



Eric P. Christofferson

Partner

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Eric Christofferson is an experienced litigation and compliance lawyer in DLA Piper's Boston Office and is a member of the firm's white collar group. He represents corporations and individuals in government investigations, internal investigations, criminal and regulatory proceedings, and civil litigation. Eric, whose practice focuses on the life-sciences and financial-services sectors, is an experienced courtroom lawyer who has tried over fifteen criminal and civil jury trials during his career.

RELATED SERVICES

- Litigation, Arbitration and Investigations
- White Collar and Corporate Crime

EXPERIENCE

RECENT REPRESENTATIONS INCLUDE:

- A global, public life-sciences company in connection with parallel DOJ and SEC investigations concerning potential FCPA violations
- A global, public life-sciences company in connection with a DOJ investigation concerning possible violations of the Anti-Kickback Statute
- A global, public life-sciences company in connection with a qui tam lawsuit alleging violations of the Anti-Kickback Statute and False Claims Act
- A global, public life-sciences company in connection with an internal investigation concerning, among other things, clinical data integrity
- A global, public financial-services company in connection with a SEC investigation concerning possible fraud
- An executive of a small-cap public company in connection with parallel DOJ and SEC investigations concerning alleged fraud and market manipulation

CREDENTIALS

Admissions

- Massachusetts

Prior Experience

Before joining the firm, Eric served as an Assistant US Attorney in Boston for more than six years. He worked primarily within the Criminal Division's Economic Crimes Unit, conducting jury trials, arguing appeals in the First Circuit, and prosecuting a variety of matters, including insider trading, Foreign Corrupt Practices Act (FCPA) violations, securities fraud, tax fraud and mortgage fraud, among others. Within the Economic Crimes Unit, Eric also worked closely with the Securities and Exchange Commission and other regulators, such as FINRA. While serving as a prosecutor, Eric received recognition from several law enforcement agencies, including the FBI and the ATF.

Prior to joining the US Attorney's Office, Eric spent seven years as an associate at a global law firm in Boston, where he worked on a range of high-profile government enforcement matters in addition to complex commercial litigation.

Recognitions

- Massachusetts Lawyers' Weekly "Up & Coming Lawyer," 2008

Education

- J.D., Georgetown University Law Center
magna cum laude
- A.B., Harvard College
cum laude

INSIGHTS

Publications

Expectations for white collar enforcement under the Biden Administration

18 February 2021

Six key areas where the Biden Administration may focus its enforcement efforts.

Court of Appeals affirms broad government authority to conduct warrantless searches of electronic devices at the border

16 February 2021

The court's opinion offers a reminder that personal privacy is at significant risk when traveling abroad or returning home.

SCOTUS suggests expansive reach of "Bridgegate" ruling in directing Second Circuit to reconsider insider trading convictions

14 January 2021

Yet another example of the Supreme Court's continuing effort to trim the government's overly expansive theories of criminal liability in certain cases under the federal fraud statutes.

Congress expands SEC enforcement authority, broadens disgorgement powers and doubles statute of limitations periods

6 January 2021

Buried deep in the annual defense bill is an important group of securities law amendments that strengthen the SEC's enforcement powers.

HHS-OIG issues alert warning pharmaceutical and device manufacturers about the kickback risks of speaker programs

24 November 2020

Key details and takeaways.

Four years later, federal court upholds convictions but harshly criticizes off-label prosecutions

23 September 2020

The decision will likely draw attention both in the First Circuit and beyond.

Seventh Circuit hews new path regarding False Claims Act dismissals; DOJ registers its disagreement

21 September 2020

A surprising result from the US Court of Appeals for the Seventh Circuit.

Helping patients during the pandemic

14 May 2020

Some important considerations for biopharma manufacturers.

With unanimity comes clarity: In reversing Bridgegate convictions, a unanimous Supreme Court further narrows scope of federal fraud and corruption prosecutions

8 May 2020

The federal fraud statutes criminalize only deception targeting money and property, not other forms of chicanery, no matter how unscrupulous they might be.

