

## Jonathan S. Feld

Member

### Chicago

10 South Wacker Drive  
Suite 2300  
Chicago, IL 60606



T: 312-627-5680 T2: 202-906-8716 jfeld@dykema.com

### Areas Of Practice

Litigation

Government Investigations and  
Corporate Compliance

Health Care

Government Reorganization and  
Restructuring

Business & Commercial

Appellate and Complex Motion  
Practice

Securities Litigation

Antitrust & Trade Regulation

Privacy and Data Security

### Industries

Financial Services Regulatory &  
Compliance

Dental Service Organizations  
Industry Group

Automotive Industry Group

### Bar Admissions

Illinois

Michigan

District of Columbia

New York

### Court Admissions

U.S. District Court, District of  
Columbia

U.S. District Court, Northern  
District of Illinois

U.S. District Court, Southern  
District of Illinois

U.S. District Court, Eastern District  
of Michigan

U.S. District Court, Southern  
District of New York

Jonathan S. Feld is the Leader of the Government Investigations and Corporate Compliance Team. He is located in Dykema's Chicago office as well as the Firm's Washington, D.C. office.

Mr. Feld's practice focuses on complex civil and criminal matters, including health care, financial, antitrust, government contracting and antibribery investigations. He represents companies, directors and officers in investigations and enforcement actions by the U.S. Department of Justice (DOJ), Securities and Exchange Commission (SEC), the Food and Drug Administration (FDA) and Office of Inspectors General (OIG) of other regulatory agencies. Mr. Feld advises corporations, boards of directors and board committees regarding internal investigations, corporate compliance programs and corporate governance issues, including the Foreign Corrupt Practices Act (FCPA) and data privacy.

Mr. Feld's work encompasses False Claims Act litigation in a variety of industries including health care, manufacturing, and consumer finance. He also represents parties in class actions, arbitrations, and commercial litigation.

Mr. Feld served at the DOJ as an Associate Deputy Attorney General. In that role, he oversaw prosecutions from U.S. Attorney's offices nationwide involving a broad array of cases from financial institution fraud to securities matters to environmental prosecutions. He was an Assistant U.S. Attorney for the District of New Jersey, where he concentrated on financial and securities prosecutions and other complex white collar criminal matters. He twice received DOJ Special Achievement awards.

Mr. Feld served as Assistant Special Counsel to the Select Commission established by the State of Rhode Island to investigate the collapse of its multibillion dollar privately-insured financial institution system. In addition, he served as an Associate Independent Counsel for the investigation of the U.S. Department of Housing and Urban Development under the direction of the Hon. Arlin Adams.

Mr. Feld serves on the Board of Editors for Business Crimes Bulletin, a monthly publication about corporate compliance and investigations.

### Experience

- Representation of hospital and health care companies in False Claims Act investigations and settlements.

U.S. Court of Appeals, 2nd Circuit  
 U.S. Court of Appeals, 3rd Circuit  
 U.S. Court of Appeals, 4th Circuit  
 U.S. Court of Appeals, 7th Circuit  
 U.S. Court of Appeals, D.C. Circuit

**Education**

Boston University School of Law,  
 J.D.

- *Law Review*

Harvard University, M.C.R.P.  
 Reed College, B.A.

- *Phi Beta Kappa*

- Representation of national mortgage lender in DOJ False Claims Act investigation.
- Representation of Fortune 50 executive in major DOJ investigation.
- Representation of major health care insurance company in civil litigation relating to behavioral health policies.
- Representation of a multinational foreign company in an antitrust investigation and class action litigation.
- Representation of persons in Congressional investigations and hearings.
- Representation of persons in FCPA investigations.
- Representation of manufacturing, health care, technology and financial services companies in internal investigations.
- Representation of a regulatory director in a criminal FDA prosecution including an off-label marketing violation.
- Representation of senior officer of an internet company in securities prosecution.
- Representation of physicians in anti-kickback investigations.

**Significant Decisions**

- *People v. Davontae Sanford*, Wayne County Circuit Court, 2008 murder convictions of teenager overturned in 2016 by Dykema Pro Bono Team based on innocence

**Seminars & Speeches**

Five FCPA Hot Topics Middle Market Companies (and Other Businesses) Need to Know  
 December 14, 2021

The Transformation Of Federal Environmental Policies  
 September 14, 2021

*Strategic Thinking Reduces Liability*, Panelist, LeadingAge Michigan Liability Summit  
 July 21, 2021

Webinar – Paycheck Protection Program: Preparing for SBA Review of Your Forgiveness Application and Subsequent Denials, Appeals and Audits  
 June 24, 2021

Government Enforcement in the Biden Administration: Will Everything Old Be New Again?  
 December 10, 2020

*Post Pandemic Attorney-Client Concerns: Live Webinar Series*, LeadingAge Michigan  
 June 25, 2020

Investigations and Compliance in the 21st Century: Four Topics Counsel Need to Know About  
 March 17, 2020

What the Future Holds for the False Claims Act  
 June 18, 2019

Jonathan S. Feld (Cont.)

