



Ross B. Galin

Partner

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Ross Galin Co-Chairs O'Melveny's Life Sciences Industry Group and the firm's State Attorneys General Practice. Ross represents corporations and individual clients in civil, regulatory, and criminal matters. His practice includes representing companies, executives and employees in government enforcement actions, civil *qui tam* litigation, and providing compliance advice. His clients include pharmaceutical and medical device companies and their executives and employees. Ross handles government enforcement actions and False Claims Act litigation, and provides life sciences law compliance advice.

Ross regularly conducts internal investigations, both of alleged misconduct and to proactively assess risk, on behalf of major life sciences companies and corporations across all industries. He has conducted 100+ internal compliance investigations for pharmaceutical companies alone. Ross is recognized in the 2018 edition of *The Legal 500* as among the leading attorneys in the US for Health Care: Life Sciences.

Ross also represents corporate clients in a variety of securities and general commercial litigation matters in federal and state courts. Ross formerly led the firm's associate and counsel work coordination system, supporting the efficient staffing of client matters and opportunity for attorney development.

Admissions

Bar Admissions
New York

Court Admissions
US District Court, Eastern and Southern Districts of New York

Education

Fordham University, J.D.: *cum laude*;
Order of the Coif; Managing Editor,
Fordham Law Review

University of Michigan, B.A., Political
Science, B.A., History; Class Honors
for Academic Achievement

Experience

- Trial lawyer in what *The New York Times* called "one of the most complicated and gargantuan legal battles in American history," defending an industry-leading pharmaceutical and consumer products company at trial in the nation's first opioid case to go to trial.
- Defending an industry-leading pharmaceutical and consumer products company in nationwide litigation over prescription opioid medications, including multi-district litigation and State AG litigations across the country.
- Representing a life sciences company in a New York State Department of Financial Services investigation regarding the promotion of its products.
- Secured a DOJ declination and a dismissal of a False Claims Act lawsuit brought against a major pharmaceutical company regarding its patient support services.
- Representing a leading international pharmaceutical company in an investigation by the US Department of Justice into the company's charitable giving.
- Representing a leading global property management company in a matter opposite the Port Authority of NY/NJ and the New York AG's Office.
- Representing a real estate firm in a New Jersey Task Force investigation regarding tax incentives.
- Represented a leading pharmaceutical and consumer goods company, and its subsidiaries, in an investigation brought by 48 state attorneys general related to its metal-on-metal hip replacement systems, and separately helped its subsidiary negotiate a favorable settlement with the Oregon attorney general, which instituted its own investigation.
- Represented a leading pharmaceutical and consumer goods company, and its subsidiary medical device manufacturer, in a 43-state Attorney General investigation of consumer protection/deceptive trade practice concerns regarding pelvic mesh products.
- Secured a complete declination from the government on relator's claims against our client, a leading pharmacy benefits manager, after a two-year federal False Claims Act investigation by the US Attorney's Office for the Southern District of New York, the Department of Justice, and the District of Rhode Island.
- Successfully persuaded the Department of Health and Human Services Office of Inspector General to reverse course in separate exclusion actions against Howard Solomon, Chairman of Forest Laboratories, and the CEO of another leading life sciences company.
- Persuaded the SEC to close its investigation of CTI BioPharma regarding its public disclosures and alleged violations of the antifraud and certain other provisions of the federal securities laws without pursuing an enforcement action.
- Represented multiple major pharmaceutical companies in Department of Justice investigations of off-label promotion and kickback allegations.
- Has represented life sciences companies, officers, and directors in securities class actions, and derivative lawsuits.
- Represents companies in consumer protection act cases. Representations have included cases brought by private plaintiffs as well as those brought by state attorneys general's offices.
- Obtained dismissal of a securities class action complaint against a former officer of a pharmaceuticals company alleging misrepresentations regarding the safety profile of the company's pain medications.

- Represented senior executive defendants in shareholder derivative and 10b-5 cases.
- Regularly conducts internal investigations, both of alleged misconduct and to proactively assess risk.
- Represents underwriters in securities class action litigation.
- Advises CEO and Chief Compliance Officer of a pharmaceutical company regarding certifications required by a corporate integrity agreement, state laws and an industry association. Serves as a member of the company's Reportable Events Committee.
- Represented companies in SEC and DOJ FCPA investigations.
- Represented New York Mets in litigation with SportsChannel New York regarding the establishment of SNY Network. Defeated preliminary injunction motion, and resolved the case through successful motions to dismiss and partial summary judgment, which were upheld on appeal to New York's First Department.
- Provides pro bono representation to clients pursuant to the Criminal Justice Act.
- Represented garment factory workers in a Fair Labor Standards Act lawsuit to recover unpaid wages and overtime. Negotiated settlements with various parties that resulted in a substantial recovery for the workers.
- Represented companies in stock option backdating investigations. Advised clients considering mergers or acquisitions regarding potential backdating issues faced by merger partners and acquisition targets.
- Represented a company in a proceeding pursuant to Chapter 15 of the United States Bankruptcy Code to gain United States recognition of a foreign bankruptcy plan.
- Represented financial institutions in response to SEC and FINRA subpoenas.

Professional Activities

Clerkships

- Honorable John F. Keenan, US District Court, Southern District of New York

Author

- Co-Author, "FDA Proposes to Indefinitely Delay Obama Administration Amendments to FDA Regulations on Intended Use," *Westlaw Journal Pharmaceutical* (Feb. 13, 2018)
- *Above the Law: The Prosecutor's Duty To Seek Justice and the Performance of Substantial Assistance Agreements (Note)*

Honors & Awards

- *The Legal 500 US* in Healthcare - Life Sciences (2017-2022)
- *Super Lawyers* "Rising Star" in General Litigation (2011)