, and in preparing a summary report. To ensure the investigation considered all relevant information, the investigative team spoke with Home personnel, including management and front line staff. In addition, the investigative team interviewed officials with the Illinois Department of Veterans' Affairs, the Illinois Department of Public Health, and the U.S. Department of Veterans Affairs, and reviewed hundreds of documents.

Successfully Defended Client in Wrongful Death Case

Conducted the investigation and successfully represented a national fast-food delivery company in a high-profile wrongful death case stemming from a shooting that occurred at one of the client's restaurants.

Favorable Settlement for Client in Environmental Violations Case

The state of Missouri sued our client for environmental regulatory violations and illegal hazardous waste dumping, seeking nearly \$3 million to settle the case. Developed evidence through an internal investigation that directly contradicted the state's primary evidence, resulting in a favorable settlement of only \$10,000 for our client.

Patient Safety Organization Program Development, Implementation for Health System

Representation of a large health care system to ensure the privileged nature of its internal investigation materials through the development and implementation of a Patient Safety Organization program.

Dismissal of Patent Claims with Prejudice for Telecom Company

Successfully defended client against patent infringement claims brought by non-practicing entity, resulting in the plaintiff voluntarily dismissing its claims with prejudice.

Counsel to Meal Kit Company Preparing for Future Growth

Provided counsel to meal kit delivery service experiencing exponential growth. Addressed complex regulatory and sensitive litigation issues with innovative strategies to position the client for future growth and success.

Successfully Defended Augmented Identity Company Against Patent Infringement Claims

Successfully defended our client, a technology company focusing on augmented identity, against patent infringement claims brought by a non-practicing entity, resulting in the plaintiff voluntarily dismissing its claims with prejudice.

Summary Judgment for Manufacturer in Patent Case

Obtained summary judgment and favorable resolution for our client, a major manufacturer, regarding six patents in U.S. District Court for the Eastern District of Missouri.