



Courtney Gilligan Saleski

Partner

CO-CHAIR, WHITE COLLAR, CORPORATE CRIME AND INVESTIGATIONS PRACTICE

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Courtney Saleski is National Co-Chair of DLA's White Collar Practice and an experienced trial and appellate lawyer. Courtney focuses her practice on investigations, criminal and government-related litigation, government enforcement actions, and appeals. Courtney has successfully resolved internal and government investigations for clients and successfully represented companies and individuals in a wide range of criminal, civil, and enforcement matters at both the trial and appellate level.

Prior to joining DLA Piper, Courtney was a federal prosecutor. Earlier in her career, Courtney clerked for the Honorable William H. Rehnquist, Chief Justice of the United States.

RELATED SERVICES

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

RELATED SECTORS

- Healthcare

EXPERIENCE

Recent representations include:

- A global pharmaceutical company in a False Claims Act litigation in the Eastern District of Pennsylvania.
- A global medical device company in an FCPA-related investigation by the SEC
- An individual indicted in the District of Baltimore on corruption and fraud charges relating to procurement of IT contracts from the state
- An individual indicted in a Southern District of New York prosecution for wire fraud and corruption charges relating to procurement of building contracts from the state
- A defense contractor in an internal investigation into allegations of False Claims Act violations
- A pharmacy benefits manager in an internal investigation into allegations of False Claims Act violations
- A payday loan company and executive in an investigation by the DOJ and NY AG into allegations of violations of federal and state law

- An individual indicted in a District of Connecticut prosecution for securities fraud and the related civil action by the SEC
- A defense contractor in connection with a US Supreme Court petition for certiorari to the US Court of Appeals for the Fourth Circuit in a False Claims Act case presenting the issue of implied certification
- A defense contractor in connection with an appeal to the US Court of Appeals for the Fourth Circuit in a False Claims Act case involving a finding by the district court that the action was barred by the first-to-file rule
- A nonprofit in a criminal investigation into inventory adjustment fraud by the FBI
- A consulting company in an internal investigation relating to an insider trading matter investigated by the DOJ
- Various individuals and companies in investigations by the Eastern District of Pennsylvania
- Major audit firms and individual auditors before the SEC, PCAOB and DOJ, in matters involving alleged fraud at the audit client
- A major audit firm in fraud and malpractice actions in the Southern District of New York and Pennsylvania state court.
- A healthcare company in an internal investigation relating to a potential whistleblower's complaints
- A union of NY City police officers in the US District Court for the Southern District of New York and US Court of Appeals for the Second Circuit in Fourth Amendment litigation

CREDENTIALS

Admissions

- District of Columbia
- New Jersey
- Pennsylvania

Prior Experience

Before joining DLA Piper, Courtney served as an Assistant United States Attorney for more than five years in the District of Columbia. Courtney served as a Senior AUSA in the Fraud & Public Corruption Section, where she was a member of the Healthcare Fraud Unit. In that position, she led numerous high-profile investigations and prosecutions, focusing primarily on healthcare fraud, procurement fraud, securities fraud and public corruption matters. Courtney also has extensive experience litigating violent crime, sex abuse and child abuse cases. During her time as an AUSA, Courtney tried more than 30 cases and received three special achievement awards for her work investigating and trying cases.

Along with her accomplishments as a trial lawyer, Courtney is highly experienced as an appellate litigator. During her time as an AUSA, Courtney also served in the Appellate Division, where she briefed and argued numerous appeals before the US Court of Appeals for the DC Circuit and the DC Court of Appeals. Earlier in her career, Courtney held clerkships with Chief Justice William Rehnquist of the US Supreme Court and Judge Frank Magill of the US Court of Appeals for the Eighth Circuit.

Before entering government service, Courtney was in private practice, focusing on appellate litigation, white collar criminal defense and FCPA investigations.

Recognitions

In 2015, Courtney was named among the *The Legal Intelligencer's* Lawyers on the Fast Track.

During her time at the US Attorney's Office, Courtney received three Special Achievement awards. She has also been recognized by *The Legal 500 United States*.

For more information, pursuant to New Jersey Lawyer Advertising guidance, please click here.

Education

- J.D., George Washington University Law School 2002
with highest honors

- B.S., University of Scranton
with honors

INSIGHTS

Publications

Cybersecurity obligations for government contractors – focus on them before the government focuses on you

22 September 2021

Liability under the False Claims Act can be financially debilitating, particularly for small and mid-size contractors.

Split Seventh Circuit lowers the bar for pleading a False Claims Act violation

14 September 2021

Defendants are again at risk for False Claims Act liability for what appear to be mere breaches of contract or technical regulatory violations.

Seventh Circuit adopts objective reasonableness standard for False Claims Act liability

1 September 2021

Key details and takeaways.

President Biden's Anti-Corruption Memo – key highlights

8 June 2021

The memo directs government agencies, through an inter-agency review process, to develop an anti-corruption strategy in the next 200 days.

Personal and professional firsts

30 March 2021

We celebrated Women's History Month by spotlighting some of our women attorneys' personal and professional firsts.

