

# Johnjerica Hodge

*Partner and Co-Chair, ESG Risk and Investigations*

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## Practices

FOCUS: Litigation

Appeals and Critical Motions

Commercial Litigation

Environmental, Social and Governance

ESG and Sustainable Investing

ESG Litigation and Sustainability

Compliance

ESG Risk and Investigations

Foreign Corrupt Practices Act Litigation

Health Care

Health Care Litigation, Reimbursement  
and Regulation

Health Care Regulatory and Compliance

Insurance and Health Care Fraud  
Litigation

Monitorships

White Collar and Internal Investigations

## Industries

Energy

Finance and Financial Markets

Medicare/Medicaid Reimbursement

Pharmaceutical and Life Sciences

## Education

JD, University of Alabama School of Law,  
*Order of the Coif, summa cum laude*

BA, University of Alabama, *summa cum  
laude*

The Wharton School, University of  
Pennsylvania, *Certificate in ESG Risks  
and Opportunities, Certificate in ESG and  
Social Activism*

Johnjerica Hodge helps her clients in a number of heavily regulated industries navigate difficult issues as they arise, whether in litigation or otherwise, and take the necessary steps to reduce the wide range of risk they confront.

Johnjerica is an emerging leader in the environmental, social and governance (ESG) space, where she provides counsel to companies across industries on evaluating and incorporating ESG values into their internal and external operations and helps them address the myriad of white collar and compliance needs related to the ESG sector. In addition to teaching multiple law school courses on human capital management and the role of racial equity audits in the ESG movement, she holds several ESG certifications from institutions such as The Wharton School and University of California, Berkeley, and is co-authoring a book on ESG.

## Business strategies for resolving risks

A core component of Johnjerica's practice is her deep experience in ESG. Leveraging her investigatory skills, she works with companies and institutions from a broad range of industries to identify areas of vulnerability and opportunity within the organization and its policies and procedures. She also assists companies facing ESG-related litigation risks and counsels organizations on the myriad of regulatory developments in the ESG sector and various ESG-related issues.

An adjunct professor at the University of Alabama School of Law, Johnjerica teaches "ESG: Racial Equity Audits." She taught a similar course at George Mason University Antonin Scalia Law School and is co-authoring a book on ESG.

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University of California, Berkeley, School of Law, *Certificate in Sustainable Capitalism and ESG*

## Bar Admissions

District of Columbia  
Texas

## Court Admissions

US Court of Appeals, Fifth Circuit  
US Court of Appeals, Federal Circuit  
US Court of Appeals, District of Columbia Circuit

## Community Involvements

American Bar Association

Johnjerica also represents clients in internal and governmental investigations, corporate compliance and appellate litigation across industries. She focuses part of her practice on helping health care providers respond to investigations and related matters under the False Claims Act that involve allegations of fraudulent billing and violations of the Anti-Kickback Statute.

Johnjerica was a member of the independent compliance monitor team appointed in connection with a significant, deferred prosecution agreement by a pharmaceutical company under the Foreign Corrupt Practices Act. She devotes a portion of her practice to corporate compliance and business ethics issues, and also has substantial experience in motion practice in state and federal courts.

Prior to joining Katten, Johnjerica served as a law clerk for the Honorable Carl E. Stewart of the US Court of Appeals for the Fifth Circuit. She served as a member of the *Alabama Law Review* during law school.

## Representative Experience

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### ESG

- Represented international company in litigation in multiple states concerning child labor and deforestation claims in its global supply chain.
- Advised large social media company with assessing its risk of human trafficking and adjacent harms.
- Counseled public company on modern slavery and human trafficking compliance.
- Represented health care management company and its affiliates in creating ESG programs.
- Advised global investment banking advisory firm on DEI efforts in light of *Students for Fair Admissions v. Harvard*.
- Advised international companies in preparing comments on updates to the FTC's Green Guides.

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- Evaluated potential impact of enacted and pending fair access legislation for a financial institution.
- Advised on municipal social bond issuance.
- Advised on M&A transaction involving a woman-owned business certification.
- Counsel public company on ESG-related issues.

