

ROBERT R. STAUFFER, Partner

Robert R. Stauffer is a Partner in Jenner & Block's Chicago office and serves as the firm's General Counsel. He is a member of the firm's Investigations, Compliance and Defense Practice and Chair of the Health Care Practice. He is AV Peer Review Rated, Martindale-Hubbell's highest peer recognition for ethical standards and legal ability.

Individuals and corporations seek Mr. Stauffer's assistance on a wide range of white-collar criminal matters, civil commercial litigation and health care issues. He provides compliance counseling and conducts internal investigations for clients faced with internal or external allegations of wrongdoing in areas as diverse as FCPA violations, health care fraud and abuse, and accounting violations. Mr. Stauffer has represented individuals and corporations in grand jury and SEC investigations as well as trials and appeals in civil and criminal cases, including whistleblower *qui tam* actions.

Mr. Stauffer has an active pro bono practice, including securing freedom on four occasions for individuals who were wrongfully convicted and spent time in prison. In 2014, Mr. Stauffer was the lead attorney on a firm team that [won the Seventh Circuit Bar Association's Pro Bono and Public Service Award](#) for representing Nicole Harris in the successful fight to exonerate her after she was wrongfully convicted of murder in connection with the 2005 death of her 4-year-old son. In 2005, he was the lead attorney on a team that won [Northwestern Children's Law Pro Bono Project Appellate Award](#) for the firm's work in convincing the Seventh Circuit that Chicago police had violated the constitutional rights of a youth who was coerced into confessing to a murder of an elderly woman when he was 10 years old.

Mr. Stauffer has authored numerous articles and publications relating to topics such as internal investigations, corporate compliance, health care fraud and abuse, and testimonial privileges. (See the My Library tab above.)

Awards

- *Illinois Super Lawyers*
Criminal Defense: White Collar - 2012-2020
- Jenner & Block Mentorship Award - 2014
- Seventh Circuit Bar Association
Pro Bono and Public Service Award - 2014
- Northwestern Children's Law Pro Bono Project Appellate Award - 2005

Educational

- Loyola University Chicago School of Law
Part-time teacher



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PRONOUNS

He / Him

CHICAGO

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PRACTICE GROUPS

Class Action

Consumer Law

Health Care

Investigations, Compliance and Defense

Japan Practice

Litigation

Lobbying Law and Government Ethics

EDUCATION

Harvard Law School, J.D., 1986; *magna cum laude*; Executive Editor, *Harvard Civil Rights/Civil Liberties Law Review*

University of Missouri, B.A., 1983; *summa cum laude*

ADMISSIONS

Illinois, 1986

COURT ADMISSIONS

US Supreme Court, 2008

Court of International Trade, 2000

Illinois Supreme Court, 1986

US District Court, Northern District of Illinois, 1986

US Court of Appeals, Seventh Circuit, 1992

JUDICIAL CLERKSHIPS

Hon. Ilana Diamond Rovner, US District Court, Northern District of Illinois, 1988 - 1990

Service To The Bar

- American Bar Association
- American Health Lawyers Association
- Chicago Bar Association
Young Lawyers Section
Past Chair, Exploring Committee

