

WILLIAM C. "BILL" ATHANAS

Partner



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Bill Athanas represents companies and individuals in all facets of government investigations, including those charged in grand jury investigations and other government enforcement actions. His clients include those accused of federal crimes and those facing SEC enforcement actions, as well as healthcare providers confronting False Claims Act investigations and lawsuits, witnesses called to testify in federal and state grand jury investigations, and companies subpoenaed to produce documents in ongoing investigations. Whether as part of ongoing government inquiries or otherwise, Bill also regularly conducts internal investigations on behalf of clients in the healthcare, manufacturing and financial services industries.

In counseling his clients, Bill draws on over twenty years' experience handling complex white collar criminal matters - both as a federal prosecutor and defense counsel - to provide an insider's perspective on the range of issues presented whether individuals and companies find themselves in the government's sights or are simply drawn into investigations as witnesses. He has tried over twenty cases to verdict, and represented scores of individuals and companies facing government inquiries.

In addition to his experience handling criminal, regulatory and internal investigations and trials in the banking, healthcare and securities areas, Bill's in-depth knowledge of the Foreign Corrupt Practices Act (FCPA) enables him to counsel clients engaged in international business on anti-corruption issues. His clients in this area have included companies operating in the apparel, manufacturing, gaming, pharmaceutical, automotive, and resource extraction industries, as well as professional sports. As part of this work, he regularly provides training for key employees, creates and modifies anti-corruption policies and protocols, and provides day-to-day advice and counsel as FCPA issues arise.

Bill's background and experience are reflected in his research and speaking engagements. He writes and speaks frequently on a range of topics, including:

- Defense of government enforcement actions
- Compliance program creation and enhancement strategies
- Internal investigations
- Anti-corruption compliance strategies and enforcement trends
- Federal criminal procedure and sentencing issues

[View a full list of Bill's speaking engagements and research.](#)

From individuals facing federal criminal charges to healthcare companies, manufacturers and financial institutions facing government inquiries, clients appreciate Bill's capacity to fully comprehend their issues and help them navigate in ever-challenging environments.

Honors and Recognitions

- 2017 Mid-South Super Lawyer

Education

- J.D., *cum laude*, Suffolk University Law School, 1995
- Suffolk University Law Review
- B.S., University of New Hampshire, 1992

Bar Admissions

- Alabama
- Massachusetts
- New Hampshire

Court Admissions

- U.S. Court of Appeals for the First and Eleventh Circuits
- U.S. District Court, All Districts of Alabama
- U.S. District Court, All Districts of Massachusetts
- U.S. District Court, All Districts of New Hampshire

Experience

- Represented former CEO of local company charged in the Northern District of Alabama with federal fraud and tax offenses
- Lead an internal investigation in Asia for the wholly owned subsidiary of a publicly traded corporation
- Represented a large publicly traded entity in the defense of False Claims Act qui tam litigation filed in the Northern District of Alabama
- Represented medical practice in federal investigation of potential violations of the Federal Food, Drug and Cosmetic Act relating to alleged importation of unapproved and misbranded medications
- Represent financial institution officer in federal criminal investigation in the Northern District of Alabama relating to alleged nominee loans
- Represented corporate entities in ongoing federal grand jury investigation in the Northern District of Alabama regarding alleged improper receipt of federal grant funds
- Represent management services company in connection with federal investigation of dental claims in the Western District of Kentucky
- Represented dermatologist and dermatology practice in enforcement action filed by Department of Justice in the Western District of Tennessee alleging violations of federal False Claims Act

- Represented physician in federal criminal investigation in the Northern District of Alabama involving submission of nurse practitioner claims
- Represent healthcare provider in defense of ongoing federal grand jury investigation in the Northern District of Alabama regarding alleged violations of the False Claims Act
- Represent individuals in defense of ongoing securities fraud federal grand jury investigation in the Northern District of Alabama
- Represent individuals facing Securities and Exchange Commission investigation relating to allegations of securities fraud
- Represented individual in Securities and Exchange Commission investigation regarding alleged insider trading
- Represented former chair of publicly traded company audit committee in SEC investigation regarding alleged securities fraud
- Represented individual charged with conspiracy, wire fraud and healthcare fraud in the Eastern District of Louisiana
- Represented former officers and directors of federally insured financial institutions in Alabama and Florida in connection with claims asserted by Federal Deposit Insurance Corporation
- Represented individual charged with fraud and commercial bribery in sentencing proceedings in the Eastern District of Louisiana
- Serve as primary outside anti-corruption counsel advising numerous publicly traded and privately held companies in the manufacturing, apparel, resource extraction, gaming, professional sports, and construction industries on anti-corruption compliance issues

As a federal prosecutor

- Conducted multi-year investigation of the former Community Bank in Blountsville, Alabama, which culminated in the trial, convictions and imprisonment of five individuals, including the institution's former chief executive officer. The main trial in that case (which lasted over seven weeks) is recognized as the lengthiest and most complex bank fraud case ever tried in the Northern District of Alabama
- Published a detailed article recounting the issues and challenges faced in that case, entitled "*From One Big House to Another: Lessons Learned from the Community Bank Prosecutions*" in The Banking Law Journal
- Tried and secured convictions in a number of high profile matters including:
 - Edward Browning McClain, a sitting state senator charged with bribery and money laundering
 - Suzanne Schmitz, a sitting state representative charged with mail fraud and federal program fraud
 - Gregory Clarke, the pastor of the New Hope Baptist Church charged with filing false tax returns
- Tried a broad range of cases in federal court, including those involving the False Claims Act, Foreign Corrupt Practices Act, mail, wire, bank, tax and securities fraud and money laundering
- Handled countless grand jury investigations, evidentiary hearings and sentencing proceedings
- Authored several briefs and represented the United States in oral arguments before the Eleventh Circuit Court of Appeals