## **Government Investigations & Corporate Compliance**

- Conducted internal investigation into regulatory risks in the U.S. and abroad for multinational pharmaceutical company.
- Performed FCPA analysis for global manufacturer.
- Served on independent compliance monitor team for multinational pharmaceutical company convicted of violating the FCPA.
- Represented multinational company relating to internal investigation in Vietnam.
- Performed FCPA analysis for international shipping company.
- Represent health care provider subject to government investigation for alleged violations of False Claims Act.
- Counseled software company on compliance issues related to mergers and acquisitions.
- Counseled company on FCPA risks from subcontractor's operations in Latin America.
- Represented health care provider in obtaining favorable settlement in FCA lawsuit arising from alleged violations of the Anti-Kickback Statute.
- Represented oil and gas exploration and production company in SEC enforcement action.
- Advised oil and gas company on federal and state regulatory risks stemming from countrywide expansion of operations.\*

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## **Litigation and Arbitration**

- Represent contractor in sustainability-related litigation.
- Represented global financial institution in litigation regarding breach of contract and breach of trust agreement.
- Represented health care company and investors in litigation concerning corporate raiding and tortious interference claims.
- Represented multinational oil and gas company in arbitration against contractor stemming from breach of contract.
- Represented multinational retailer in litigation concerning compliance with state regulatory requirements.
- Handled appeals in multiple state and federal courts on civil and criminal issues.

## **Environmental**

- Represented company in state and federal environmental litigation.
- Advised companies on risks under the Clean Water Act and CERCLA.

\*Experience prior to Katten

## **Recognitions**

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*Recognized or listed in the following:*

- *Best Lawyers in America*
  - Ones to Watch
    - Appellate Practice, 2024
    - Criminal Defense: White-Collar, 2021–2024
    - Health Care Law, 2024
- *National Law Journal*
  - DC Rising Star, 2023

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- *Super Lawyers Rising Stars*
  - Washington, DC, 2022–2023

## News

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- Ramana Rameswaran and Johnjerica Hodge Discuss Health Care and ESG During *Voices in Health Law* Podcast (January 25, 2024)
- Johnjerica Hodge Guest Stars on *Breaking Barriers* Podcast (January 25, 2024)
- *The National Law Journal* Honors Johnjerica Hodge and India Williams as DC Rising Stars (October 31, 2023)
- Johnjerica Hodge Shares Global ESG Regulatory Considerations in M&A With *The Texas Lawbook* (October 12, 2023)
- Katten Attorneys Distinguished by *Best Lawyers®* (August 17, 2023)
- Insolvency and Restructuring Team Recognized With Multiple International M&A Awards (August 7, 2023)
- *The Texas Lawbook* Interviews Johnjerica Hodge on What's Next for the ESG Movement (July 26, 2023)
- Katten Attorneys Selected to 2023 Washington, DC Super Lawyers, Rising Stars Lists (April 26, 2023)
- *Texas Lawbook* Reflects on Five Years of Katten in Dallas in Q&A With Mark Solomon (April 14, 2023)
- *Wolters Kluwer* Features Johnjerica Hodge and India Williams, ESG Practice (March 23, 2023)
- Insolvency and Restructuring Team Honored With Multiple *M&A Advisor* Awards (March 16, 2023)
- Katten ESG Risk & Investigations Co-Chair Johnjerica Hodge Selected as a Leadership Council on Legal Diversity Fellow (March 14, 2023)

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- *The American Lawyer*, *Law360*, *Savoy* Feature India Williams and Katten's New ESG Practice (February 17, 2023)
- Katten Launches New Practice Focused on ESG Risk and Investigations (February 14, 2023)
- Katten Recognizes Attorneys for Outstanding Pro Bono Service (October 28, 2022)
- Katten Attorneys Recognized by *Best Lawyers*® (August 18, 2022)
- *Global M&A Network* Honors Katten's Insolvency and Restructuring Team With Turnaround Atlas Awards (August 11, 2022)
- Katten Attorneys Named to 2022 Washington, DC Super Lawyers Rising Stars List (April 28, 2022)
- Katten Attorneys Listed in *The Best Lawyers in America*® (August 19, 2021)
- Katten Promotes 16 Attorneys to Partner (July 7, 2021)
- Katten Attorneys Distinguished as Top Legal Talent in the 2021 *Best Lawyers in America* and *Best Lawyers: Ones to Watch* Lists (August 20, 2020)
- Katten Attorneys Address Cross-Border Monitorships in New GIR Book (June 19, 2019)
- Katten Honored for Participation in Diversity Programs (November 8, 2018)
- Katten Attorneys Prepare Chicago High School Students for Career Success (November 8, 2018)
- Katten Pro Bono Efforts Help Save Lives, Rebuild Communities in War Zones (July 9, 2018)
- Two Katten Associates Selected for Career Development Program (April 5, 2018)

