



Andrew J. Hoffman

Partner

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Andrew Hoffman focuses his practice on representing pharmaceutical manufacturers and other life sciences companies in government investigations and related litigation.

He defends clients facing inquiries by Main Justice, US Attorney's Offices, State Attorneys General and municipal entities. He also represents clients facing whistleblower lawsuits brought under federal and state false claims laws. Andrew has extensive experience conducting internal investigations relating to potential violations of US health care laws, FDA regulations and corporate policies. He regularly conducts proactive risk assessments and provides clients with advice and analysis to help them mitigate the significant risks posed by the current enforcement and litigation environment.

RELATED SERVICES

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

RELATED SECTORS

- Healthcare
- Life Sciences

EXPERIENCE

REPRESENTATIVE EXPERIENCE

- Represents major pharmaceutical company in qui tam lawsuit alleging concealment of adverse clinical trial results, off-label promotion and kickbacks
- Represents medical device distributor in qui tam lawsuit alleging violations of FDA regulations and whistleblower retaliation
- Represents major pharmaceutical company in government investigation involving patient assistance programs
- Represents major pharmaceutical company in government investigations involving prescription drug marketing and potential violations of state consumer protection laws
- Represented major pharmaceutical company in qui tam litigation alleging underpayment of Medicaid rebates; all claims dismissed following close of discovery
- Represented major pharmaceutical company in Department of Justice inquiry relating to alleged kickbacks paid to long-term care pharmacies; government declined to intervene in underlying whistleblower complaint
- Represented major pharmaceutical company in US Attorney's Office investigation relating to alleged kickbacks paid to KOLs and prescribers; government declined to intervene in underlying whistleblower complaint
- Represented major pharmaceutical company in State Attorney General inquiries into patent litigation settlement raising

potential pay for delay issues

- Conducted internal investigations into potential violations of Good Clinical Practice (GCP) and Good Manufacturing Practice (GMP) guidelines
- Conducted internal investigation into potential violations of regulations and corporate policies governing adverse event reporting
- Conducted internal investigations into alleged failure to disclose safety risks allegedly associated with prescription medications
- Conducted proactive assessments of litigation and compliance risks presented by the promotion of various prescription medications and other critical business functions

CREDENTIALS

Admissions

- California
- District of Columbia

Education

- J.D., University of Texas School of Law 2008
with honors
- B.A., Philosophy, University of Michigan 2005
with distinction

Courts

- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Central District of California
- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

INSIGHTS

Publications

***Daily Journal* names Andrew Hoffman to 2019 Top 40 Under 40 list**

October 2019

DLA Piper partner Andrew J. Hoffman has been named to the *Daily Journal's* 2019 Top 40 Under 40 list honoring young California lawyers across a range of practice areas.

First Circuit reverses course on its first-to-file rule

9 MAY 2019

First Circuit law on the first-to-file rule is evolving in a way that could have significant consequences for False Claims Act defendants.

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.

Northern District of Illinois dismisses False Claims Act case against Pfizer and Hospira: key takeaways

19 MAR 2019

The DLA Piper team expects this case will be cited frequently by qui tam defendants in future cases.

False Claims Act – Year in Review: 2018

4 FEB 2019

In this handbook, we look back on 2018 as a year of shifting enforcement policies and continuing jurisprudential uncertainty in the wake of *Escobar*.

DOJ moves to dismiss 11 qui tam lawsuits filed by professional relator concerning patient-support programs

20 DEC 2018

The DOJ acts on its commitment to seek dismissal of *qui tam* suits it views as not serving the public interest.

DOJ tells SCOTUS it plans to seek to dismiss a major *qui tam* action because burdensome FCA discovery would not be in the public interest

6 DEC 2018

The DOJ's filing is a significant development for FCA defendants and may portend more dismissals to come.

False Claims Act year in review: 2017

28 FEB 2018

Our new handbook looks at 2017, a year of significant recoveries, government enforcement reform and shifting jurisprudence post-*Escobar*, then considers the trends we anticipate in the months ahead.

Middle District of Florida reverses \$350 million verdict and joins other courts in enforcing *Escobar*'s strict materiality standard

17 JAN 2018

The Middle District of Florida joins an increasing number of courts that have applied the heightened materiality standard identified in *Escobar*.

- Featured, "Attys Reflect On Escobar's FCA Impact 2 Years Later," *Law360*, June 15, 2018
- Co-author, "On FCA Enforcement, Sessions DOJ Might Be More Friendly Than It First Appears," *Westlaw Journal*, April 2017
- Co-author, "Post-Escobar Courts Reaching Consensus On FCA Materiality," *Law360*, March 27, 2017

Events

Previous

White Collar CLE Series: Take 5

27 JUN 2019
Webinar

NEWS

DLA Piper partner Andrew Hoffman named to the *Daily Journal's* Top 40 Under 40 list

16 August 2019

DLA Piper is pleased to announce that Andrew Hoffman, a partner in the firm's Litigation practice, has been named to the *Daily Journal's* 2019 Top 40 Under 40 list honoring young California lawyers across a range of practice areas.
