

## Mark W. McPherson

### Principal



T (617) 248-4992  
mmcpherson@choate.com

#### Practice Areas

Government Enforcement & Compliance

#### Education

Boston University School of Law  
JD (2017) *cum laude*

The University of Oklahoma  
MA (2014)

Oklahoma State University  
MBA (2012)

The University of Pittsburgh  
BA (2006)

#### Admissions

Massachusetts

Mark McPherson represents individuals, corporations, and universities in government and internal investigations involving healthcare fraud, securities fraud, the False Claims Act, and other civil and criminal matters. He also helps clients manage NIH, HHS, and/or DOJ investigations, enforcement inquiries, and Congressional oversight requests related to systematic programs of foreign influence at U.S. academic and research institutions. This includes leading internal reviews in which allegations of conflicts of interest, undue foreign influence, or federal grants mismanagement have been raised, and helping to resolve material findings with appropriate government agencies.

Mark recently served as a Special Assistant District Attorney with the Suffolk County District Attorney's Office, where he gained significant criminal trial and motion practice experience.

Prior to attending law school, Mark served as a pilot in the United States Air Force.

#### Representative Engagements

- Defense of international pharmaceutical and medical device companies in federal investigations, state investigations, and civil False Claims Act litigation involving sales, marketing, and pricing practices.
- Defense of individual executives in federal and state investigations targeting international pharmaceutical companies.
- Coordinate responses to law enforcement investigations and internal investigations related to foreign influence in research, conflict of interest, and conflict of commitment for universities and teaching hospital clients.
- Assist university and teaching hospital clients in addressing "foreign component," foreign conflict of interest concerns, and suspected undisclosed foreign ties raised by NIH and other agencies regarding federally funded research.
- Develop risk management strategies for university and teaching hospitals' conflict of interest processes and programs related to foreign influence.
- Represent global software company in response to federal and state government investigations and government legal process.
- Represented academic medical center in connection with attempted theft of biological specimens from research laboratory.

- Conducted independent investigation in response to university Title IX complaint.
- Conducted internal investigation on behalf of international pharmaceutical company concerning clinical trial practices.
- Assisted hospital system in assessing and refunding overpayments associated with a series of identified physician billing and coding errors.

## Professional and Community Involvement

- Member, Boston Bar Association
- Choate's legal clinic for the homeless program through the Lawyers Clearinghouse
- Board Member, Raising A Reader – Massachusetts

## Recognition

- *The Legal 500* (2023)