



Lindsay E. Ray

Shareholder

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Lindsay Ray represents clients in complex litigation and enforcement matters, with a special emphasis on white collar defense, government investigations, securities litigation, administrative proceedings, and commercial litigation.

Lindsay Ray, a shareholder in the Firm's Government Enforcement and Investigations Group, represents clients in litigation matters, with a focus on white collar defense, complex commercial litigation, administrative proceedings, securities litigation, and governmental investigations. Ms. Ray represents clients in a variety of industries, including financial services, health care, real estate, entertainment and media, power generation, biotech, and the automotive industry, as well as individuals subject to governmental investigations and criminal prosecution.

Additionally, Ms. Ray has dedicated a significant amount of time to pro bono matters, including the successful negotiation of a settlement on behalf of an artist regarding the misuse of his copyright-protected photographs and other work. She also represented an inmate of New York's Department of Corrections and Community Supervision in his Section 1983 prisoners' rights case involving the Eighth and Fourteenth Amendment violations caused by his four-and-a-half years spent in solitary confinement.

Ms. Ray clerked for the Hon. Mark J. Dinsmore of the U.S. District Court for the Southern District of Indiana in Indianapolis, the U.S. Attorney's Office for the District of Delaware, and the Environment and Natural Division of the Department of Justice. She speaks Spanish proficiently.

Representative Matters

- Secured a sentence of probation for the manager and foreman who oversaw an oil platform that discharged oil into the Gulf of Mexico and faced criminal charges under the Clean Water Act (CWA) and Outer Continental Shelf Lands Act (OCSLA).
- Won an administrative trial on behalf of a hospital challenging the Tennessee Health Facilities Commission's (HFC) grant of a Certificate of Need (CON) for a new community hospital.
- Conducted an internal investigation and reported to the Board of Directors of a health care staffing firm regarding allegations of misrepresentation and/or mismanagement of company finances.
- Represented a behavioral health care services company in response to a series of False Claims Act (FCA) investigations by the DOJ and the Office of Inspector General of the Department of Health and Human Services (HHS-OIG).
- Defended a national bank in response to lawsuits concerning residential mortgage disputes.
- Defended an automotive manufacturer in response to third-party discovery claims threatening to expand to claims of unfair competition and antitrust allegations.
- Represented a prominent media company in defense of a series of sexual harassment and gender discrimination claims.
- Defended a former hedge fund executive in his criminal sentencing for wire fraud where his co-defendant had been charged and sentenced for participation in a kickback scheme.
- Conducted an internal investigation and compliance policy review for an international pharmaceutical company in response to a whistleblower complaint relating to a potential Foreign Corrupt Practices Act (FCPA) violation by the company's foreign subsidiary.

- Represented health care services company in litigation enforcing breach of promissory notes and guarantee against borrower and guarantor in relation to transfer of assisted living facilities.
- Defended and obtained declination letters on behalf of the former CEO and CFO of a power generation and energy technology company in relation to an SEC investigation of the company's accounting and reporting practices.
- Represented a major trader of an international bank in defense of criminal market manipulation allegations in relation to the ForEx scandal.
- Conducted an internal investigation and report for a global investment firm in response to sexual harassment and hostile work environment complaints.
- Represented an executive of a transnational wastewater management company in relation to his employer's internal investigation and related DOJ investigation in response to a report of potential FCPA violations relating to his work in South America.
- Defended and obtained declination letter on behalf of a biotechnology company in relation to an SEC investigation of the company's reporting practices.
- Represented a pharmaceutical company in its defense of multi-district litigation and related coordinated state litigations.
- Represented a New York real estate developer and Hasidic Jewish residents in Section 1983 civil rights litigation involving municipalities' deterrence of the migration of Hasidic Jews.



Professional Honors & Activities

- Listed in *Best Lawyers: Ones to Watch in America*™ for Commercial Litigation and Criminal Defense: White-Collar (2024)
- Member – Tennessee Chapter of the Women's White Collar Defense Association
- Member – Nashville Sports Council Young Professionals Network
- Member – New York County Lawyers' Association McInerney Inn of Court



Publications

- "Jumping on the Whistleblower Bandwagon: DOJ Announces Department-Wide Pilot Program to Incentivize Individual Reporting," republished April 30, 2024, in *Federal News Network* (March 2024)
- "Reining it in: Supreme Court Again Restricts Honest-Services Fraud" (May 2023)
- "Companies Take Heed: DOJ Announces Key Updates and Corporate Compliance Guidance" (March 2023)
- "Announcements on New DOJ Corporate Enforcement Policies and Changes to Come," republished in *Corporate Counsel* (September 2022)
- "Fifth Circuit Declares SEC's Quasi-Judicial Process Unconstitutional," republished in *Texas Lawyer* (May 2022)
- "FAQ: The SEC's Proposed Rule on the Enhancement and Standardization of Climate Related-Disclosures" (March 2022)
- "Delaware Supreme Court Adopts Primedia Test for Post-Merger Shareholder Actions," *JD Supra* (February 2021)
- "SEC Enforcement Division Releases 2020 Annual Report: COVID-19 Impacts Enforcement as Whistleblower Program Boosts Enforcement," *JD Supra* (November 2020)
- "Biotech Beware: Increased SEC Focus on COVID-Related Activities and Claims Amplifies the Enforcement Risks for the Unaware or Brazen," *JD Supra* (July 2020)
- "Behind Eni's \$24.5M FCPA Settlement for Actions of Minority-Owned Subsidiary," *Anti-Corruption Report* (April 2020)
- "SEC's Enforcement Division Releases 2019 Annual Report: Asset Management Industry Enforcement Leads to Record Numbers," *JD Supra* (December 2019)
- "US Blockchain Enforcement and Litigation Update," *JD Supra* (February 2019)



Speaking Engagements

- "What You Need To Know about the New DOJ Corporate Enforcement Policies and Changes To Come," Celesq/Thomson Reuters (West) Webinar (November 2022)
- "Practical Scenarios: Addressing Anti-Corruption Compliance Challenges in Joint Ventures, Mergers and Acquisitions with New Guidance from the DOJ," Association of Corporate Counsel (December 2020)
- "There's No Place Like Home: The Virtual Practice of Law," New York County Lawyers' Association McInerney Inn of Court (September 2020)
- "Walking the Line in Financial Services: Where is the line? And what should you do if the line is not clear?," New York County Lawyers' Association McInerney Inn of Court (September 2019)



Education

- Indiana University Maurer School of Law, J.D., 2013, cum laude
 - Managing Editor, *Indiana Law Journal*
- University of Delaware, B.A., 2010, summa cum laude, phi beta kappa



Admissions

- Tennessee, 2024
- New York, 2014
- U.S. District Court for the Middle District of Tennessee, 2022
- U.S. District Court for the Eastern and Southern Districts of New York
- U.S. District Court for the Southern District of Indiana