



Melissa Bayer Tearney

DEPARTMENT CO-CHAIR, LITIGATION

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Melissa Tearney, Co-Chair of Choate's Litigation Department, helps clients ranging from start-ups to global companies – and their high level executives – to successfully navigate the complex and high-stakes challenges of government investigations, internal investigations, False Claims Act litigation, and the development and implementation of effective compliance measures and programs. Melissa's 30+ years of experience includes guiding clients through issues with a range of government agencies including DOJ, HHS-OIG, and the SEC, and state attorneys general. The breadth of her subject matter expertise, particularly as it relates to the life sciences industry, includes research integrity issues and grant management compliance.

Throughout her career, Melissa has handled cases with U.S. Attorneys' offices across the country, and brought matters to successful conclusions for our clients. And, the insights she shares with clients are based on a thorough understanding of the cross-over between compliance best practices and enforcement processes.

Focus Areas

Litigation and Investigations

Government Enforcement, Investigations & Compliance

Admissions

- Massachusetts
- U.S. District Court, Massachusetts
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Fourth Circuit

Representative Engagements

- Defend international pharmaceutical and medical device companies in federal and state investigations involving sales, marketing, promotional, and pricing practices.
- Represent multi-national life sciences companies in internal investigations of alleged employee misconduct.
- Represent life sciences companies in settlement negotiations with federal and state authorities, including the negotiation and implementation of Corporate Integrity Agreements and Deferred Prosecution Agreements.
- Represent pharmaceutical and medical device companies in False Claims Act litigation.
- Represent companies and individuals in federal investigations involving quality and safety of medical devices and pharmaceutical products.
- Represent defense contractors in False Claims Act investigations.

- Represent companies and individuals in SEC investigations when they are accused of sophisticated financial fraud.
- Defend individual executives in federal and state investigations across industries, including international pharmaceutical companies, medical device companies, and defense contractors.
- Provide FCPA advice to entities in connection with internal and government investigations.
- Assist multinational public companies in the design, implementation, and evaluation of compliance programs.
- Represent pre-commercial and early stage companies in compliance matters, including the development of appropriate Codes of Conduct, HCP engagement policies, and Investigator-Initiated Trials processes.
- Represent academicians and universities in research misconduct proceedings and False Claims Act investigations.
- Assist university and teaching hospital clients address “foreign component” and potential financial conflict of interest concerns and facilitating self-disclosures to agencies where appropriate.

Professional & Community Involvement

- Vice-Chair of the Boston Women’s Fund Board of Directors
- Member and former Board Chair of Hebrew SeniorLife’s Board of Directors
- Past President of Greater Boston Legal Services
- Member of Camp Bauercrest’s Board of Directors and Executive Committee
- Former Board Chair of Thayer Academy
- Member of the Boston Bar Association
- Member of Phi Beta Kappa