Professional

- Chair, White Collar Crime Committee of the Criminal Justice Section of the Alabama Bar (2014-present)

- Chair, Alabama Bar Association, International Law Section (2011-present)

Prior Affiliations

- Assistant U.S. Attorney, United States Attorney's Office, Northern District of Alabama, Birmingham, Ala., 2006-2009
- Trial Attorney, United States Department of Justice, Criminal Division, Fraud Section, Washington, D.C., 2001-2005
- Associate, Donoghue, Barrett & Singal, Boston, 1997-2001

Up Close

Bill was a long suffering Red Sox fan until he spent an embarrassingly large percentage of his then-government salary to be present when the team's 86-year World Series drought ended in St. Louis in 2004. He does not regret the decision.

Articles

- "The carrot instead of the stick: DOJ offers new opportunities for leniency," co-authored by Bill Athanas and Drew Warth, Capital Markets and Securities
- "Why two new DOJ memos could signal a new era in civil enforcement cases," co-authored by J.D. Thomas and Bill Athanas, Waller Healthcare Blog
- Can the Federal Government Impose Quarantines and Isolation?
- "Conducting an Internal Investigation," co-authored by William Athanas, The Alabama Lawyer
- "The Virtues of Adopting an Internal Investigations Protocol," by Bill Athanas, TICUA eNews
- "Strategies for Healthcare Companies to Negotiate the Scope of Civil Investigative Demands in False Claims Act Investigations," by Bill Athanas and Jennifer Weaver, ABA Health eSource
- "How Implementing an Internal Investigations Policy Can Help Health Care Companies Reduce Risk and Expense," William Athanas and John Park, AHLA Connections
- "What Enforcement Actions Based On Distributor Conduct Teach About Improving FCPA Compliance Programs," by Bill Athanas, FCPA Compliance and Ethics Blog
- "What to Know When Responding to a Government Investigation," by Bill Athanas and Mark Bell, Healthcare Finance News
- "What to Do When a Client Receives a Federal Grand Jury Subpoena," by William C. Athanas, The Alabama Lawyer
- "SIGTARP Scrutiny Goes Beyond TARP Matters," Bill Athanas and Chris Driskill, American Banker
- "Forecasting the Future of FCPA Enforcement: How Recent Setbacks Will Affect the Government's Approach to Foreign Bribery Prosecutions," Richard Westling, and William Athanas, Corporate Counsel
- BNA BANKING REPORT, "Bank Liability for Ponzi Schemes: Defending Negligence Suits by Non-Customer Victims"
- "The Automotive Industry and the Foreign Corrupt Practices Act: A Practical Approach to Identifying and Mitigating Risks," by Bill Athanas and Mark Bell, Manufacturing.net
- CASINO ENTERPRISE MANAGEMENT MAGAZINE, "Enforcement of the FCPA Reaches Gaming Industry: The Las Vegas Sands Example"
- JOURNAL OF COMMERCE, "Corruption in Purchasing"

- "Demonstrating 'Systemic Success' in FCPA Compliance: Identifying and Maintaining Evidence to Respond to Government Investigations . . . Before They Begin," by Bill Athanas, ABA Insights from the Trenches
- BIRMINGHAM BIZ JOURNAL, "Small businesses: Watch for corruption overseas"
- BANKING LAW JOURNAL, "From One Big House to Another: Lessons Learned from the Community Bank Prosecutions"
- "Is 'It's in There Somewhere' Enough?," Bill Athanas, Andrews Litigation Reporter (White Collar Crime)

Bulletins

- Banking & Financial Services Update - Vol. 13, Summer 2012
- The Carrot and the Stick - The Department of Justice Offers Incentives When Financial Institutions Self Disclose Violations of Criminal Law, Enhanced Punishment When They Don't
- Department of Justice Announces Plan to Target Pharmaceutical Industry in Latest Foreign Corrupt Practices Act Enforcement Initiative

Media Mentions

- "Narrowing the scope of CIDs," Bill Athanas quoted in Healthcare Finance News
- "Developing a "Best-in-Class" Internal Investigation Policy," William C. Athanas and John Park quoted in Health Care Law Roundtable
- Bill Athanas quoted in the BIRMINGHAM BUSINESS JOURNAL, "Lawsuit claims fraud at bankrupt Adams Produce in Birmingham"

Events

- 2018 Corporate Counsel Conference
- Practical Strategies for Handling Government Investigations & FCA Litigation
- Corporate Counsel Conference 2014
- Practical Strategies for Successfully Handling Government Investigations & False Claims Act Litigation
- "Representing Defendants in Federal White Collar Sentencing Proceedings," Bill Athanas, Co-Presenter to the Alabama State Bar White Collar Crime Committee
- 2012 Southeastern Banking Seminar
- "Where Do We Go From Here? What the Recent Setbacks in FCPA Enforcement Efforts Mean for Companies Doing Business Internationally," Alberto Gonzales and Bill Athanas, Presenters at West LegalEd Center
- 2012 Healthcare Briefing Series, Part 1 - "Compliance and Conflict: Effectively Enforcing Corporate Compliance Programs Without Turning Violators Into Whistleblowers"
- Financial Institution Fraud Detection & Prevention, "From One Big House to Another: Fraud Detection Lessons Learned from the Community Bank Prosecutions"
- 2010 Southeastern Banking Seminar