#DLAWomenLeaders

Power Players: Investigations & White-Collar Crime 2021 - Distinguished Advisers

19 March 2021

Courtney Saleski has been recognized by *Financier Worldwide* as a Distinguished Adviser in the category of Investigations & White Collar Crime.

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.

Courts allow False Claims Act cases to proceed despite providers' claims of honestly held clinical judgment

14 April 2020

These decisions will make it easier for relators and the government to successfully prosecute FCA cases.

DOJ increases scrutiny of nursing home industry

1 April 2020

DOJ is doubling down on its commitment to investigate and prosecute allegations of elder abuse and of substandard quality of care.

Second Circuit (again) reverses Sheldon Silver's corruption conviction (in part) – and brings some clarity to the “as opportunities arise” theory of liability

22 JANUARY 2020

The decision, while limited in scope, provides important clarification to the law around illicit payments to public officials.

President Trump sounds the death knell for "regulation by guidance"

10 October 2019

Two Executive Orders effectively end the controversial practice.

- Co-author, "DOJ Should Weigh Dismissing Every Nonintervened FCA Suit," *Law360*, July 7, 2021
 - Co-author, "Gov't Contractors, Be Prepared For FCA Parallel Proceedings," *Law360*, April 24, 2019
 - Co-author, "Prosecutors and Congress react to Attorney General's marijuana decision," *The National Law Journal*, March 1, 2018
 - Co-author, "On FCA Enforcement, Sessions DOJ Might Be More Friendly Than It First Appears," *Westlaw Journal*, April 2017
 - Co-author, "White Collar Crime Report," *Bloomberg Law*, March 31, 2017
 - Co-author, "Post-Escobar Courts Reaching Consensus On FCA Materiality," *Law360*, March 27, 2017
 - Co-author, "Supreme Court unanimously overturns public corruption conviction of former Virginia Governor: routine political courtesies such as setting up meetings or hosting events, standing alone, do not constitute 'official acts' for the purposes of the bribery statute," *DLA Piper Litigation Alert Series*, June 29, 2016
 - Co-author, "Universal Health Services: contractors take note – Supreme Court approves implied certification theory of False Claims Act liability," *DLA Piper Litigation Alert Series*, June 22, 2016
 - Co-author, "Public disclosure bar prohibits 'bounty-hunting' relators from filing duplicative FCA claims," *DLA Piper Litigation Alert Series*, January 12, 2016
 - Co-author, "Auditors scrutinized by regulators when companies face fraud allegations," *CFO Daily News*, November 24, 2015
 - Co-author, "DOJ seeks to revamp and re-energize its prosecution of individuals: key takeaways," *DLA Piper Litigation Alert*
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Series, September 10, 2015

- Co-author, "SDNY enjoins SEC from pursuing administrative hearing on constitutional grounds: setback for enforcement strategy," *DLA Piper Litigation Alert Series*, August 14, 2015
- "The False Claims Act and the 'Implied Certification' Theory," *For The Defense*, June 2015
- "All Employers Face Independent Contractor, Employment Tax Scrutiny," *Forbes*, June 24, 2015
- Co-author, "District court says appointment of SEC administrative law judge was likely unconstitutional," *DLA Piper Litigation Alert Series*, June 9, 2015
- Co-author, "Supreme Court: Wartime Suspension of Limitations Act does not apply to civil claims; ruling may also mean more criminal prosecutions," *DLA Piper Litigation Alert Series*, May 28, 2015
- "Tread With Caution When Representing Marijuana Clients," *The National Law Journal*, May 26, 2015

Events

Previous

False Claims and Qui Tam Summit for Life Sciences and Healthcare

24 September 2021
Webinar

The FCA and nursing homes: A target before and after the pandemic

24 March 2021
Webinar

A true story about false confessions

23 March 2021 | 12:00 - 1:00 ET
Webinar

Strategic Management of Third-Party Risk: Creating the best speed to value while managing your control architecture

16 March 2021 | 1:00 - 2:00 ET
Modern Compliance Officer MCLE webinar series
Webinar

FBA Qui Tam Section: 2021 Conference

19 February 2021
Webinar

DLA Piper White Collar Series: Take 5

14 January 2021 | 1:00 - 2:00 ET

Webinar

DLA Piper White Collar Series: Take 5

4 June 2020 | 1:00 - 2:00 ET
Webinar

Federal Bar Association Qui Tam Conference

27-28 February 2020

- Conducting Parallel Criminal and Civil False Claims Act Investigations, Panelist, Federal Bar Assoc. Qui Tam Conference, 28 Feb 2019

NEWS

MEDIA MENTIONS

- Mentioned, "Domino's Asks Justices To Keep No-Poach Suits In Arbitration," *Law 360*, December 22, 2020
- Mentioned, "Tech Giants Urge Justices To End IP Damages 'Loophole'," *Law360*, February 13, 2020

PRO BONO

Courtney is the Pro Bono Coordinator for the Philadelphia office and a member of the Firm's North American Pro Bono Committee. Courtney is a member of the Criminal Justice Act Panel for the US District Court for the Eastern District of PA through which she takes appointments by the Court to represent individuals in criminal cases who are unable for financial reasons to retain counsel.