



## Suzanne Jaffe Bloom

Partner

Co-Chair, Government Investigations, Enforcement, and Compliance

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Suzanne is a former federal prosecutor (SDNY and EDNY) who is consistently recognized as one of New York's top lawyers in white collar criminal defense and government investigations and described by *Chambers USA* as "exceptionally smart and tenacious" and "an outstanding strategist and a great trial lawyer." Suzanne is a dedicated advocate for her clients, who benefit from her wealth of government experience. Suzanne's keen insights, strategic acumen, and ability to mount vigorous defenses allow her to achieve her clients' goals in a highly effective manner, at times preventing government charges or claims from being filed in the first instance.

Suzanne's extensive experience with government matters on both the prosecution and the defense side, coupled with her strong advocacy skills and commitment to her clients, enables her to achieve highly favorable results for her clients in some of their most sensitive matters.

Suzanne, Global Co-Chair of the firm's Government Investigations, Enforcement, and Compliance Practice, represents clients in a vast array of industries, including public and private companies and organizations, special board committees, financial institutions, investment firms, bank and non-bank lenders, private equity funds,

corporate executives, and other individuals in all aspects of both federal and state criminal and civil investigations and related litigation. Suzanne routinely defends clients in investigations and litigations led by various investigative, enforcement, and regulatory authorities, often on multiple fronts at once, including the U.S. Department of Justice; regional U.S. Attorney's Offices; federal, state and local investigative and regulatory agencies; and State Attorney General Offices nationwide, among others. She defends clients in connection with a wide range of issues, including the False Claims Act and related *qui tam*/whistleblower litigation, the Foreign Corrupt Practices Act (FCPA), the Medicare Secondary Payer Act, government program fraud, bribery and the Anti-Kickback Statute, health care fraud, government contracting fraud, insider trading, accounting fraud, tax fraud, embezzlement, money laundering, public corruption, securities fraud, and obstruction of justice. In addition, Suzanne counsels clients on the development, implementation, and enhancement of compliance and remediation programs, and she provides valuable guidance for achieving compliance objectives and minimizing the risk of government investigations and related actions. She has also served as counsel to state regulators in connection with the monitoring of several large insurance brokerage firms following a multistate investigation of allegations of bid-rigging and other wrongdoing.

Suzanne previously served as a federal prosecutor in both the U.S. Attorney's Office for the Southern District of New York (S.D.N.Y.) and the U.S. Attorney's Office for the Eastern District of New York (E.D.N.Y), where she was Deputy Chief of the Long Island Criminal Division, overseeing its corporate fraud and complex white collar matters. During her 12 years as a federal prosecutor, Suzanne conducted many grand jury investigations and federal jury trials, and successfully investigated and prosecuted sophisticated white collar crimes, including those involving alleged health care fraud, government contracting fraud, public corruption, money laundering, tax offenses, bank fraud, and securities fraud. Suzanne also led joint criminal and civil investigations involving alleged violations of the False Claims Act.

### **Key Matters**

# FALSE CLAIMS ACT – GOVERNMENT CONTRACTING, SBA, CARES ACT (PPP, EIDL, ETC.) – REPRESENTATIVE MATTERS

- Secured declinations on the merits from federal and state authorities on behalf of a Fortune 100 company in connection with False Claims Act (FCA) investigations of government contracts for technology and security equipment conducted simultaneously by the U.S. Department of Justice (DOJ), the U.S. Attorney's Office for the Western District of New York, and the Office of the Attorney General for approximately 15 states and the District of Columbia. Negotiated a favorable resolution of related *qui tam* action, including dismissal of all claims.
- Successfully represented corporate borrowers in connection with federal government investigations of alleged fraud related to certain pandemic relief programs (CARES Act), including the Paycheck Protection Program and the Economic Injury Disaster Loan programs, securing decision by the relevant government authority to decline to bring claims against the client
- Secured voluntary dismissal with prejudice of New York state and city false claims act claims filed against an international client in the manufacturing industry based on alleged fraud in connection with product sales to state purchasers
- Conducted a compliance review of government contracts and related compliance counseling for a Fortune 500 government contractor on issues related to the FCA, the Program Fraud Civil Remedies Act, the Federal Acquisition Regulations, the System for Award Management, the Central Contract Registration System, and the Small Business Act
- Representing various lenders in connection with multiple federal government investigations of alleged fraud involving certain pandemic relief (CARES Act) programs, including the Paycheck Protection Program and the Economic Injury Disaster Loan programs