## Publications

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- *ESG Guidepost* | Issue 12 (March 2024)
- *ESG Guidepost* | Issue 11 (February 2024)
- *ESG Guidepost* | Issue 10 (January 2024)
- ESG in a Nutshell (2024)
- *ESG Guidepost* | Issue 9 (December 2023)
- *ESG Guidepost* | Issue 8 (November 29, 2023)
- *UK Financial Insights from Katten* | Issue 4 (October 2023)
- *ESG Guidepost* | Issue 7 (October 2023)
- *ESG Guidepost* | Issue 6 (September 2023)
- *ESG Guidepost* | Issue 5 (August 2023)
- ESG Litigation Trends (Summer, 2023)
- *ESG Guidepost* | Issue 4 (July 2023)
- ESG Foes Will Find Reinforcement in Affirmative Action Decision (July 13, 2023)
- *ESG Guidepost* | Issue 3 (June 2023)
- *ESG Guidepost* | Issue 2 (May 2023)
- *ESG Guidepost* | Issue 1 (April 27, 2023)
- Financial Markets and Funds Quick Take | Issue 13 (April 25, 2023)
- The Evolving Landscape of COVID-19 Fraud Enforcement (March 21, 2023)
- Financial Markets and Funds Quick Take | Issue 12 (March 17, 2023)
- COVID-19 Enforcement Under the Biden Administration — Winding Down or Just Getting Started? (Winter/Spring 2023)
- Financial Markets and Funds Quick Take | Issue 11 (February 21, 2023)
- ESG Litigation Heats Up in Marketing, Climate Pollution, and DEI (February 16, 2023)
- How Companies Can Reduce Risk of DEI-Related Enforcement Actions (January 19, 2023)

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- How DC Consumer Protection Suits May Advance ESG Goals (January 11, 2023)
- Financial Markets and Funds Quick Take | Issue 9 (December 13, 2022)
- How Proactive Racial Equity Audits Can Increase Company Profits (November 30, 2022)
- Private Equity Firms Must Prepare For Growing FCA Liability (October 28, 2022)
- US-Ordered Cross-Border Monitorships (April 25, 2022)
- COVID-19 Enforcement: What Does the Future Hold? (Winter/Spring 2022)
- The Prosecutor's Role in Anticorruption Investigations (August 11, 2021)
- US-Ordered Cross-Border Monitorships (June 2020)
- *Health Care Perspectives* (April 2017)
- DOJ Publishes Guidance on Best Practices for Compliance Programs (February 24, 2017)
- Local Fracking Bans: A Viable Threat or Mere Nuisance (March 2015)
- Partisan Balance Requirements in the Age of New Formalism (February 2015)
- Nationwide November Ballot Results Involving Fracking (November 2014)
- Texas Cites Other States in Fighting A Fracking Ban (November 2014)

## **Presentations and Events**

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- 31st Annual Texas Minority Counsel Program (TMCP) (October 25–27, 2023) | *Presenter | Recent Updates in the S of ESG*
- 2023 National Society of Compliance Professionals (NSCP) Conference (October 16–18, 2023) | *Panelist | ESG, Its Role in the Firm, and the Role of Compliance (Intermediate)*



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- 19th Annual Mergers and Acquisitions Institute | University of Texas School of Law (October 5–6, 2023) | *Panelist* | *WTF Does ESG Really Mean for M&A?*
- General Counsel Conference East (October 2–3, 2023) | *Speaker* | *Hot Topics in the ESG Sector*
- Driving Diversity in Law & Leadership: Washington D.C. (May 18, 2023) | *Speaker* | *Driving Inclusion through ESG Initiatives*
- DOJ and SEC's New Emphasis on Individual Enforcement—More Bark than Bite? (January 19, 2023)
- Perspectives on Leadership - Environmental, Social, and Governance (ESG) (October 26, 2022)
- Ethical Issues in Internal Investigations (October 13, 2022) | *Presenter*
- AUA Annual Meeting 2022 (May 12–16, 2022) | *Speaker* | *The Economics of Healthcare: Understanding Physician Compensation*
- False Claims Act: Strategies for Obtaining an Early Resolution (April 21, 2021) | *Panelist*
- False Claims Act: Strategies for Obtaining an Early Resolution (May 30, 2019) | *Panelist*