

Webcast: DOJ's Consumer Protection Branch

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In this webcast, Gibson Dunn attorneys discuss how the U.S. Department of Justice's Consumer Protection Branch has quickly become a leading criminal and civil enforcer of health, safety, fraud, and privacy laws. Having secured billions in monetary penalties across dozens of corporate resolutions in recent years, the Branch is now the DOJ's fastest-growing enforcement component. It also is the primary outside counsel for key consumer-protection agencies, including the FDA, FTC, CPSC, DEA, and DOT. Our discussion features the Branch's recent Director and explores its current and expected enforcement trends. We also discuss the Branch's unique relationships with agency partners, its resources and authorities, and new corporate compliance policies and expectations. The conversation is of particular interest to life sciences, consumer product, and online companies and executives.

PANELISTS: **Nick Hanna**, who most recently served as United States Attorney for the Central District of California, is a litigation partner in Gibson Dunn's Los Angeles office and co-chairs the firm's global White Collar Defense and Investigations Practice Group. Nick represents Fortune 500 companies and executives in high-stakes civil litigation, white collar crime, and regulatory and securities enforcement – including internal investigations, False Claims Act cases, compliance counseling and class action defense. Nick is admitted to practice in the State of California. **Gustav W. Eyler** is a partner in the Washington, D.C. office of Gibson, Dunn & Crutcher. He is Co-Chair of the firm's FDA and Health Care Practice Group and a member of the White Collar Defense and Privacy Practice Groups. An experienced litigator and a former Director of the U.S. Department of Justice's Consumer Protection Branch, he defends companies and individuals in government investigations and enforcement actions and counsels clients on the design and implementation of compliance programs. Gus brings broad and practical experience to clients facing government investigations and litigation. As Director of the Consumer Protection Branch from 2017 to 2022, Gus led more than 250 prosecutors and staff in criminal and civil enforcement actions involving drugs, medical devices, food, tobacco, consumer products, and fraudulent schemes. He personally oversaw and handled matters involving a wide range of statutes, including the Federal Food, Drug, and Cosmetic Act; the Controlled Substances Act; the Consumer Product Safety Act; the Anti-Kickback Statute; the False Claims Act; provisions administered by the National Highway Traffic Safety Administration; and numerous fraud laws. He also led the Justice Department's partnership with the Federal Trade Commission in achieving landmark corporate resolutions in privacy and deceptive-practice cases related to social media, marketing, and health care companies. Gus is admitted to practice in the District of Columbia and the State of Maryland. **Katlin McKelvie** is a partner in the Washington, D.C. office of Gibson, Dunn & Crutcher and a member of the firm's Food and Drug Administration (FDA) and Health Care Practice Group. With over two decades of experience in food and drug law, including as Deputy General Counsel of the Department of Health and Human Services (HHS), Katlin offers clients expansive knowledge of the complex legal and policy issues associated with FDA regulation of food, drugs, medical devices, and cosmetics. As Deputy General Counsel at HHS, Katlin was responsible for advising senior HHS officials on FDA-related regulatory, enforcement, and litigation matters. Prior to joining HHS, she served as Deputy Health Policy Director and Senior FDA Counsel to the Senate Committee on Health, Education, Labor, and Pensions for Chair Patty Murray. As Committee staff, Katlin played a pivotal role in shaping multiple pieces of legislation the FDA is currently working

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to implement, most notably the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Food and Drug Omnibus Reform Act of 2022 (FDORA). Before her time in the Senate, Katlin spent 11 years at FDA, first as Regulatory Counsel in the Office of Prescription Drug Promotion in the Center for Drug Evaluation and Research and then as Associate Chief Counsel for Drugs in the Office of the Chief Counsel. She is admitted to practice law in the District of Columbia.

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