### FALSE CLAIMS ACT - HEALTH CARE - REPRESENTATIVE MATTERS

- Obtained a significant victory for a multinational insurance company and certain affiliates in a False Claims Act
  action based on alleged violations of the Medicare Secondary Payer Act, obtaining a pre-trial dismissal of the
  action with prejudice. Thereafter, successfully represented clients in connection with the appeal of the decision to
  the Second Circuit Court of Appeals, securing an affirmance of the lower court's dismissal with prejudice.
- Successfully defended a Fortune 500 company in connection with criminal and civil investigations by several U.S.
  Attorney's Offices and State Attorney General's Offices involving alleged violations of the Anti-Kickback Statute
  and the FCA and several related *qui tam* actions, preventing criminal charges against the client and securing
  favorable resolutions of the various *qui tam* actions
- Secured a declination of intervention from the U.S. Attorney's Office for the Southern District of New York (S.D.N.Y.) on behalf of a public company with global operations in connection with an investigation of alleged violations of the FCA, and a favorable resolution of the related *qui tam* action
- Secured a voluntary dismissal of *qui tam* claims brought against a Fortune 500 company under federal and state false claims acts based on alleged fraud with respect to the purchase and sale of certain drugs. Secured dismissal of all claims against the client without any required settlement payments by client.
- Secured declinations on the merits from DOJ and two regional U.S. Attorney's Offices on behalf of a nationwide rehabilitation therapy services provider in connection with a federal investigation and three related *qui tam* complaints asserting wide-ranging claims of FCA violations. Secured a favorable resolution with the relators that included dismissal of all claims.

### FRAUD, THEFT, EMBEZZLEMENT - REPRESENTATIVE MATTERS

- Representation of certain Fortune 500 public companies in connection with multiple State Attorney General investigations involving allegations of fraud and deceptive trade and labor practices
- Conducted an internal investigation of alleged fraud and theft on behalf of an international organization and provided guidance related to proactive defense of allegations and related compliance measures
- Prevented criminal charges against a private company in connection with a confidential federal criminal investigation involving allegations of fraud, theft, and embezzlement
- Obtained pre-trial dismissal of claims against individuals in connection with litigation involving claims of financial fraud and theft
- Representation of an educational services provider organization in connection with a government and internal
  investigation of alleged misuse of government funds provided under a federal program to provide financial
  assistance for certain student populations, and alleged falsification of related documentation and government
  submissions

### **SECURITIES - REPRESENTATIVE MATTERS**

- Represented individuals in connection with criminal investigations of allegations of insider trading and obstruction of justice, successfully avoiding charges against certain clients
- Represented the board of directors of a public software company in connection with an internal investigation of the conduct and stock trading activities of the company's CEO
- Represented the Audit Committee of a Fortune 500 company with international operations in connection with an internal investigation of allegations of accounting and securities fraud

### FCPA - REPRESENTATIVE MATTERS

Represented the Audit Committee of a Fortune 500 company in connection with the oversight of more than 40 internal investigations conducted worldwide, involving allegations of violations of the FCPA, money laundering, and accounting irregularities; the issuance of related financial restatements; and related U.S. Securities and Exchange Commission (SEC) inquiries

- Represented an executive of a Fortune 100 company with worldwide operations in connection with a confidential DOJ investigation of alleged violations of the FCPA. No charges were filed.
- Represented an executive in the financial services industry in connection with an FCPA and related SEC investigation
- Represented a global investment bank in a multibillion dollar cross-border federal investigation related to alleged violations of the Foreign Corrupt Practices Act and related securities fraud arising from bond offerings in Southeast Asia