Internal Investigations: Protecting Attorney-Client Privilege Against Increasing Attacks  
March 27, 2018

Stepping Around the Money Pit: Practical Steps for Containing Costs in Major Legal Matters  
September 19, 2017

The Trump Administration, the Yates Memo and the Impact on Internal Investigations  
March 21, 2017

Key Compliance Issues for 2017  
March 16, 2017

Trends In Health Care Fraud Enforcement Seminar  
January 25, 2017

*Why Data Privacy Matters: Guarding Against Unwanted Intruders*, Carousel of Panels, IASB/IASA/IASBO Joint Annual Conference, Chicago, Illinois  
November 19, 2016

*Complying with Law*, Loyola University Chicago Journal of Regulatory Compliance and the Center for Compliance Studies Compliance Symposium  
September 23, 2016

*Protect and Defend: Why Cybersecurity Matters and What You Can Do to Protect Your Organization and Board from Data Breach Risks*  
April 28, 2016

## Publications

"Preserving the Privilege In the Corporate Setting"  
June 2021  
*Law Journal Newsletters*

"What's Our Name Again? – Cyber Imposters Pose A Business Threat"  
June 30, 2020  
*The Firewall*

"Biometrics and the Fifth Amendment: A New Frontier"  
February 2020  
*Law Journal Newsletters*

"'Mixed Messages': DOJ Efforts to Dismiss Qui Tam Actions," Co-Author  
September 3, 2019  
*Law Journal Newsletters*

"Biometrics and Search Warrants: The Intersection of Your iPhone and the Fourth and Fifth Amendments," Co-Author  
March 6, 2019  
*The Firewall*

"FCA and Statute of Limitations: A Puzzle for the Supreme Court"  
March 2019  
*Law Journal Newsletters - Business Crime Bulletins*

"Balancing Fourth Amendment Expectations in the Electronic Era"  
July 2018  
*Business Crimes Bulletin – Law Journal Newsletters*

"The Rise of the Travel Act," Co-Author  
October 2017  
*Law Journal Newsletters - Business Crime Bulletins*

"The Yates Memo and the Push for Individual Accountability," Co-Author  
February 2017

Jonathan S. Feld (Cont.)

*Journal of Health & Life Sciences Law*, Vol. 10, No. 2

"The Continuing Evolution of the False Claims Act"

January 2017

*Law Journal Newsletters/Business Crimes Bulletin*

"Ten Steps to Minimize Data Privacy and Security Risk and Maximize Compliance"

April 13, 2016

*The Cybersecurity Law Report* Vol. 2, No. 8

"The Yates Memo, Corporate Cooperation and Attorney-Client Privilege," Co-Author

February 2016

*Law Journal Newsletters - Business Crimes Bulletin*

"Stormy Weather: DOJ signals shift in corporate cooperation policy," Co-Author

September 22, 2015

*Lexology*

"D.C. Circuit again protects attorney-client privilege over internal investigation materials"

August 24, 2015

*Lexology*

"Make that Thirteen Labors: FCPA requirements present Herculean labor for compliance officers"

July 17, 2015

*Metropolitan Corporate Counsel*

"Collaboration and boundaries vital for new cybersecurity initiatives"

April 7, 2015

*CSO Online*

"Corporate Cooperation: What it Now Means for Companies and Employees"

January 2015

*Law Journal Newsletters - Business Crimes Bulletin*

Internal Investigations: The Spotlight Is On The Role Of The Attorney-Client Privilege

September 23, 2014

*Metropolitan Corporate Counsel*

"American Meat Institute v. United States Department of Agriculture: country of origin labels and the First Amendment"

August 26, 2014

*Association of Corporate Counsel*

"Don't take attorney-client privilege for granted: The rise of internal investigations brings greater scrutiny"

July 2014

*Chicago Lawyer Magazine*

## News

Jonathan Feld Predicts Increase in FCA Suits in *Modern Healthcare*

May 20, 2019

Jonathan Feld Discusses FCA Guidelines with *Modern Healthcare*

May 8, 2019

Jonathan Feld Weighs In on Whistleblower Case Dismissals in *Bloomberg BNA*

March 5, 2019

Dykema's Government Policy Podcast: Washington, D.C., Outlook — February 2019

February 15, 2019

Jonathan Feld Quoted in *American Lawyer* Story on Whistleblower Memos

July 27, 2018

Jonathan S. Feld (Cont.)

