



Kevin McCart

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Practice Focus

- Government Investigations & White Collar
- Financial Services
- Healthcare

Education

- University of Virginia, J.D., 2000
- Dartmouth College, *magna cum laude*, B.A., 1997

Admissions

- District of Columbia, 2008
- Massachusetts, 2000
- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland
- U.S. Court of Federal Claims
- U.S. Supreme Court

Corporations and individuals facing allegations of white-collar criminal and civil violations call upon Kevin McCart to provide the effective legal strategies and investigative skills that will help them avoid prosecution and minimize damaging outcomes. Kevin has been lead counsel in criminal and civil matters in federal district and circuit courts, as well as military courts-martial. His global government and internal investigations background includes representing financial institutions, corporations and individuals in economic sanctions, money laundering, bank fraud, the Bank Secrecy Act, export controls, the Foreign Corrupt Practices Act, the False Claims Act, healthcare fraud and industrial disasters matters.

Kevin guides clients in responding to criminal and civil government investigations throughout the country and the parallel administrative, regulatory and civil litigation that often accompanies these investigations. He regularly represents clients in investigations conducted by the Department of Justice, the Department of Treasury, the Department of Health and Human Services and the Department of Labor, as well as inquiries and proceedings before other federal and state entities.

In addition to his government enforcement work, Kevin represents plaintiffs and defendants at the state and federal levels in disputes involving fraud, breach of fiduciary duty, breach of contract and the Racketeer Influenced and Corrupt Organizations Act (RICO). He has secured favorable outcomes in mediation and arbitration. While Kevin represents clients in a broad range of industries, he has significant experience working with companies and individuals active in the financial services, healthcare and energy arenas. He is recognized by *Super Lawyers* as a Top Rated White Collar Crimes Attorney in Washington DC.

Before entering private practice, Kevin was an active duty Army judge advocate, where he gained considerable trial experience as a felony prosecutor and civil litigation attorney. While deployed to Afghanistan, he led sensitive criminal and administrative investigations into allegations of detainee abuse, fraud and war crimes.

REPRESENTATIVE EXPERIENCE

- Representing foreign financial institutions, primarily in the Middle East, Asia and Africa, in investigations of potential violations of US

sanctions and money laundering laws, including representation before OFAC, the Department of Justice, US Attorneys' Offices and other US and home-country enforcement agencies and regulators.

- Defended multiple defense contractors in civil and criminal export control investigations (ITAR and EAR).
- Represented international infrastructure company in FCPA investigation, compliance review and reviews of domestic sales representatives and foreign third-party agents.
- Advised numerous international companies on FCPA, export controls and OFAC sanctions compliance.
- Designed anticorruption compliance programs for international manufacturing, finance and energy companies.
- Represented a multistate pharmacy benefits management company in federal grand jury investigation regarding alleged Medicare and Employee Retirement Income Security Act (ERISA) fraud.
- Represented national home healthcare provider in parallel criminal and civil False Claims Act investigations. The global resolution included a deferred prosecution agreement and civil settlements with the US and more than 30 states, as well as a corporate integrity agreement with the Department of Health and Human Services Office of Inspector General.
- Represented former medical testing company officer in criminal healthcare fraud investigation.
- Represented skilled nursing facility in civil healthcare fraud investigation.
- Successfully defended international construction company in False Claims Act litigation.
- Represented government contractor in public corruption investigation.
- Represented Massey Energy Company in criminal, administrative, and civil matters arising from the April 2010 fatal explosion at Massey's Upper Big Branch mine.
- Conducted internal investigations of potential insider trading for publicly traded energy company and represented company in Securities Exchange Commission investigation.
- Represented international energy company in Securities Exchange Commission investigation.

- Represented international renewable energy company in multimillion-dollar commercial litigation regarding the sale of a generating facility.
- Lead counsel in securing favorable resolution for individual charged in federal criminal aggravated identity theft investigation.
- Represented patent owner in fraud litigation that yielded a Top 10 settlement for 2009 according to *IP360* (US\$70 million).
- Successfully represented former name partner of major law firm in numerous federal and state lawsuits and arbitrations, including successful arbitration of firm's US\$120 million demand.
- Represented CEO of internet company in Federal Trade Commission litigation alleging US\$100 million fraud.

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- Co-author, "2019 Year-end White Collar Updates," Squire Patton Boggs Client Alert, January 2020.
- Panelist, "Cross-Border Enforcement of Trade Sanctions," Annual Conference of the International Bar Association, Rome, Italy, October 2018.
- Panelist, "Preparing a Coordinated Response to Government Inquiries and Investigations," Northeast eDiscovery and Information Governance Retreat, Middleburg, VA, October 2018.
- Co-author, "How Hoskins Limits Extraterritorial Sanctions Enforcement," *Law360* Expert Analysis, September 2018.
- Co-author, "Hoskins May Limit Extraterritorial Enforcement of U.S. Sanctions," Squire Patton Boggs, *Anticorruption Blog*, September 2018.
- Co-author, "Obama Administration Lifts Embargo of Sudan," Squire Patton Boggs Client Alert, January 2017.
- Co-author, "Supreme Court's "Demanding" Materiality Standard Provides Some Protection from False Claims Act," Squire Patton Boggs Client Alert, June 2016.
- Presenter, "Best Practices to Address Your Worst Case Scenario: Planning for and Responding to a Federal Search Warrant," West LegalEdcenter Beyond the Bar Webcast, June 2014.
- Speaker, "Fraud Prevention and Control," American Council of Engineering Companies, Denver, Colo., September 2013.