### MEDICARE SECONDARY PAYER ACT - REPRESENTATIVE MATTERS

- Successfully represented an affiliate of a multinational insurance company in two class actions in Southern District
  of Florida asserting claims for alleged violations of the Medicare Secondary Payer Act and subrogation based on
  purported assignments from Medicare Advantage Organizations and other related entities. Secured voluntary
  dismissal of both actions against the client following arguments for dismissal.
- Secured pre-trial dismissal of all claims filed against various affiliates of a multinational insurance company in a class action in the Southern District of New York asserting claims for alleged violations of the Medicare Secondary Payer Act and subrogation based on purported assignments from Medicare Advantage Organizations.
- Obtained a significant victory for a multinational insurance company and certain affiliates in a False Claims Act action based on alleged violations of the Medicare Secondary Payer Act, obtaining a pre-trial dismissal of the action with prejudice. Thereafter, successfully represented clients in connection with the appeal of the decision to the Second Circuit Court of Appeals, securing an affirmance of the lower court's dismissal with prejudice.
- Secured pretrial dismissal of federal and state False Claims Act claims filed against a prominent national insurance company client and certain affiliates in the Eastern District of Michigan premised on alleged violations of the Medicare Secondary Payer Act.

### OFFICIAL CORRUPTION - REPRESENTATIVE MATTERS

- Represented venture capital funds and executives in connection with a nationwide investigation by the SEC and State Attorney General's Offices of allegations of official corruption related to public pension funds, successfully avoiding charges against clients
- Represented a managing director of a financial institution in connection with an internal investigation of allegations regarding official corruption, securing a favorable resolution

### **ADDITIONAL AREAS – REPRESENTATIVE MATTERS**

- Sex Assault/Trafficking Representation of organizational and individual clients in connection with federal government investigations of sex trafficking allegations
- *Drug Diversion* Representation of substance abuse treatment centers and a global animal health company in federal criminal investigations and a related internal investigation of alleged drug diversion
- Tax Represented an international financial institution in connection with a federal grand jury investigation and related litigations involving allegations of violations of civil and criminal tax laws, securing favorable resolutions
- Organizational Governance; Compliance Counseling Represented the executive committee of a large
  professional services firm in connection with its internal investigation of allegations of wrongdoing and the
  development and implementation of a remediation and compliance program
- Corporate Governance; Investor Litigation Represented an investor in a biotechnology company in connection with civil litigation involving organizational governance issues, securing favorable resolution
- Compliance Counseling Counseled the Audit Committee of a Fortune 500 company in connection with the
  development and implementation of worldwide compliance and remediation plans concerning, among other
  things, compliance with the FCPA, related anti-bribery laws, and anti-money laundering laws, following worldwide
  internal investigations

• Insurance; Compliance Monitoring – Represented a state regulator in connection with the examination and compliance monitoring of several insurance brokerage companies in the wake of a multistate investigation of alleged wrongdoing and the resulting settlement agreements

### U.S. ATTORNEY'S OFFICE FOR THE S.D.N.Y. - REPRESENTATIVE MATTERS

- Led joint criminal and civil investigations involving alleged government program fraud and violations of the federal False Claims Act and related statutes
- Led investigation and successful prosecution of 15 present and former police officers and detectives with the New York City Police Department on various federal tax charges, including tax evasion and conspiracy to defraud the United States
- Responsible for the successful prosecution of corrupt construction contractors and attorneys on charges of bribery relating to construction contracts with the New York City Board of Education and the School Construction Authority
- Led an investigation of corruption within the International Ladies Garment Workers Union and the Ladies Apparel Contractors Association, resulting in the conviction of several labor union officials and garment contractors on labor racketeering charges, including conspiracy and bribery
- Responsible for the successful prosecution of a DEA Special Agent and other DEA employees on charges relating to public corruption and narcotics conspiracies
- Led an investigation of corruption at the New York Office of the U.S. Immigration & Naturalization Services (INS), resulting in arrests and convictions of INS employees and brokers on various charges, including conspiracy, bribery, trafficking in fraudulently obtained INS documents, and establishing a commercial enterprise to evade the immigration laws

### U.S. ATTORNEY'S OFFICE FOR THE E.D.N.Y. - REPRESENTATIVE MATTERS

- Led joint criminal and civil investigations involving alleged government program fraud and violations of the federal False Claims Act and related statutes
- Led an investigation of corruption at the Village of Hempstead Housing Authority (HHA) resulting in the conviction of a former HHA supervisor, the former Director of Public Relations at the Economic Opportunity Commission of Nassau County, and a local contractor on extortion, bribery, and tax charges
- Led an investigation and the prosecution of 53 individuals charged in connection with fraudulent securities
  offerings attempting to raise more than US\$48M nationwide, resulting in convictions on various counts of
  securities fraud and related charges
- Led several individual and corporate investigations and successful prosecutions involving conspiracies to defraud the United States, and violations of the federal tax laws
- Led an investigation and the successful prosecution of individuals involved in money laundering and fraud on behalf of owners and investors of medical imaging companies
- Led a joint federal and state investigation of a nationwide fraud perpetrated by the principals of several loan brokerages and funding companies operating out of New York, resulting in convictions of principals on several counts of conspiracy and mail fraud

