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Gary Giampetrucci

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Gary Giampetrucci is a partner in the Investigations and White Collar practice at the firm's New York office. He routinely advises clients on day-to-day compliance matters, and represents corporations in high-profile federal and state investigations, including those involving federal and state False Claims Act (qui tam suits), State Attorney General consumer protection statutes, the Foreign Corrupt Practices Act (FCPA), and oversees other complex civil and criminal litigation matters. While his practice cuts across numerous sectors, including defense, energy, and private equity, he possesses particularly deep experience in the life sciences sector, representing many of the world's most prominent biotech, pharmaceutical, and medical device companies.

Prior to joining Paul Hastings, Mr. Giampetrucci most recently served as Vice President, Assistant General Counsel and Head of Government Investigations at Pfizer Inc, with responsibility for government investigations across the company's multiple business units and operations globally, and associated government litigation with U.S. and international prosecutor offices. He was previously a Deputy Compliance Officer responsible for international compliance investigations and programs with responsibility for the implementation and maintenance of compliance programs and systems across the company's international operations, with an enhanced focus on emerging markets.

Mr. Giampetrucci has extensive experience with all facets of the anti-corruption and FCPA landscape. He has been a leader in this growing area of practice for almost two decades. He led the development of cutting edge compliance programs and measures, conducted and oversaw hundreds of internal investigations, and has been on the ground in more than forty markets worldwide (including Asia, Africa, Europe, the Middle East, and Latin America). He was instrumental in the development of proactive market review approaches that have been incorporated into recent government resolutions, and acquisition due diligence techniques that were cited in the Justice Department's FCPA Guidance document. He has the proven and longstanding ability to provide end-to-end support, from front-end compliance counseling and program build-outs and enhancements, to the efficient conduct of global internal investigations, and the defense of companies before U.S. and international authorities, while keeping an appropriate eye towards the increasing risk of follow-on civil litigation.

On the U.S. health care side, Mr. Giampetrucci provides day-to-day compliance counseling

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around program design, monitoring and proactive testing, and conducts internal investigations regarding a variety of issues, including those involving anti-kickback and off-label promotion laws, patient support programs, and specialty pharmacies. He has overseen several of the more significant government investigations in the pharmaceutical industry in recent years, as well as the defense and resolution of numerous whistleblower qui tam suits involving claims under the False Claims Act and related state statutes. He has more recently been asked by pharmaceutical companies to defend their practices associated with patient support programs and specialty pharmacies in connection with federal investigations by several prominent prosecutor offices.

Mr. Giampetruzzi is highly regarded by counsel, health care industry insiders, and regulators for his strategic thinking and sound judgment. He understands how to engage appropriately with the regulators, and how to litigate effectively when needed. He brings unique experience and perspective to each client representation, having himself been the client for more than a decade at one of the largest multi-national corporations in the world. During that time, he partnered closely with business colleagues, and helped navigate a complex organization through some of the most significant compliance and enforcement issues faced in the pharmaceutical industry. As a senior leader, Mr. Giampetruzzi routinely operated at executive leadership team and board levels, and understands from his firsthand experience that the particular needs of each client and circumstance are different, and that the approach and solutions must be too. He genuinely appreciates the pressures and realities facing clients and in-house counsel, and works with them to understand and achieve their specific goals.

Mr. Giampetruzzi's recent representations include representing a multinational rare disease company in connection with its global anti-corruption/FCPA due diligence associated with its landmark \$32 billion acquisition of another leading rare disease company; representing a small pharmaceutical company in connection with FDA and government investigations across multiple prosecutor offices into drug registry, off-label promotion, and patient support program issues, resolving the first manufacturer opioid case for \$7.55M on a civil only basis; and representing a leading rare disease company as compliance counsel before the U.S. Department of Justice and SEC in connection with an ongoing FCPA matter, which represents the first rare disease enforcement case of its kind.

Mr. Giampetruzzi brings creative lawyering to bear on each of his client's challenges, with some of the compliance approaches he developed having become a best practice (e.g., proactive FCPA market reviews, now routinely in government resolutions), and even being cited in the U.S. government's FCPA guidance document (e.g., FCPA acquisition due diligence). He is a frequent and well-recognized speaker at industry conferences on a variety of white collar defense topics, including global compliance programs, government investigations, state and federal U.S. healthcare enforcement, and the Foreign Corrupt Practices Act. He has been recognized by Ethisphere in "Attorneys Who Matter," Specialists—Private Practice; LMG Life

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Sciences as a Recognized Practice Leader; and The Legal 500: Healthcare/Life Sciences, Noted Practice Leader for Investigations and White-Collar Defense Matters.

Mr. Giampetruzzi received a B.S.E.E. from the New York Institute of Technology in 1990, and his J.D. from Saint John's University School of Law in 1993.