



## Preston L. Pugh

MEMBER  
EXECUTIVE COMMITTEE MEMBER

Preston Pugh is a Member in Miller & Chevalier's Litigation Department and leads the firm's Complex Civil Litigation practice. A skilled trial lawyer, he advises clients in high-stakes litigation and investigations in a variety of industries, including those that are international in scope. As a former senior in-house compliance investigations counsel at two Fortune 50 companies, twice-appointed compliance monitor, and former Assistant U.S. Attorney, he also assists clients with crisis management, regulatory disputes and substantial reputational concerns.

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### PRACTICES

Complex Civil Litigation  
False Claims Act Litigation  
FCPA & International Anti-Corruption  
Government Contracts Counseling & Litigation  
Internal Investigations  
Securities Enforcement  
Supreme Court & Appellate Litigation  
White Collar Defense

### EDUCATION

- J.D., New York University School of Law, 1997
- B.A., Cornell University, 1994

An important part of Mr. Pugh's practice involves helping companies that face challenges from employees and stakeholders, such as whistleblower claims, False Claims Act actions in healthcare and government contracting, and trade secrets cases (including cases involving DTSA, restrictive covenants, the EEA, and the Computer Fraud and Abuse Act). He has investigated significant allegations of corporate ethics noncompliance by key employees in multinational corporations, and has defended both public and private employers in cases involving alleged labor and employment violations.

Mr. Pugh has published several articles and been quoted on issues regarding corporate compliance. He is a co-chair of the American Bar Association Criminal Justice Section Committee (ABA CJS) on Global Anti-Corruption and a co-chair of the ABA CJS *Qui Tam* Subcommittee. He was a trial instructor at the National Institute of Trial Advocacy for 10 years and has served as an adjunct professor in appellate advocacy at Loyola Chicago School of Law.

Immediately prior to joining Miller & Chevalier, Mr. Pugh was a partner at a prominent trial boutique in Chicago. He was recognized as an "Illinois Super Lawyer" from 2011 to 2017, and he received multiple Special Service Awards during his time at the U.S. Attorney's Office in Chicago.

### REPRESENTATIVE ENGAGEMENTS

- Currently represents a major institution in a significant crisis triggered by the tragic homicide of an employee.
- Defended three executives of a large Wall Street financial institution in a nationally-publicized trade secrets and non-solicitation lawsuit filed by their former employer/financial institution.
- Represented an executive in a trade secrets dispute with her previous employer, resulting in the former employer lifting the restrictions on the executive.
- Represented a shipping logistics company that filed a trade secrets dispute in Illinois Chancery Court.
- Led the internal investigation for a Fortune 100 airline implicated in an industry-wide False Claims Act and false statements investigation by the United States Department of

Justice and United States Postal Service.

- Defended FCA and criminal false statement allegations against a Division I university following a well-publicized 2013 dawn raid by 54 agents of the FBI, U.S. Departments of Education and Housing and Urban Development, and Illinois State Police. After considerable work, the DOJ closed the investigation with no charges filed.
- Investigated alleged rigging of the hiring process for senior pilots at a Fortune 100 airline.
- Served as lead counsel for a Fortune 10 company investigation into allegations of insider trading.
- Wrote the successful argument in one of the leading implied certification cases in the Seventh Circuit, *U.S. ex rel. Bragg v. SCR*, part of the circuit split that led to the United States Supreme Court's decision in *Universal Health Services v. U.S. ex rel. Escobar*.
- Led the internal investigation of a biotech company regarding allegations by a former employee made to the company's CEO and board of directors detailing alleged false "named patient program" information provided to European clinical regulators.
- On behalf of a board of directors, led a team that investigated numerous code of conduct complaints against the CEO of a large hospital, including conflicts of interest and other allegations.
- Investigated a corporate sales leader for numerous alleged procurement violations.
- Investigated a head of HR for numerous alleged code of conduct breaches.
- Co-led an investigation and drafted the report in a major independent investigation of the University of Illinois into highly publicized allegations by student-athletes in its basketball program.

## **GOVERNMENT EXPERIENCE**

- Assistant United States Attorney, Northern District of Illinois, 1999 – 2002 (Recipient of Special Service Award 2000 and 2001)
- National Labor Relations Appellate Court Branch, 1997 – 1999

## **IN-HOUSE EXPERIENCE**

- Senior Counsel, Litigation and Global Investigations, GE Healthcare
- Seconded Counsel, Integrated Defense Systems, Boeing

## **RANKINGS AND RECOGNITION**

- *Legal 500*: Dispute Resolution: Corporate Investigations and White-Collar Criminal Defense, 2019
- DC Bar Capital Pro Bono Honor Roll, 2018
- DC Bar Capital Pro Bono High Honor Roll, 2017
- Leading Lawyer in Commercial Litigation, *Chicago Daily Law Bulletin*, 2012 - 2017
- "40 Attorneys Under 40 to Watch," *Chicago Daily Law Bulletin*, 2004

- Department of Justice Special Act or Service Award, 2000 - 2001

## **AFFILIATIONS**

- Vice Chair, Procurement Fraud and False Claims Committee, Section of Public Contract Law, American Bar Association
- Co-Chair, Global Anti-Corruption Committee, American Bar Association
- Co-Chair, *Qui Tam* Subcommittee, Criminal Justice Section, American Bar Association
- American Bar Association's Task Force on Corporate Monitors
- Leadership Greater Chicago, Class of 2012
- Former Member, Character and Fitness Committee, Illinois Attorney Registration and Disciplinary Committee
- Former Chair, Labor and Employment Committee, Chicago Bar Association

## **ADMISSIONS**

### **Bar Admissions**

- District of Columbia
- Illinois
- New York

### **Court Admissions**

- United States Supreme Court
- United States District Court for the Northern District of Illinois, including the Trial Bar
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Eighth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the District of Columbia Circuit