## Recent Experience

Prevailed before Supreme Court for Omnicare in Landmark Securities Act Case

### Recognitions

Suzanne was included in *Benchmark Litigation*'s "Top 250 Women in Litigation" (2019–2025) and recognized as a "Litigation Star" for White Collar Crime (2019–2025). She was named to *The Best Lawyers in America* for her work in Criminal Defense: White Collar from 2021–2025, Health Care Law in 2023, and *Qui Tam* Law from 2023–2025. She is ranked in *Chambers USA* 2012–2024 as one of New York's top lawyers in white collar and government investigations practice. Suzanne is also recognized in *The Legal 500 US* 2019–2024 as a "Leading Lawyer" for Corporate Investigations and White Collar Criminal Defense: Advice to Corporates. She is recognized in *Lawdragon*'s "500 Leading Litigators in America" from 2023–2025 for White Collar, Investigations, *Qui Tam*, and FCA; "500 Leading Lawyers in America" in 2025 for White Collar, Investigations; and "500 Leading Global Litigators" in 2024 for International Litigation & Investigations (esp. White Collar). Suzanne is consistently recognized as a New York "Super Lawyer" in *Super Lawyers*. She is also identified as a "leading practitioner" in the field of white collar crime, corporate compliance, and regulatory enforcement in *Who's Who* Legal: *Investigations* 2019 and recommended as a "Global Leader" for Investigations in the 2022 edition. In addition, Suzanne is recognized in the List of Top Women Attorneys in the New York Metro Area (*New York Times Magazine*). Suzanne is rated with AV Peer Review Rating from Martindale-Hubbell (highest rating) and received the 2007 "Burton Award for Legal Achievement."

### **Activities**

Suzanne is a member of the Harvard Law School Women's Alliance, the Harvard Law School Alumni Association, the Women's White Collar Defense Association, the New York City Bar Association – Women in the Legal Profession Committee, White Collar Crime Subcommittee, the Steering Committee of the Harpur Law Council, and the Bechdel Group. Suzanne was also a founding member of the New York City Bar Association's Dewey Medal Committee, honoring outstanding prosecutors from each of the District Attorney's offices in New York City. In addition, Suzanne served on Law360's 2018 White Collar Editorial Advisory Board and 2021 Compliance Editorial Advisory Board. Suzanne is a member of the New York State Bar.

### Credentials

### **EDUCATION**

Suzanne earned a J.D., *cum laude*, from Harvard Law School and graduated *summa cum laude* from the State University of New York at Binghamton, where she received a Bachelor of Science in business management and the Horwitz Award for Excellence in Business Management.

### **ADMISSIONS**

New York

## Related Insights & News

### **PUBLICATIONS**

- "DOJ's New Whistleblower Tip Line Is Open and Companies Should Be Prepared," Investigations, Enforcement, & Compliance Alerts, Co-author, Aug. 9, 2024
- "SCOTUS Narrows the Federal Program Bribery Statute," Investigations, Enforcement, & Compliance Alerts, Coauthor, July 10, 2024

