

Abigail N. Bortnick

Counsel
*Special Matters and Government
Investigations*

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Abigail represents companies and individuals facing high-stakes enforcement proceedings, Congressional investigations, and corporate internal investigations. Abigail has counseled clients across a broad range of industries including pharmaceutical and life sciences, financial services, energy and oil field services, retail, and logistics and supply chains. She co-chairs King & Spalding's DC Women's Alliance, is an alumni of the Women's Leadership Forum, and is a member of the DC Chapter of the Women's White Collar Defense Association ("WWCDA"). She currently serves as Treasurer on the Board of Hope Connections for Cancer Support, and sits on the Board of Visitors for the University of Maryland School of Theatre, Dance, and Performance Studies.

Abigail's experience managing global complex investigations includes counseling clients in wide-scale subpoena and informal request responses, witness preparation, and high-profile testimony. Abigail's clients praise her intuition and solid instincts, as well as her ability to listen and understand their needs.

Working on behalf of Fortune 50, 100, and 500 companies, she regularly handles matters focused on anti-corruption/anti-bribery and the Foreign Corrupt Practices Act ("FCPA"), and has particular experience evaluating and designing compliance programs for multinational corporations in this space. In addition to leading investigations, Abigail is often called upon to assess anti-corruption provisions in M&A transactions.

In Congressional allegations of corruption, fraud, regulatory violations, and questions around public policy, Abigail has assisted clients in responding to inquiries from and preparing executives for testimony before House and Senate Oversight and Special committees in investigations related to prescription drug pricing practices, public health implications of electronic nicotine delivery systems, and the response by skilled nursing facilities to the COVID-19 crisis.

The Special Matters & Government Investigations group has twice been recognized by *Law360* as the "White-Collar Group of the Year" and described as "the premier firm in this practice area" by the *U.S. News & World Report/Best Lawyers'* "Best Law Firms" survey.

See examples of Abigail's recent matters in the section below.

Matters

Representing **pharmaceutical manufacturers** in **Congressional investigations** into drug pricing, including responding to inquiries from and preparing top Executive Officers for testimony before House Committee on Oversight and Reform and Senate Finance Committee.

Representing skilled nursing facility operator in COVID-19 **Congressional investigation**.

Represented multiple pharmaceutical companies in investigations by United States Attorneys' Offices into alleged **off-label promotion** activity and improper government price-reporting practices.

Successfully defended pharmaceutical manufacturer in **HHS OIG** investigation regarding calculation and reporting of AMP and Best Price in relation to wholesalers' fee-for-service agreements.

Defended **managed care company** in enterprise-threatening criminal and civil investigations by the U.S. DOJ, as well as parallel investigations by other federal and state regulatory agencies.

Represented Fortune 500 health insurance company executive during SEC and related criminal investigation of **suspected stock-option backdating**, resulting in no action against the executive.

Represented **medical-device manufacturer** in a grand jury investigation concerning alleged design and manufacturing violations.

Defended major oilfield services company in a 7-year **multinational FCPA investigation** in Africa and the Middle East in response to parallel investigations by the SEC and U.S. DOJ.

Represented Fortune 100 financial institution in parallel investigations by the **U.S. DOJ, Office of the Comptroller of the Currency, and IRS** regarding alleged violations of anti-money laundering and banking regulations, as well as parallel class action litigation.

Defended Fortune 500 companies in *qui tam* actions brought under the **False Claims Act**.

Coordinated data collection in **multinational automotive investigation** with complex data privacy issues.

Credentials

EDUCATION

J.D., University of Maryland, cum laude

B.A., University of Maryland, magna cum laude

ADMISSIONS

U.S. District Court for the District of Maryland

District of Columbia

Maryland

Recognition

Insights

CLIENT ALERT

September 22, 2021

Will ESG Disclosures be Mandated by Law? A Legislative Analysis.

July 9, 2021

Oversight Subcommittee on the Coronavirus Crisis Continues to Actively Investigate the Previous Administration's Pandemic Response

July 2, 2021

Congressional Investigations in the 117th Congress: U.S. Senate Oversight Activities Ramp Up

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Events

CONFERENCE

June 15, 2016

2016 Compliance Summit

SPEAKING ENGAGEMENT

July 8, 2019

Abigail Bortnick to Speak on Lorman Education Services Webinar

April 17, 2019

Abigail Bortnick to Speak at CBI's PCC 2019 Pharmaceutical Compliance Congress

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News

IN THE NEWS

September 30, 2021 • Source: Roll Call

Abigail Bortnick, Jennifer Guest and Matthew Wissa's client alert is highlighted in a profile that examined the GOP's opposition to more corporate ESG reporting

October 3, 2019 • Source: Law.com

Law.com highlights Jade Lambert and Abigail Bortnick's article on the legal developments in the #MeToo movement

PRESS RELEASE

November 6, 2014

King & Spalding Elects 17 New Partners

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