Feld, Wilkinson, Courington and Carruthers Report on Surprising DOJ Maneuver in Health Care Fraud Fight in *Law Journal Newsletters*  
October 2, 2017

Jonathan Feld to Speak to Loyola University Compliance Symposium  
September 21, 2016

Charfoos, Feld and Tupper Author Article on Data Privacy and Security  
April 27, 2016

Jonathan Feld and Kara Murphy Author FCPA Article for *Metropolitan Corporate Counsel*  
July 17, 2015

Jonathan Feld and Suzanne Alton Co-Author Cybersecurity Article for *CSO Online*  
April 9, 2015

Jonathan Feld, Eric Klein and Suzanne Alton Co-Author Article about the Role of Attorney-Client Privilege in Internal Investigations for *Metropolitan Corporate Counsel*  
October 3, 2014

Jonathan Feld and Susan Asam Interviewed by *National Law Journal*  
October 1, 2014

Jonathan Feld Quoted in *Corporate Counsel*  
August 22, 2014

Jonathan Feld to Present to American Conference Institute's 6th Chicago FCPA Boot Camp  
May 29, 2014

Jonathan Feld Quoted in *Compliance Week* Article  
May 23, 2014

Jonathan Feld, Susan Asam and Leyton Nelson Co-Author *Corporate Counsel* Article on Cybersecurity  
May 14, 2014

Jonathan Feld, Howard ("Buck") O'Leary Co-Author Article for ABA Health Law Section Newsletter  
March 17, 2014

Jonathan Feld Participates in World Services Group GC Roundtable Discussion  
February 25, 2014

Jonathan Feld Quoted in *Law360* Article on White Collar Cases to Watch in 2014  
January 2, 2014

Jonathan Feld, Kara Murphy Co-Author Article for *LJN Business Crimes Bulletin*  
November 7, 2013

Jonathan Feld Quoted in Main Street.com  
October 14, 2013

Jonathan Feld, Mark Magyar Obtain Significant Victory for Dykema Client in Embezzlement Matter  
September 27, 2013

## Blog Posts

Growing Cannabis Industry Attracts Increased Government Enforcement

Long Term Care Facilities Should Prepare for County Investigations Into COVID Deaths

Change is Near: What the Biden Executive Order Means for Title IX Misconduct Claims

Whistle While You Work: Congress Strengthens Protections for Employees Reporting Antitrust Violations

Nursing Home Compliance Under the COVID-19 Microscope

Jonathan S. Feld (Cont.)

Fighting Fraud in the Wake of COVID-19

The National Nursing Home Initiative: New DOJ Taskforce Bolsters Nursing Home Enforcement

The False Claims Act Goes Abroad: Michigan Research Institute Falls Under DOJ False Claims Act Scrutiny

Eleventh Circuit Rejects Expert Challenge to Clinical Judgment Decision in Hospice False Claims Act Litigation

New Development: Government Authority to Dismiss Qui Tam Actions

Supreme Court Exposes FCA Defendants To Decade-Old Relator Suits

A Longer Statute of Limitations for False Claims Act Qui Tam Suits?

Back to the Old Regime: The DOJ's Criminal Division's Newest Compliance Approach

Reading the Tea Leaves: Understanding OIG Priorities

Stay One Step Ahead of the Regulator: Data Analytics as Part of a Robust Compliance Program

Memos May Signal Change to DOJ Enforcement of FCA

## Memberships & Involvement

Board of Editors, Business Crimes Bulletin

## Community/Civic Activities

- Lawson House Board of Directors, 1999 - 2015
- Single Room Housing Assistance Corporation (SRHAC), Advisory Board, 2016-present

## Awards & Recognition

Named an Illinois Leading Lawyer in the area of Commercial Litigation, Criminal Defense Law: White Collar Defense, and Federal Regulatory Law by *Leading Lawyers Network*, 2013-2019. Law Bulletin Publishing Company

Recognized in *Illinois Super Lawyers*® for Criminal Defense: White Collar, Business Litigation, 2011-Present

Recipient of an AV® Preeminent™ Rating by *Martindale-Hubbell*

Recognized in *Law & Politics* as an Illinois Super Lawyer for Criminal Defense: White Collar, Business Litigation, 2005-2010