- "Succeeding Across a Monitor's Audiences," Global Investigations Review, Co-author, May 21, 2024
- "2023 DOJ FCA Enforcement: Expectations for Future," Bloomberg Law, April 5, 2024
- "Come See Us Before We Come See You DOJ Announces New Whistleblower Program Intensifying Corporate Enforcement Efforts," Investigations, Enforcement, & Compliance Alerts, Co-author, March 14, 2024
- "Supreme Court's False Claims Ruling Leaves Plenty to Litigate," Bloomberg Law, June 13, 2023
- "DOJ's Changes to Corporate Enforcement Policy Present Obstacles," Bloomberg Law, Feb. 1, 2023
- "Tips to Follow DOJ Guidance and Survive Corporate Investigations," Bloomberg Law, Jan. 6, 2023
- "How to Navigate DOJ's Update on Corporate Criminal Enforcement," Bloomberg Law, Oct. 26, 2022
- "Guide to Monitorships: Succeeding Across a Monitor's Audiences," Global Investigations Review, April 2022
- <u>United States: DOJ's Initiatives For Ramping Up White Collar Enforcement Reveal Focal Points For Reducing</u>
   <u>Corporate Risk</u>, Mondaq, March 28, 2022
- What Companies Can Learn From The 2021 FCA Recovery Statistics, Law360, Feb. 16, 2021
- AAG Polite Warns of Rigorous DOJ Scrutiny, Urging Companies to Beef up Compliance Programs, Dec. 16, 2021
- DOJ Announces New Rules for Federal Monitors of Governmental Entities, Oct. 1, 2021
- "United States: DOJ Continues To Use The False Claims Act To Protect PPP Funds," Mondaq, Sept. 8, 2021
- "<u>FCA Playbook: DOJ Announces Establishment of COVID-19 Fraud Enforcement Task Force</u>," Bloomberg Law Convergence, June 1, 2021
- "<u>United States: Recently Announced Plea Agreements And New DOJ Task Force Signal Aggressive Pursuit Of Fraud Targeting Pandemic Relief Programs</u>," Mondaq, May 31, 2021
- <u>"United States: Important Lessons From The Second FCA Settlement Involving Alleged False Statements By PPP Borrower And Its CEO,"</u> Mondag, May 6, 2021
- "7 False Claims Act Enforcement Trends To Watch," Law360, Feb. 15, 2021
- "DOJ's FY 2020 False Claims Act Statistics Understanding Where We Have Been and Where We Are Headed,"
   Jan. 26, 2021
- "DOJ Announces First Settlement to Resolve Alleged FCA Violations by a PPP Borrower and Its CEO," Mondaq, Jan. 22, 2021
- "High Court Could Expand FCA Reach In Resolving Circuit Split," Law360, Dec. 1, 2020
- From Hospice Care Eligibility to PPP Loan Eligibility a Potential Supreme Court Decision in the Care Alternatives FCA Case Could Have Wide-Ranging Ramifications, Nov. 20, 2020
- "Inside The First Paycheck Protection Program Fraud Charges," Law360, May 15, 2020
- "SBA Paycheck Protection Program Update: SBA Provides Guidance on Certification of Need and Extends Safe Harbor for Repayment of PPP Loans," May 14, 2020
- "SBA Guidance Addresses FCA and FIRREA Liability for PPP Lenders," May 4, 2020
- "Mitigating FCA Liability Risks From Covid-19 Relief Programs," Bloomberg Law, May 2020
- "An Early Look At DOJ's Increased Focus On COVID-19 Fraud," Law360, April 6, 2020
- "Key Takeaways From DOJ's 2019 FCA Recovery Stats," Law360, March 31, 2020
- "DOJ And States Creatively Respond To Fraud Amid COVID-19," Law360, March 25, 2020
- "DOJ's Civil Division Issues Valuable Guidance on False Claims Act Self-Disclosure, Cooperation, and Remediation Credit," Westlaw Journal Government Contract, Volume 33, Issue 4, June 17, 2019

