



### Joe Roselius

Partner

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### Chicago

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Joe Roselius helps his clients solve problems in complex commercial disputes and governmental investigations.

His practice currently focuses on restructuring litigation, healthcare litigation, and False Claims Act and whistleblower litigation and investigations. In the healthcare sector, he advises clients on provider-payer disputes, antitrust issues, and Medicare/Medicaid compliance issues. Joe represents both relators and companies in qui tam disputes under the federal and state False Claims Act and the Illinois Insurance Claim Fraud Prevention Act. He advises clients in other complex commercial disputes, including consumer class actions, real estate disputes and cross-border matters for international clients from Europe, the Middle East and Asia.

Joe is actively involved in DLA Piper's internal governance, recruiting, and pro bono activities. He served as a member of the Firmwide Associates Committee and the Chicago Associates Committee, as well as a member of the Chicago Summer Program Committee.

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

- Represented the Chapter 7 Trustee of a Singapore-based private jet company, prosecuting adversary proceedings asserting commercial bribery and kickback scheme
- Represented REIT in Chapter 11 proceedings and related litigation
- Represented national retailer in significant business disputes resulting from disruption from COVID-19
- Represented chemical company in bet-the-company trade secrets dispute spanning the United States, the Netherlands, and Turkey
- Represented consortium of lenders in cross-border insolvency proceedings across five countries with \$1 billion at stake
- Represented workers compensation insurer in putative Illinois Consumer Fraud Act class action
- Represented workers' compensation insurer in series of nationwide putative class actions and individual disputes asserting violations of insurance regulations and Illinois Consumer Fraud Act
- Represented top-five health insurer in significant provider-payor disputes, putative class actions, and Department of Labor investigation
- Represented top-five health insurer in ERISA litigation involving alleged violations of state confidentiality statutes
- Represented a large Midwestern hospital network in an antitrust action

## WHISTLEBLOWER AND FALSE CLAIMS ACT

- Advised multiple potential relators regarding qui tam lawsuits
- Won dismissal with prejudice of qui tam claims under False Claims Act against government subcontractor for improperly painting military vehicles. *U.S. ex rel. Westbrook v. Navistar, Inc.*, 2012 WL 10649207 (N.D. Tex. Jul. 11, 2012), *aff'd sub nom. U.S. ex rel. Spicer v. Westbrook*, 751 F.3d 354 (5th Cir. 2014)
- Represented Midwestern grocery store chain in qui tam action under False Claims Act alleging anti-kickback violations and retaliation against former pharmacist whistleblower
- Represented leading health information technology company in qui tam action under False Claims Act alleging upcoding and Medicare and Medicaid fraud
- Represented dental support organization accused of violating Medicaid regulations and retaliating against whistleblower
- Conducted investigation of fraud and embezzlement allegations at a major private university
- Conducted investigation of allegations of bribery and FCPA violations in Eastern Europe

## OTHER COMMERCIAL DISPUTES

- Used a non-traditional litigation strategy to win summary judgment and affirmance on appeal for Chicago real estate developer in breach of contract action, allowing new deal to move forward without litigation delays
- Won dismissal with prejudice of breach of fiduciary duty, unjust enrichment, and aiding and abetting claims against unlisted REIT and its directors and officers for allegedly inflating the value of the REIT's shares, pushing through an allegedly ill-timed listing and public offering, and other misrepresentations to shareholders. *Sadler v. Retail Properties of America, Inc.*, 2014 WL 2598804 (N.D. Ill. June 10, 2014)
- Won dismissal with prejudice of securities fraud and breach of fiduciary duty claims against unlisted REIT, its sponsor, and its directors and officers for allegedly inflating the value of the REIT's shares. *Hohenstein v. Behringer Harvard REIT I, Inc.*, 2014 WL 1265949 (N.D. Tex. Mar. 27, 2014)
- Won dismissal of false imprisonment, malicious prosecution, defamation, and conspiracy claims against several Qatari and Kuwaiti companies and leading businessmen relating to disputes with American CEO. *Beydoun v. Wataniya Restaurants Holding, Q.S.C.*, 2013 WL 7965823 (E.D. Mich. Sept. 25, 2013), *aff'd*, 768 F.3d 499 (6th Cir. 2014)
- Won reversal of trial court's order holding reporter in contempt for refusing to disclose confidential source. *People v. McKee*, 2014 IL App (3d) 130696
- Represented two of world's leading airlines in a multi-billion-dollar dispute with the City of Chicago over expansion of O'Hare International Airport

## CREDENTIALS

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### Admissions

- Illinois

### Prior Experience

Before joining DLA Piper, Joe served as a Special Assistant Corporation Counsel for the City of Chicago in the Federal Civil Rights Litigation division.

### Education

- J.D., Northwestern University School of Law 2009
- B.A., Economics, University of Illinois at Urbana-Champaign 2006

### Courts

- United States Court of Appeals for the Fifth Circuit

- United States Court of Appeals for the Sixth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Northern District of Illinois
- United States District Court for the Southern District of Illinois
- United States District Court for the Eastern District of Michigan

## Memberships

- American Bar Association
- Chicago Bar Association
- Chicago and Firm-wide Associates' Committees

## INSIGHTS

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### Publications

#### **Third Circuit deepens circuit split on government's ability to dismiss qui tam complaints over relator's objection**

11 November 2021

When is the government entitled to dismiss a relator's complaint over the relator's objection? The split among the circuits deepens.

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#### **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.

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#### **Seventh Circuit adopts objective reasonableness standard for False Claims Act liability**

1 September 2021

Key details and takeaways.

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- Author, "Patch Reporter Wins Appeal to Protect Confidential Source," *MediaLawLetter*, Media Law Resource Center, April 2015
- Author, "Reporter's Privilege," *Editor and Publisher*, March 16, 2015

## Events

Panelist, "Fresh Outlook," discussing Freedom of the Press in the US and the Joseph Hoseney case, March 28, 2015

## NEWS

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#### **DLA Piper announces partnership promotions for 2020**

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

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## PRO BONO

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Joe also maintains an active pro bono practice and has been recognized both by the firm and by outside organizations for his work on improving access to justice and reducing procedural barriers for low-income and indigent individuals. Joe sits on the Board of Directors of the Chicago Appleseed Center for Fair Courts. Some of his recent pro bono representations involved improving criminal justice data sharing in Cook County, ensuring indigent criminal defendants were not forced to choose between receiving appointed counsel and posting bail, and preventing procedural abuses of low-income and pro se litigants in eviction court.