

## PRACTICES:

- Compliance and Investigations
- Government Contracts
  - Procurement Fraud
- International
- Litigation
  - Health Care



## Joshua R. Hochberg

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### Experience

Joshua R. Hochberg's practice focuses on individual and corporate white collar defense, internal investigations, and compliance.

Mr. Hochberg has served as the court appointed Examiner in the Refco Bankruptcy in the Southern District of New York. He was also the court appointed Examiner in the DBSI Bankruptcy in Delaware. In other notable engagements, Mr. Hochberg has represented public officials in corruption investigations, and CEOs of major domestic and foreign corporations in accounting fraud and FCPA investigations. He has also counseled corporations in their negotiation of settlements with the Department of Justice.

Prior to joining MLA, Mr. Hochberg was Chief of the Fraud Section, and Deputy Chief for Litigation of the Public Integrity Section, in the Criminal Division of the Department of Justice. As Chief of the Fraud Section, Mr. Hochberg organized nationally significant complex investigations and prosecutions of corporate, securities, health care, procurement, and bank fraud matters. He also supervised all Foreign Corrupt Practices Act investigations, and prosecutions nationwide.

Mr. Hochberg helped lead the Department of Justice's response to the wave of accounting scandals that followed the collapse of Enron Corp. in 2001. Working with the Securities and Exchange Commission, he negotiated major global settlements of accounting fraud matters. He assembled and supervised high profile Task Forces including as Acting United States Attorney for the Enron investigation. He is highly experienced with evaluating the Department of Justice's expectations for corporate voluntary disclosures, corporate cooperation, and the use of monitors to ensure compliance with the terms of settlements. He has also tried major white collar cases.

Mr. Hochberg is a frequent speaker at ABA, SEC, HHS, and Sentencing Commission conferences addressing white collar crime subjects including: deferred prosecution agreements, health care and procurement fraud; corporate compliance and ethics; and FCPA enforcement.

While at the Justice Department, Mr. Hochberg received the Justice Department's highest award for litigation, the "Attorney General's John Marshall Award." He has also been a recipient of the Criminal Division's highest award, the "Henry E. Petersen Memorial Award" and a "Presidential Rank Award for Distinguished Service."

### Education

- J.D., New York University School of Law, 1972
- B.A., Columbia College, 1969

### + Publications:

- Final Report of the DBSI Examiner filed with the Court on October 19, 2009.
- Interim Report of the DBSI Examiner filed with the Court on August 3, 2009.
- Final Report of the Refco Examiner filed with the Court on July 11, 2007.

### + Seminars And Presentations:

- "Monitors, Examiners, and Receivers: Corporate Watchdogs, Investigators or Liquidators?" Panel Moderator, ABA White Collar Crime Conference, Miami, Florida; February 25, 2010
- "Litigation Strategies," Speaker, Class Action Litigation 2009: Prosecution and Defense Strategies, PLI New York Center-New York, NY; July 10, 2009
- "Ethical Issues in White Collar Cases," Panelist, ABA White Collar Crime Conference, San Francisco, CA; March 5, 2009
- "Corporate Compliance-Reducing Exposure to Severe Sanctions," Panel Moderator, Southeastern Health Care Fraud Institute, Atlanta, Georgia; December 18, 2008
- "The Future of White Collar Sentencing Practice: What Practitioners Need To Know," Panelist, ABA Criminal Justice Section, Washington, DC; October 24, 2008
- "Monitors: When, Why, and How?" Panel Moderator, ABA National Institute on Securities Fraud, Washington, DC; October 2, 2008
- "Sox at Six," Panelist, ABA National Meeting, New York City; August 8, 2008
- "FCPA Enforcement and Preventative Steps for Companies," Panel Moderator, Compliance Week Conference, Washington, DC; June 4, 2008
- "Corporate Crime and Compliance," Panel Moderator, ABA National Institute on Health Care Fraud, Fort Lauderdale;

**Admitted**

- New York
- District of Columbia

May 16, 2008

- "Corporate Plea Bargaining: Are Deferred Prosecution Agreements For Corporations Better Than Pleading Guilty?" Panel Moderator, ABA White Collar Crime National Institute, Miami; March 6, 2008