



Scott L. Marrah

Partner

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Services

Cybersecurity, Privacy & Data
Governance
Government & Regulatory
White Collar Crime & Internal
Investigations

Industries

Apparel, Accessories & Luxury
Goods
Consumer Goods
Retail & Consumer Goods

Scott Marrah co-leads the firm's Government Enforcement & Investigations Team and serves on the firm's Executive Committee. He has extensive experience in the areas of white collar criminal defense, internal, criminal and SEC investigations, and complex commercial litigation. Mr. Marrah has significant trial and appellate experience gained from years as both a federal prosecutor and a defense attorney in private practice.

Mr. Marrah assists clients with government enforcement issues including the Foreign Corrupt Practices Act, the False Claims Act (including government contracting, healthcare and tax matters), Civil Investigative Demands, securities fraud allegations, criminal environmental and antitrust issues and export enforcement. He also regularly represents financial institutions in matters with DOJ, SEC, FDIC, and OCC, including subpoena compliance and internal investigations. He assists companies with grand jury inquiries and has handled investigations conducted by the Office of Inspector General from a variety of federal agencies.

Prior to joining the firm, he served as an Assistant United States Attorney in the Southern District of New York, where he successfully investigated and prosecuted a wide array of federal offenses in the areas of terrorism and national security, securities fraud, RICO, white collar crime, money laundering, export control and commerce violations, organized crime, trademark infringement and counterfeiting, mail, wire and bank fraud and international narcotics. As an Assistant United States Attorney, Mr. Marrah had numerous jury trials, bench trials, and hearings in federal court and also briefed and argued appeals before the United States Court of Appeals for the Second Circuit.

Before serving as a prosecutor, Mr. Marrah was a partner in an international law firm where he handled internal corporate investigations, white collar criminal defense, False Claims Act cases and complex commercial



litigation matters. He also handled matters involving the Foreign Corrupt Practices Act, healthcare, environmental and SEC issues.

Mr. Marrah was listed in 2018 and 2019 by *The Best Lawyers in America*[®] for White-Collar Criminal Defense and again in 2020 for White-Collar Criminal Defense and Commercial Litigation. He was recognized as a Georgia "Super Lawyer" in Criminal Law in 2018 and the seven years prior by *Super Lawyers* magazine. Mr. Marrah was also named to *Georgia Trend's* "Legal Elite" list for Criminal Law in 2016 and the seven years immediately preceding. He has been recognized repeatedly for Business Crime Defense in *The International Who's Who of Business Lawyers*.

Experience

In less than four months, convinced the Civil Division of the Department of Justice that a whistleblower's claims against a company did not merit the Government's intervention into a sealed qui tam litigation. Soon after, the whistleblower voluntarily dismissed her litigation.

Led corporate internal and government investigations of potential misconduct, including criminal antitrust and securities violations, and other criminal statutes.

Represented a public company in an investigation of an employee's suspected possession of inappropriate and criminal material on company-owned computer equipment and worked with FBI and U.S. Attorney's office in the investigation.

Represented several publicly traded companies in defense of shareholder class actions alleging violations of the Securities Exchange Act and shareholder-related derivative suits.

Conducted internal investigation for a *Fortune* 100 company involving an employee kickback scheme.

Represented hospital system in successful resolution of Department of Justice and Office of Inspector General investigation.

Represented a company in criminal tax matter, resulting in Department of Justice declination of prosecution.

Advised a *Fortune* 500 company on criminal liability and government disclosures related to internal computer audits.

Represented large international law firm in SEC investigation related to insider trading allegations.



Advised a *Fortune 500* company with respect to computer intrusions and related computer crimes.

Represented corporations in civil and criminal False Claims Act investigations and litigation, including government contracting, tax and healthcare matters.

Advised a *Fortune 500* company on fraud relating to internet usage as well as email communications.

Assisted corporate clients with subpoenas and investigations by the New York State Attorney General's Office.

Assisted large American retail company in investigating and pursuing trademark infringement in Asia, including potential criminal and civil remedies.

Served as co-lead counsel in successful RICO prosecution of 32 members and associates of the Gambino crime family, including the Acting boss, Underboss and high ranking captains. The six-week jury trial resulted in conviction of the family captain.

Served as lead counsel in prosecution of large-scale securities, wire, and mail fraud conspiracies.

Sole prosecutor in prosecution of trader on the floor of the American Stock Exchange, for securities and wire fraud charges in connection with a scheme to defraud his employer, a specialist firm and member of the American Stock Exchange.

Performed an internal investigation for an international construction company into Foreign Corrupt Practices Act issues as well as conducted training for employees.

Counsel to Special Committee of Board of Directors for investigation of shareholder demand issues, including full internal review and report of findings.

Investigated and prosecuted cases involving national security matters, Foreign Corrupt Practice Act, export violations and counter proliferation issues.

Investigated and prosecuted numerous individuals for providing material support to terrorists and/or terrorist organizations.

Served as co-lead counsel in RICO prosecutions of over eighty defendants, including bosses of two Asian organized crime enterprises in Manhattan.

Conducted an internal investigation into Foreign Corrupt Practices Act issues in the Caribbean for a public



company and later, provided extensive training to executive officers, the legal department as well as employees.

