



Jack Cinquegrana

Practice Group Leader

T +1 (617) 248-4002 | rcinquegrana@choate.com

"impressive trial lawyer ... fantastically experienced white collar practitioner ... judgment you can take to the bank."
Chambers USA

Jack Cinquegrana co-chairs the firm's Litigation Department and Government Enforcement & Compliance Practice Group. He is a veteran trial lawyer and bar leader, with over 30 years of experience in public service, government enforcement defense, and litigation.

Jack is a fellow of the American College of Trial Lawyers and the International Academy of Trial Lawyers. He is consistently recognized by *The Best Lawyers in America* in the specialties of Bet-the-Company Litigation, White Collar Criminal Defense, Securities Litigation, and Corporate Governance Law; *Chambers US*; *The International Who's Who of Business Crime Lawyers*; *Who's Who Legal*; and *Massachusetts Super Lawyers Top 100*.

Jack currently serves as the Chairman of the Massachusetts Committee for Public Counsel Services, the governing board of the public defender agency which provides legal representation to indigent persons in criminal and civil cases throughout the state. He has served as President of the Boston Bar Association, a member of the Massachusetts Sentencing Commission, Special Counsel to the Massachusetts Supreme Judicial Court, an Assistant United States Attorney, and Chief Trial Counsel in the Suffolk County District Attorney's Office.

EDUCATION

JD, Boston College
Law School

BA, Cornell University

CLERKSHIP

Honorable Raymond J.
Pettine, US District Court,
District of Rhode Island

PRACTICE FOCUS

Jack represents 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.

REPRESENTATIVE ENGAGEMENTS

- A global information technology firm in a federal government investigation.
- A global asset management firm in an internal investigation involving governance issues.
- A global financial institution in an anti-money laundering investigation conducted by the Department of Justice.
- The Chief Executive Officer of a public health care company, in investigations by the Securities and Exchange Commission and the Department of Justice, and in defense of private securities litigation.
- Several global pharmaceutical companies, in defense of investigations by the Department of Justice and in internal investigations.

ADMISSIONS

United States Supreme Court

U.S. Court of Appeals,
First Circuit

U.S. District Court,
Massachusetts

Supreme Judicial Court of
Massachusetts

PRACTICE AREAS

Government Enforcement &
Compliance

Complex & Securities Litigation

Healthcare Fraud

- A national academic institution in a federal investigation regarding academic integrity and grant administration.
- 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.
- Several public and private companies, and their officers, in internal investigations regarding regulatory reporting, revenue recognition practices, public disclosures, whistleblower claims, insider trading, and related litigation.
- Defense of False Claims Act claims in qui tam litigation.
- Defense of criminal tax and export controls investigations.

PUBLICATIONS AND PRESENTATIONS

- "A Smart Alternative to Minimum Sentencing," *author, Massachusetts Lawyers Weekly*, June 2015.
- *Prosecutors, Public Defenders Need a Pay Hike*, quoted, *The Boston Globe*, January 2015.
- *Low Pay Blamed for High Turnover Among Public Defenders*, quoted, *The Boston Globe*, January 2015.
- *Report of the Commission to Study Compensation of Assistant District Attorneys and Staff Attorneys for the Committee for Public Counsel Services*, December 2014 (as a member of the Commission).
- *A New Trend in Health Care Fraud Settlements*, co-author, *White Collar Law360*, March 2013 (with Consuelo Valenzuela Lickstein).
- *\$104M Whistleblower Award – A Sign of Things to Come*, co-author, *Law360*, December 2012 (with Diana K. Lloyd, Michael T. Gass and Stuart M. Glass).
- *The Intersection of Government Agencies & Internal Corporate Investigations & The Mistakes Companies Make*, panelist, *Lawyers Weekly Business & Law Breakfast Forum*, Boston, December 2012.
- *SJC Urges Change for Drunken Driving Cases*, featured, *The Boston Globe*, November 2012.
- *Retaliation Claims, Whistleblower Claims and the False Claims Act*, panel presentation, *National Association of College and University Attorneys*, Chicago, June 2012.
- *A Reg FD Reminder from Social Media*, *White Collar Law360*, June 2012 (with John R. Baraniak, Jr.).
- *Innovate @ Litter: 70 Years of Employment and Labor Law Solutions: Retaliation & Whistleblowing Workshop*, panelist, *The Executive Employer Conference*, Scottsdale, AZ, May 2012.

- *Liability Without Fault: New Enforcement Trends Against Corporate Executives*, Bloomberg Law Reports, February 2011 (with Diana K. Lloyd).
- *Q&A with Choate's Jack Cinquegrana*, White Collar Law360, December 2010.
- *A Securities Litigator's Guide to D&O Insurance: Parts I and II*, Securities Law360, October 2010 (with John R. Baraniak, Jr.).
- *A Securities Litigator's Guide to D&O Insurance*, ABA National Institute on Securities Fraud, panel presentation, New Orleans, LA, October 2010.
- *D&O Insurance, Indemnification and Advancement*, ABA National Institute on Internal Corporate Investigations and In House Counsel, Panel Presentation, Washington, DC, May 2009 and 2010.
- *Trends in Government Enforcement*, Center for Business Intelligence, Pharmaceutical Compliance Congress, January 2010.
- *Fraud & Abuse in the Sale & Marketing of Drugs*, moderator, American Conference Institute, New York, NY, April 2008.
- *Tackling Diversity at Top Law Firms*, Boston Globe Spotlight Interview, 2007.
- *A Special Responsibility*, Boston Bar Journal, May/June 2007.
- *Can We Be Silent?*, Boston Bar Journal, March/April 2007.
- *Two Very Different Days*, Boston Bar Journal, January/February 2007.
- *Step-By-Step Guide to Conducting Internal Investigations for the Pharmaceutical Industry*, presenter, American Conference Institute, New York, NY, January 2007.
- *Counting on New Lawyers*, Boston Bar Journal, November/December 2006.
- *Work in Progress*, Boston Bar Journal, September/October 2006.
- *New President Defined by Passion for Public Service*, Boston Bar Journal, September/October 2006.
- *Justice's Defense Must Never Rest*, Letter to the Editor, Boston Herald, October 13, 2006 (with Mark D. Mason, President of the Massachusetts Bar Association).
- *Increasing Scrutiny and Shifting Theories*, Pharmaceutical Executive, August 2006 (with Diana Lloyd and Russell Edelstein).
- *Legal: Shifting Perspective on Off-Label Promotion*, Pharmaceutical Executive, January 2006 (with Diana K. Lloyd).
- *The USA Patriot Act in 2005*, Boston Bar Journal, November/December 2005 (with Richard M. Harper, II).
- *United States Sentencing Guidelines 2004: An Experiment that has Failed*, American College of Trial Lawyers, September 2004 (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 (2003, 2006).
- *The USA Patriot Act: Effects on American Employers and Businesses*, Boston Bar Journal, May/June 2002.
- *Crisis in Corrections in Massachusetts, a Report of the Boston Bar Association's Task Force on Justice*, Boston Bar Association, 1991.

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).
- 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).
- 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 Committee.
- Over ten years' 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 systems.
- 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.