Publications

- *Testimonial Privileges*, Thomson Reuters Trial Practice Series, Fall 2017
- Co-Author, *Business Guide to Anti-Corruption Laws: 2017 Mid-Year Update*, Jenner & Block, June 2017
- "Motions in Limine" *Business and Commercial Litigation in Federal Courts, Fourth Edition*; Thomson Reuters and The American Bar Association Section of Litigation, March 23, 2017
- Co-Author, "Carrots and Sticks: 2016 DOJ Enforcement in View," *The National Law Journal*, January 31, 2017
- Co-Author, *Business Guide to Anti-Corruption Laws*, Jenner & Block 2017, January 20, 2017
- Co-Author, "Motions in Limine," Chapter 37 in *Business and Commercial Litigation in Federal Courts*, ABA Section on Litigation, 4th Edition, 2016
- Client Alert: "Supreme Court Recognizes Implied Certification Theory of Liability Under the False Claims Act", June 30, 2016
- Co-Author, "Twenty Questions Raised by the Justice Department's Yates Memorandum," Bloomberg BNA, May 16, 2016
- Client Alert: OIG Issues Revised Guidance On Permissive Exclusion From Federal Health Care Programs, April 21, 2016
- Client Alert: "DOJ Issues Guidance Regarding Enhanced FCPA Enforcement and Credit for Voluntary Disclosure, Cooperation, and Remediation", April 7, 2016
- Client Alert: CMS Issues Final Rule Governing Medicare Overpayments for Medicare Part A and Part B, March 9, 2016
- Co-Author, *Business Guide to Anti-Corruption Laws 2016*, Jenner & Block, January 12, 2016
- Client Alert: UK's Serious Fraud Office Receives Approval for First-Ever Deferred Prosecution Agreement in Case Involving Failure to Prevent Bribery, December 4, 2015
- Client Alert: US Department of Treasury Issues First-Ever Fine Against Virtual Currency Exchanger, May 11, 2015
- Co-Author, "FCA Particularity Requirements are Relaxed Further," *Law360*, September 24, 2014
- Co-Author, Client Alert: Eighth Circuit Relaxes Particularity Requirements for FCA Complaints, September 9, 2014
- Client Alert: Eleventh Circuit Finds FCPA Covers Bribes to State-Owned Enterprise, May 19, 2014
- "Court Rejects Corporate Plea Agreements for Failing to Sufficiently Protect the Public Interest," *Financial Fraud Law Report*, October 2013

- Client Alert: New Russian Anti-Corruption Guidance in Conflict with U.S. FCPA Requirements, October 17, 2013
- Client Alert: Court Rejects Corporate Plea Agreements For Failing to Sufficiently Protect The Public Interest, August 21, 2013
- Client Alert: OIG Issues Updated Provider Self-Disclosure Protocol, May 9, 2013
- Client Alert: New UK Bribery Act Guidance Covers Facilitation Payments, Self-Reporting and Hospitality, October 12, 2012
- Client Alert: SEC Adopts Final Rules To Implement Dodd-Frank Whistleblower Provisions, June 1, 2011
- Client Alert: SEC Proposes Rules To Implement Dodd-Frank Whistleblower Provisions, November 29, 2010
- "Dodd-Frank Act Promises Large Bounties for Whistleblowers," *Law.com*, August 23, 2010
- *Testimonial Privileges*, 3rd Ed., Thomson West, 2010
- "Seventh Circuit "Based Upon" Exception to Jurisdiction in False Claims Act Lawsuits," *Financial Fraud Law Report*, December 2009
- Client Advisory: Seventh Circuit Expands the "Based Upon" Exception to Jurisdiction in False Claims Act Lawsuits, July 17, 2009
- "New Federal Rule of Evidence 502: A Tool for Minimizing the Cost of Discovery," *Bloomberg Litigation Reporter*, January 26, 2009
- Client Advisory: Two Significant Developments Concerning White Collar Criminal Investigations: Second Circuit Affirms Dismissal of Indictment of Former KPMG Employees, and DOJ Revises Charging Guidelines, September 2, 2008
- Client Advisory: Revised Ethics and Compliance Rule for Government Contractors Significantly Expands Reporting Requirements and Eliminates Exemptions, June 9, 2008
- Client Advisory: Congressional Scrutiny Likely to Result in Toughening of Proposed Rule on Government Contractor Ethics, May 2, 2008
- Client Advisory: OIG Issues Open Letter To Health Care Providers Updating The 1998 Protocol For Voluntarily Self-Disclosing Fraudulent Conduct, April 28, 2008
- Client Advisory: DOJ Issues Memorandum Governing Selection and Use of Monitors in Deferred Prosecution Agreements and Non-Prosecution Agreements, March 17, 2008
- Client Advisory: OIG Addresses The Scope of Exclusion Penalty Regarding Indirect Providers of Items and Services, January 11, 2008
- Client Advisory: District Court Dismisses Charges Against 13 Former KPMG Employees, July 23, 2007
- Client Advisory: Second Circuit Rejects Ancillary Jurisdiction in Fee Indemnification Claim Against KPMG, June 5, 2007
- "Conducting Employee Interviews After *Stein* and the McNulty Memorandum," *White Collar Crime Report*, Vol. 2, No.3, March 2, 2007
- Client Advisory: Medicaid Providers Become Obligated to Educate Employees About Fraud and Abuse and Whistleblower Protections, January 12, 2007

