



Andrew J. Pecoraro

Associate

Appeals and Critical Motions

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A detailed and thoughtful writer, Andrew Pecoraro focuses his practice on appellate litigation, dispositive motions and internal and government investigations. Committed to the highest level of client service, Andrew works closely with his clients to build strong relationships. His ability to quickly and thoroughly analyze both the facts and applicable law allows him to develop tailored strategies designed to realize clients' ultimate goals.

Skilled advocacy for real-world solutions

Andrew has represented large and small businesses, as well as individuals, at all levels of federal and state trial and appellate courts. He has prepared briefs and motions before the US Supreme Court, federal Courts of Appeals, state supreme courts, and federal district courts on a broad array of subjects, including *qui tam litigation*, criminal defense, fraud, due process, privacy, and patient rights.

Andrew's advocacy extends beyond the courtroom to defending companies and individuals in investigations involving the Department of Justice, the Securities and Exchange Commission, the Federal Trade Commission, and other government enforcement agencies. He has also led several investigations on behalf of independent directors and special committees in bankruptcy proceedings.

Prior to joining Katten, Andrew served as a law clerk to the Honorable Barbara Milano Keenan of the US Court of Appeals for the Fourth Circuit. He also served as a law clerk to the Honorable Leonie M. Brinkema of the US District Court for the Eastern District of Virginia. During law school, Andrew was the senior articles editor of the *William & Mary Law Review* and was a member of the Appellate & Supreme Court clinic.

Representative Experience

- Represented large physician practice management organization in responding to a Civil Investigative Demand by the Federal Trade Commission concerning potential violations of the Clayton Act and the FTC Act.

Practices

- Appeals and Critical Motions
- White Collar and Internal Investigations
- Health Care
- Health Care Regulatory and Compliance
- Health Care Litigation, Reimbursement and Regulation
- Litigation
- Insolvency and Restructuring
- Insurance and Health Care Fraud Litigation

Education

- JD, William & Mary Law School
- MLitt, University of Glasgow
- BA, McDaniel College

Bar Admissions

- District of Columbia
- Virginia

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- Represents physicians and physician practice groups in False Claims Act and Anti-Kickback Statute litigation and government investigations.
- Principal drafter of an appellee brief before the U.S. Court of Appeals for the Ninth Circuit arising from a Telephone Consumer Protection Act dispute. Won affirmance by the Ninth Circuit.
- Co-authored brief in the U.S. Court of Appeals for the Federal Circuit, successfully opposing a petition for writ of mandamus on a patent venue issue.
- Defended companies and individuals in civil *qui tam* litigation, including drafting dispositive briefing and preparing presentations to the government.
- Represented international financial institution in defending civil RICO lawsuit at both the trial and appellate levels. Case was dismissed by the trial court, with the dismissal affirmed by the Second Circuit Court of Appeals.
- Represented independent directors of a financial services firm in conducting an independent investigation of historical transactions in connection with the firm's Chapter 11 bankruptcy case pending in the U.S. Bankruptcy Court for the Southern District of Texas.
- Successfully represented a health care entity in litigation concerning breach of contract and misappropriation of trade secrets.
- Successfully represented large mortgage lender in an investigation by the U.S. Department of Housing and Urban Development. Resolved the investigation via a favorable settlement.
- Principal drafter of an *amicus* brief on behalf of labor unions in appeal before the US Supreme Court.*

*Experience prior to Katten

News

- Katten Restructuring Wins in Seven Categories of *The M&A Advisor's* 19th Annual Turnaround Awards (January 30, 2025)
- Katten Restructuring Awarded Multiple Turnaround Atlas Awards by the *Global M&A Network* (September 17, 2024)

Publications

- A New 'Carrot' in the Government's Pocket: DOJ Announces Pilot Program to Reward Whistleblowers (March 11, 2024)