

## David I. Sharfstein

Partner

Washington, D.C.

Baltimore

### Biography

David draws upon his combined experience as a Trial Attorney and Assistant U.S. Attorney at the DOJ to pragmatically guide clients through their most sensitive matters, including high stakes investigations, enforcement actions, and litigation.

David's practice covers a wide cross section of the law, including conducting internal investigations and representing both corporates and individuals in complex criminal and civil litigation. He skillfully represents clients facing investigations and enforcement actions brought by key domestic enforcement agencies, often in cross-border matters. David has extensive experience with matters involving the Foreign Corrupt Practices Act (FCPA), the Food, Drug, and Cosmetic Act (FDCA), and the False Claims Act (FCA). David also provides unique insight into matters involving tax controversies, including criminal investigations. He regularly counsels clients on a range of compliance issues.

David is well-versed in the consumer food and beverage industry sector, having advised household names in some of their most significant matters, including those related to FDA inspections and criminal matters involving insanitary conditions and adulterated product.

David also represents clients facing scrutiny under U.S. export control and sanctions laws, and often involving



### Phone

+1 202 637 5739 (Washington, D.C.)

+1 410 659 2721 (Baltimore)

### Fax

+1 202 637 5910 (Washington, D.C.)

+1 410 659 2701 (Baltimore)

### Email

[david.sharfstein@hoganlovells.com](mailto:david.sharfstein@hoganlovells.com)

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### Practices

Food Law

Government Contracts

Health

Investigations, White Collar, and Fraud

Litigation Services

Tax

Digital Assets and Blockchain

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### Industries

Aerospace and Defense

Financial Institutions

Life Sciences and Health Care

the Department of Commerce's Bureau of Industry and Security (BIS), and the Department of Treasury's Office of Foreign Assets Control (OFAC).

Before joining Hogan Lovells, David served with distinction at the DOJ Tax Division and the U.S. Attorney's Office for the District of Maryland, where he received the U.S. Attorney's Award for Excellence in Prosecution of Fraud and also the award for Excellence in Prosecution of Organized Crime. David also served as the office's Election Fraud Coordinator.

David clerked for the Honorable Richard D. Bennett of the U.S. District Court for the District of Maryland.

## Representative experience

Represented leading international data analytics company in FCPA investigations by both DOJ and SEC, resulting in declinations by both agencies.

Represented multinational technology company and subsidiary in False Claims Act qui tam action, resulting in DOJ declination and complete dismissal prior to discovery.

Represented multinational technology company conducting internal investigations into potential FCPA and UK Bribery Act violations.

Counseled one of the world's largest international food companies regarding international compliance issues.

Represented leading life sciences company through discovery and settlement in nationwide False Claims Act qui tam litigation.

Counsel to Chinese telecommunications company regarding corporate compliance monitorship related to U.S. export control and sanctions laws.

Representing leading food company in connection with criminal investigation under the FDCA.

Conducts internal investigations for companies in financial, life sciences, food, technology, and telecommunications sectors.

Representing leading food company in connection with

Technology and Telecoms

Sports, Media and Entertainment

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## Areas of focus

False Claims Act and Qui Tam

Tax Disputes and Controversy

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## Education and admissions

### Education

J.D., University of Maryland, Francis King Carey School of Law, cum laude, Order of the Barristers, 2007

B.S., Cornell University, 2003

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## Memberships

Permanent Member, Fourth Circuit

Judicial Conference

Board of Directors, Maryland Chapter of Federal Bar Association

Member, Criminal Justice Act Felony Panel for the District of Maryland

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## Bar admissions and qualifications

District of Columbia

Maryland

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## Court admissions

U.S. District Court, District of Maryland

U.S. Court of Appeals, Fourth Circuit

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civil investigation brought under the FCA resulting from multistate foodborne illness outbreak and product recall.

Representing international food corporation in criminal investigation resulting from multinational foodborne illness outbreak and product recall.

Representing food company and executive in criminal investigation and FDA enforcement action resulting from multistate foodborne illness outbreak and product recall.

Represented telecommunications company and executive in qui tam False Claims Act litigation, resulting in DOJ declination and then complete dismissal after extensive briefing on motion to dismiss.

Representing individual in ongoing criminal matter involving government contracting and U.S. export control and sanctions laws.

Tried complex federal cases before juries in the District of Maryland, the Eastern District of Pennsylvania, and the Eastern District of Virginia.

## Latest thinking and events

- News
  - FCA Podcast Series Episode 2: Cybersecurity
- Press Releases
  - False Claims Act remains a key DOJ enforcement tool, warns new FCA Guide
- News
  - The False Claims Act Guide: 2021 and the road ahead
- Media Mention
  - Mazars, Trump's Accounting Firm, Stuck in an Unenviable Position *Bloomberg Tax*
- News
  - Joint focus by Biden Administration and Congress points towards enhanced anti-corruption efforts
- Media Mention
  - Elizabeth Holmes' privilege loss "A cautionary tale,"