- Client Advisory: DOJ Replaces Thompson Memorandum with McNulty Memorandum, December 15, 2006
- Co-Author, "Investigation and Disclosure of Violations," *Compliance Programs and Corporate Sentencing Guidelines*, Thompson/West, 2006
- "When to Conduct an Internal Fraud Investigation...and How," *White Collar Crime Fighter*, Vol. 7, No. 6, June 2005
- US Supreme Court Decides That Judicial Application Of The Federal Sentencing Guidelines Is "Advisory," And On Appeal, Sentencing Decisions Will Be Reviewed For Unreasonableness, January 2, 2005
- *Testimonial Privileges*, 3rd Ed., Thomson West, 2005
- "How To Conduct Internal Corporate Investigations After Sarbanes-Oxley," *ALI-ABA Business Law Course Materials Journal*, December 2004
- Preventing, Investigating and Addressing Misconduct in the Corporate Environment, July 28, 2004
- "Enforcement Actions in the Post-Enron World: Zero Tolerance in the White-Collar Arena," *The Review of Securities & Commodities Regulation*, Vol. 37, No. 13, July 2004
- Co-Author, "A Practical Guide to Preparing For and Responding to a Crisis," *The Lawyer's Brief*, Vol. 33, April 15, 2003
- Criminal Plea Highlights Need to Respond to Internal Complaints, March 15, 2003
- *Crisis Management: The Economy, Security and Coping with the Unexpected*, April 1, 2002
- Contributing Author, *Insurance Coverage Disputes*, Law Journal Seminars-Press, 1996
- Co-Author, "After the Whistle is Blown: Is the Best Defense a Strong Offense?" *Legal Backgrounder*, Vol. 10, No. 38, Washington Legal Foundation, October 27, 1995
- Co-Author, "Internal Corporate Investigations," *Lawyering Laws*, Business Laws, 1994
- Co-Author, "Cooperation with Authorities; Acceptance of Responsibility; Obstruction of Justice; Interests of the Corporation and its Employees; Vagaries of Prosecutorial Discretion," Chapter 5 of *BNA/ACCA Compliance Manual: Prevention of Corporate Liability*, 1993
- Co-Author, "Establishing an Effective Compliance Program: Threshold Considerations" and "Investigation and Disclosure of Violations," *Compliance Programs and Corporate Sentencing Guidelines*, Clark Boardman Callaghan, 1993
- Co-Author, "Criminal Liability of Corporations and their Agents," *The Review of Securities & Commodities Regulation*, July 1992
- Co-Author, "Internal Corporate Investigations: The Law, Practice and Strategies of Corporate Self-Policing," *The Lawyer's Brief*, Vol. 22, No. 8, April 30, 1992
- "Preventing, Investigating and Addressing Criminal Conduct in the Corporate Context," 1991, 1993, 1994, 1998
- "Tenant Blacklisting: Tenant Screening Services and the Right to Privacy," *Harvard Journal on Legislation*, Vol. 24, Winter 1987

Speaking Engagements

- Consumer Products-based Chief Compliance Officer Roundtable, April 08, 2016
- “Data Mining and the DOJ,” Greater New York Hospital Association, October 07, 2014
- Corporate Secretary Chicago Think Tank, Chicago, IL, September 13, 2006
- “Drug and Medical Device Litigation: Expert Strategies for Leading Litigators & In-House Counsel,” American Conference Institute, Chicago, IL, June 28, 2006 to June 30, 2006
- Institute for International Research 8th Annual Medicaid Drug Rebates Program Conference, Chicago, IL, September 22, 2003 to September 24, 2003