Coronavirus: Warning from SEC on insider trading highlights importance of disclosure controls during the COVID-19 pandemic

31 March 2020

A statement on March 23 warned that the SEC would be on heightened alert for signs of insider trading and other misconduct that might harm investors.

***US v. Hoskins*: in setback for DOJ, court grants post-trial motion for acquittal on all FCPA counts**

27 February 2020

The decision calls into question DOJ's aggressive approach to a narrow but significant class of potential defendants in FCPA cases.

Representing individuals in interviews – the US perspective

19 February 2020

Determining whether to consent to an interview, and any interview itself, can be pivotal.

Court rules that "personal benefit" not necessary for criminal insider trading liability under certain statutes

14 January 2020

Błaszczak is unlikely to be the last word on insider trading.

The other shoe drops: Supreme Court will decide whether the SEC may obtain disgorgement as an equitable remedy

11 November 2019

The Supreme Court has accepted a *certiorari* petition in a case seeking to determine whether the SEC is entitled to seek and obtain disgorgement as equitable relief.

Eleventh Circuit rejects reliance on statistical sampling and requires proof of objective falsity for each claim pursued under the FCA

12 September 2019

The holdings will likely have broad implications for any FCA claims based on false certification in the circuit.

Department of Justice unveils guidelines for cooperation credit in False Claims Act matters

9 MAY 2019

The new DOJ guidelines are an effort to formalize guidance and credit mechanisms for corporate cooperation in civil cases, especially False Claims Act cases.

DOJ revises its guidance on corporate compliance programs

2 MAY 2019

DOJ has made tangible the benefits a company can receive for designing and implementing an effective compliance program, and the newly revised Compliance Guidance reinforces those principles.

- Co-author, "The Pandemic's Toll On Criminal Defendant Rights: Part 2," *Law360*, December 2, 2020
 - Co-author, "The Pandemic's Toll On Criminal Defendant Rights: Part 1," *Law360*, December 2, 2020
 - "Should Third-Party Funders Be Able to Cash in on Whistleblower Cases?" *Bloomberg Law* (November 4, 2020)
 - Co-author, "INSIGHT: Consequences of DOJ's Granston Memo—Dismissals Are Up, Circuits Split," *Bloomberg Law*,
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November 25, 2019

- Co-author, "Sticking to the Bargain: The D.C. and Second Circuits Uphold Limits on Courts' Authority to Supervise, Modify, or Challenge DPAs," *Bloomberg Law*, November 10, 2017

Events

Previous

Boston Bar White Collar Crime Conference

4 February 2021
Webinar

You are here - how strategic process mapping and project management can get you to the finish line of an investigation

28 September 2020 | 1:00 – 2:00 ET
Modern Compliance Officer MCLE webinar series
Webinar

DLA Piper White Collar CLE Series: Take 5

6 April 2020
Webinar

- Moderator, "The Pandemic Courtroom: How the Public Health Crisis is Affecting Trials, Hearings, and Defendants' Rights," 2021 Virtual White-Collar Crime Conference, February 4, 2021

NEWS

DLA Piper advises Haemonetics in its acquisition of Cardiva Medical

21 January 2021
DLA Piper represented Haemonetics Corporation (NYSE: HAE), a global medical technology company focused on delivering innovative medical solutions to drive better patient outcomes, in its acquisition of Cardiva Medical, Inc., an industry-leading manufacturer of vascular closure systems based in Santa Clara, California, for US\$475 million at closing and up to an additional US\$35 million in contingent consideration based on sales growth.

PRO BONO

Having served as a federal prosecutor for approximately seven years, Eric is now a member of the CJA Panel in Massachusetts and represents—on *pro bono* basis—defendants in criminal cases who cannot afford to hire an attorney. In addition, Eric represents individuals serving federal criminal sentences who are seeking "Compassionate Release" from prison because of serious medical conditions. Eric has also helped a Texas family successfully appeal to FEMA for additional funds after their

home was severely damaged following Hurricane Harvey in 2017.