



## Mark McPherson

PRINCIPAL

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Mark McPherson represents individuals, corporations, hospitals, and academic and research institutions in government and internal investigations involving healthcare fraud, securities fraud, the False Claims Act, and other civil and criminal matters.

Mark also helps clients manage NIH, HHS, and/or DOJ investigations and enforcement inquiries concerning federal grant funding to U.S. academic and research institutions. This includes leading internal reviews in which allegations of research misconduct, 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 joining Choate, Mark served as a pilot in the United States Air Force.

### Focus Areas

Litigation and  
Investigations

Government  
Enforcement,  
Investigations &  
Compliance

### Admissions

- Massachusetts

### 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 across industries, including international pharmaceutical companies and defense contractors.
- Coordinate responses to law enforcement and internal investigations related to research misconduct, conflict of interest, and conflict of commitment for academic and research institutions.
- Assist academic and research institutions in addressing "foreign components," 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.
- Represented academic medical center in False Claims Act investigation into alleged research misconduct.
- Represented university in investigation and related civil, criminal, and administrative proceedings concerning researcher's undisclosed ties to foreign institutions.
- Represented academic medical center in connection with attempted theft of biological specimens from

research laboratory.

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

## Professional & Community Involvement

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