Represented a medical group, in an investigation by the U.S. Attorney's Office and U.S. Department of Health & Human Services concerning medical billing, which resulted in a favorable settlement.

Represented executives and employees of a pharmaceutical manufacturer in an off-label marketing investigation initiated by a False Claims Act lawsuit.

Led an internal investigation into a fraudulent scheme conducted by an officer of a medical group.

Represented a former White House official in Department of Justice criminal investigation.

Represented multiple health care clients in connection with internal investigations and assistance in developing and implementing comprehensive compliance programs.

Internal investigation on behalf of a *Fortune* 100 company of potential criminal and regulatory exposure arising from an environmental incident in Midwest.

Advised an international consumer goods manufacturer on Foreign Corrupt Practices Act issues as well as assisted in drafting its FCPA policy, guidelines and contract language.

Internal investigation on behalf of a board of directors of a *Fortune* 500 company regarding potential Foreign Corrupt Practices Act violations in the Middle East, Southeast Asia and Africa.

Represented a group of employees in an investigation by a U.S. Attorney's Office, the Nuclear Regulatory Commission and Immigration & Customs Enforcement relating to the export of medical devices to sanctioned countries.

In less than three months, we convinced the Department of Justice not to take any action against a client employee for allegedly stealing trade secrets from a competitor. During the investigation, our client continued to be a witness and did not have any criminal exposure.

Convinced the Department of Justice to decline prosecution of a construction company, after the DOJ had previously identified the company as a target of an environmental crime investigation.

Internal investigation on behalf of audit committee of NYSE-listed energy company to assess allegations regarding a wide array of issues, including securities and accounting fraud, violations of Sarbanes-Oxley and

compliance with a variety of federal and state regulations.

Represented an Audit Committee of a medical diagnostic company in conducting an internal investigation involving compliance and assisting with related government disclosure and resolution.

Performed an internal investigation in China concerning potential crimes and breaches of internal policies and procedures, and advised the public company's Audit Committee on next steps and remedial measures.

Education

Ohio State University, Moritz College of Law, J.D. (1993) *with honors*

Ohio State University, B.A. (1990) *summa cum laude*

Admissions

Georgia (1998)

Ohio (1993)

Not Licensed in New York

Court Admissions

U.S. Court of Appeals for the Eleventh Circuit (2007)

U.S. Court of Appeals for the Second Circuit (2005)

U.S. District Court for the Northern District of Georgia (1999)

U.S. District Court for the Southern District of Ohio (1995)

U.S. Court of Appeals for the Sixth Circuit (1994)

Clerkships

U.S. Court of Appeals for the Sixth Circuit - Honorable Alice M. Batchelder

Professional & Community Activities

Georgia Bar Association, Member

Federal Bar Association, Executive Committee of Atlanta Chapter

International Bar Association, Member

Insights

[Alerts](#)



COVID-19: Compliance Checklist for a Challenging Time
April 28, 2020

[Perspectives](#)

Video | The Chinese Social Credit System
January 30, 2020

[News Releases](#)

Kilpatrick Townsend Achieves Strong Rankings in Benchmark Litigation 2020
January 6, 2020

[Perspectives](#)

6 Key Takeaways | The Chinese Social Credit System
December 11, 2019

[Events](#)

Anti-Corruption and Compliance Panel
December 3, 2019

[News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2020
August 15, 2019

[News Releases](#)

Cyber Crimes Chief and Former Economic Crimes Deputy Chief from U.S. Attorney's Office Joins Kilpatrick Townsend's Growing Government Enforcement & Investigations Team
October 24, 2018

[In The News](#)

Kilpatrick Snags Federal Prosecutor Fresh From Hardwick Trial
October 23, 2018

[In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2019
August 20, 2018



Events

U.S.-Imposed Monitors – A Challenge and a Chance for European Companies?

May 25, 2018

News Releases

Forty-Four Kilpatrick Townsend Attorneys Named to 2017 - 2018 International Who's Who of Business Lawyers

March 19, 2018

News Releases

Kilpatrick Townsend Once Again Achieves Recognition for 2018 Georgia Super Lawyers

February 28, 2018

News Releases

Kilpatrick Townsend Attorneys Named 2017 "Legal Elite"

December 7, 2017

News Releases

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018

August 15, 2017

News Releases

Kilpatrick Townsends Scott Marrah Named Deputy Monitor for Anti-Fraud, Ethics, and Compliance to Assist Larry Thompson as Independent Corporate Compliance Monitor and Auditor in Volkswagen AG Emissions Proceedings

May 2, 2017

News Releases

Kilpatrick Townsend Once Again Achieves Recognition for 2017 Georgia Super Lawyers

February 28, 2017

News Releases

Kilpatrick Townsend Attorneys Named 2016 "Legal Elite"

January 23, 2017

Publications

Latest Developments in U.S. FCPA Enforcement



September 1, 2016

[Events](#)

FCPA and Anti-Corruption Enforcement

June 16, 2016

[Events](#)

Emerging Anti-Corruption Trends in China for the Healthcare Industry

June 16, 2016

[Events](#)

Case Studies in Third Party Audits — What Should You Do If..

June 15, 2016

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2015 “Legal Elite”

December 7, 2015

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers

February 26, 2015