- "What Can Be Learned from the DOJ's 2018 False Claims Act Recoveries?" Pratt's Government Contracting Law Report, April 2019
- "Inside the DOJ's New Policy On Coordinated Enforcement," Law360, May 11, 2018
- "Cosby's Conviction And How #MeToo Is Affecting Legal Cases," Law360, April 26, 2018
- "Analysis of the DOJ's Reported \$3.7 Billion in False Claims Act Recoveries in FY 2017 Reveals Continued
   <u>Aggressive Use of the False Claims Act by the Government and Qui Tam Relators</u>," Pratt's Government
   Contracting Law Report, April 2018
- "<u>'People v. Weinstein': New York Attorney General's Sharp Warning About Systemic Workplace Sexual Harassment</u>," New York Law Journal, March 30, 2018
- "DOJ's Criminal Fraud Section Provides Valuable Guidance on the Evaluation of Corporate Compliance Programs,"
   March 29, 2017
- "2016 DOJ False Claims Act Statistics Signal that DOJ Will Continue Rigorous Enforcement with a Focus on the Health Care Industry and on Individual Accountability," Pratt's Government Contracting Law Report, Jan. 13, 2017
- "Supreme Court Clarifies What Constitutes a 'Personal Benefit' for Purposes of Insider Trading," Dec. 7, 2016
- "Recent SEC Enforcement Action Highlights General Counsel's Responsibility for Disclosure of Litigation Contingencies," Sept. 28, 2016
- "Supreme Court Addresses Limits on 'Implied Certification' Theory Under The False Claims Act: *Universal Health Services, Inc. v. U.S. ex. rel Escobar,*" June 17, 2016
- "2015 DOJ False Claims Act Statistics Reveal Trend Shifts and Increasing Enforcement for 2016," Pratt's Government Contracting Law Report, April 2016
- "9th Cir. Confirms FCA Relator's Conviction Bars Recovery," Law360, July 28, 2015
- "Relator Precluded From Sharing in Settlement Proceeds Based on Conviction for Minor Role in Underlying FCA Violation," July 24, 2015
- "The Supreme Court Rules on Two Key FCA Issues," May 29, 2015
- "Selective Waiver: Making Sense of the Confusion," New York Law Journal, July 23, 2007
- "New Risk in Employee Interviews," The National Law Journal, July 24, 2006
- "Shoring Up Compliance Program in the Wake of 'Booker/Fanfan'," GC New York, Oct. 11, 2005

### **SPEAKING ENGAGEMENTS**

- "FCA Playbook: Managing Risks of COVID-19 Relief and Response Programs," CLE program, June 24, 2020
- "False Claims Act and Qui Tam Litigation: Recent Trends and Developments," CLE program, Feb. 14, 2017
- "Whistleblower Claims: Latest Developments and Proactive Risk Management," CLE program, June 7, 2017
- "Internal Investigations 2009 How to Protect Your Clients or Company," New York, Practising Law Institute, June 9, 2009
- "Internal Investigations 2008 Legal, Ethical & Strategic Issues," New York, Practising Law Institute, June 10, 2008
- "Internal Investigations 2007 Legal, Ethical & Strategic Issues," New York, Practising Law Institute, June 12, 2007
- "Ask the Regulators," New Mexico, Ethics and Compliance Officer Association, Panel Moderator, April 6, 2006
- "The Roles and Responsibilities of In-House and Outside Counsel in Coordinating Multiple Government Investigations and Related Civil Litigations," New York, June 8, 2005

### **BLOG**

Future FCA Enforcement Expectations in Light of New Administration Priorities and 2024 Recoveries MAY 1, 2025

#### **BLOG**

Fourth Circuit Allows Immediate Enforcement of DEI Executive Orders: Implications for Federal Contractors and Grant Recipients

MARCH 20, 2025

### **BLOG**

First Circuit Joins Circuit Split in Favor of "But For" Causation Required To Show Falsity in AKS-Based False Claims Act Cases

MARCH 13, 2025

#### **BLOG**

Understanding and Addressing Increased FCA Exposure Risks Resulting from DEI-Focused Executive Order JANUARY 31, 2025

### **RECOGNITIONS**

Winston Attorneys Featured on the 2025 *Lawdragon* 500 Leading Lawyers in America List JANUARY 14, 2025

### **BLOG**

U.S. Appeal in *Zafirov* May Lead to Circuit Split and SCOTUS Review of Constitutionality of FCA's Qui Tam Provisions

OCTOBER 30, 2024

### **RECOGNITIONS**

Winston & Strawn Recognized in 2025 Benchmark Litigation

**OCTOBER 3, 2024** 

### **RECOGNITIONS**

Winston Attorneys Featured on the 2025 *Lawdragon 500* Leading Litigators in America List SEPTEMBER 6, 2024

#### RECOGNITIONS

Winston Attorneys Named to *Benchmark Litigation*'s 2024 List of the Top 250 Women in Litigation AUGUST 15, 2024

### **RECOGNITIONS**

Winston Attorneys Recognized in The Best Lawyers in America® 2025

### **BLOG**

DOJ's New Whistleblower Tip Line Is Open and Companies Should Be Prepared AUGUST 9, 2024

### **RECOGNITIONS**

Winston Lawyers Featured on the 2024 *Lawdragon* 500 Leading Global Litigators List JULY 25, 2024

## Capabilities

