



Of Counsel

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Practices

White
Collar/Government
Investigations
Litigation
Health Care
Plaintiffs' Rights

Education

J.D., Syracuse
University College of
Law, 1986

- Academic Rank – 1/213 (Valedictorian)
- Order of the Coif
- Law Review, Editor of Annual Survey of New York Law

Bar Admissions

Massachusetts
New York
New Jersey

Andrew Leven has developed an extensive knowledge of the white-collar law enforcement and regulatory landscape through his experience as a federal prosecutor and defense attorney.

He has also served as the Worldwide Healthcare Compliance Director at the Cordis Corporation, an 8,000-employee medical device company then owned by Johnson & Johnson. At Cordis, Leven routinely participated in business decisions with the senior management team, trained all marketing and sales components, led sensitive internal investigations, and spearheaded the implementation of HCC policies that were later instrumental in negating qui tam civil lawsuits and government investigations.

During his extensive tenure as a federal prosecutor, Leven specialized in economic and healthcare fraud prosecutions. He used his experience in the healthcare industry to help develop a nuanced prosecution decision tree for the off-label use of medical devices and drugs, and fashioned a novel legal theory that was successfully deployed in the largest physician bribery prosecution in the United States.

Leven also conducted numerous insurance, bank, mortgage, wire, tax, and mail fraud grand jury investigations, acquired extensive trial experience, and served as the criminal tax intake prosecutor for the District of New Jersey.

As a defense attorney he secured non-prosecution decisions for executives under investigation in the healthcare, insurance, and financial sectors from federal, state, and local law enforcement agencies. In a civil money penalty/disciplinary inquiry, Leven also persuaded financial regulators that a corporate executive acted inadvertently when providing materially incorrect information to them under oath, and should not be sanctioned, penalized, or otherwise disciplined.

In his practice, Leven uses these diverse real-world experiences and deep skill sets to seek favorable results for healthcare, corporate, insurance, and financial sector clients facing potential fraud-based criminal or civil challenges as defendants, plaintiffs, witnesses, and victims.

Leven is a graduate of Syracuse University's College of Law, where he graduated first in his class as the Valedictorian and served on the Law Review as the Editor of the Annual Survey of New York

Law.

Representative Experience

Prosecutions

Healthcare Fraud

United States v. Biodiagnostic Laboratory Services, LLC – a multi-year prosecution of a blood lab, its management, sales force, and primary referring physicians in connection with a bribes-for-blood scheme involving the use of sham lease, service, and consulting agreements, as well as cash bribes to obtain payments of more than \$200,000,000 from Medicare and private insurers.

United States v. Body – sophisticated insider theft of millions of dollars of donated prescription drugs from a patient assistance program through the misuse of the program's computer system. Resulted in three convictions after jury trial.

Mortgage Banking Fraud

United States v. AMI - \$60,000,000 scheme involving mortgage bank's intentional misuse of warehouse credit lines and fraudulent loan sales to investors. Resulted in conviction of bank's President, 3 Vice Presidents, and certified public accountant.

Tax Evasion

United States v. Berry – \$3,500,000 tax evasion of funds the defendant embezzled from her employer. Convicted of all counts after jury trial.

Political Corruption

United States v. Samarone - bribery of mayor to influence town zoning board. Resulted in the conviction of a public official after jury trial.

Criminal Defense

Federal – represented the COO and Executive Vice President of a New York State insurance company in a federal grand jury investigation. After extensive discussions, the client was not charged.

Federal – represented the VP of Marketing of a medical device company in a federal grand

jury investigation. After extensive discussions, the client was not charged.

State – New Jersey – represented an individual charged with criminal contempt. In so doing, developed a substantial body of exculpatory evidence that was used to persuade the State to dismiss the charges pre-trial.

State – New Jersey – represented an accomplished chemist with a national reputation who was wrongly charged with purposeful misuse of explosive material. After extensive discussions, the client (who maintained his innocence throughout all court proceedings) was accepted into and successfully completed pretrial diversion, after which all charges were dismissed.

State – New Jersey – represented a successful insurance broker in a state grand jury investigation. An extensive legal analysis of the misconduct alleged was performed. No charges were brought.

State – New York – part of a team representing a physician facing professional and (potential) criminal sanctions in connection with allegations of drug diversion and abuse. No charges were brought.

Civil Regulatory Defense

Federal - represented an Officer of a financial institution identified by regulators as being individually subject to monetary penalties and/or other disciplinary action. After presenting the regulators with extensive submissions, no penalty was imposed or other disciplinary action taken.

Professional and Community Activities

- Member, Criminal Law Section, NJSBA– 2015 to present
- Speaker, Rider University MBA Program, Business Ethics– 2019

Professional Recognition

- HHS, Significant Case Award (the largest physician bribery case in US history) (2018)
- Investigation of the Year Award, National Health Care Anti-Fraud Association (2018)
- U.S. Attorney, District of N.J. (1997 - 2004)
- Inspector General, U.S. Postal Insp. Service (2000, 2004, 2005)



ANDREW LEVEN

- Inspector General, U.S. Dep't. of Defense (2000)
- Director, Fed. Bureau of Investigation (2001, 2004, 2013, 2015)

NEWS / EVENTS

Press Releases

- Dilworth Adds Andrew Leven to White Collar & Government Investigations Group