

## Lisa M. Noller

### Representative Publications, Presentations and Quoted Interviews

- Co-Author, “A Review of Recent Whistleblower Developments,” *Legal News:Whistleblower Developments* (April 15, 2019)
- Panelist, “ACC Quick Hit: The False Claims Act,” Association of Corporate Counsel Webinar (April 2, 2019)
- Quoted, “Disclosures Aren’t a Whistleblower Defense; OIG: Provider Mistakes Risk Their SDPs,” *Report on Medicare Compliance*, (November 19, 2018)
- Panelist, “Tackling the Self-Disclosure Puzzle,” HCCA Healthcare Enforcement Compliance Conference (November 5, 2018)
- Panelist, “We Can Handle the Truth: Let’s Meet the United States Health Law Enforcers,” Association of Corporate Counsel (Fall 2018)
- Speaker, “FCA 101,” 12th ABA National Institute on the Civil False Claims Act and *Qui Tam* Enforcement (June 13, 2018)
- Speaker, “Integrating Research Integrity with Corporate Compliance,” HCCA Research Compliance Institute (June 2018)
- Co-author, “A Review of Whistleblower Developments,” *Legal News Alert: Whistleblower Developments* (April 17, 2018)
- Co-author, “Only Persons Who Report Security Violations to the SEC are Whistleblowers Under Dodd-Frank: Supreme Court Decides *Digital Realty Trust* Case,” *Legal News Alert: Whistleblower Developments* (February 22, 2018)
- Co-author, “New Tax Law Changes Deductibility of Government Settlement Payments in False Claims Act, SEC, FINRA, and Other Types of Cases,” *Legal News Alert: Government Enforcement Defense & Investigations* (February 16, 2018)
- Co-author, “A Review of Recent Whistleblower Developments: October 2017,” *The National Law Review* (October 18, 2017)
- Panelist, “We Can Handle the Truth: Let’s Meet the United States Health Law Enforcers,” 2017 ACC Annual Meeting (October 17, 2017)
- Co-author, “A Review of Recent Whistleblower Developments,” *Legal News: Whistleblower Developments* (July 19, 2017)
- Panelist, “Conducting the Internal Investigation,” PLI’s Internal Investigations 2017 (June 7, 2017)
- Panelist, “Handling Government Investigations and Regulators,” Benchmark Women in Litigation Forum (March 30, 2017)
- Moderator, “Significant Legal Developments in the Central & Midwest Region,” 2017 ABA White Collar Conference (March 8, 2017)
- Panelist, “Tracherous Waters: Criminal Law Considerations In Attorney Representation,” 16<sup>th</sup> Annual LMRM Conference (March 1, 2017)
- Co-author, “Seventh Circuit Applies Escobar’s Materiality Standard to (Again) Reject False Certification Claim,” *Health Care Law Today* (November 1, 2016)
- Panelist, “Part I: *Universal Health Services v. Escobar* + The Yates Memo,” American Health Lawyers Association 2016 in Review: Traveling the Road to Value-Based Payment in a Regulatory Enforcement Minefield (October 18, 2016)
- Panelist, “Current Topics in SEC and DOJ Enforcement & Corporate Litigation,” Northwestern Pritzker School of Law 36<sup>th</sup> Annual Ray Garret Jr. Corporate Securities Institute (April 29, 2016)
- Interviewed, “Q&A: The Yates Memo and New Corporate Culpability and Liability,” *Levick.com Blog* (April 21, 2016)
- Panelist, “Unlock This: Current Issues in Technology and Criminal Practice,” Annual Federal Criminal Practice Program (April 13, 2016)

- Co-author, “A Review of Recent Whistleblower Developments,” *Foley & Lardner LLP Legal News Alert: Whistleblower Developments* (April 12, 2016)
- Co-author, “Differences in Medical Opinion Are Not False Claims Act Violations,” *Health Care Law Today* (April 11, 2016)
- Co-author, “DOJ Fraud Section Offers Super Credit in FCPA Pilot Program,” *Foley & Lardner LLP Legal News Alert: Government Enforcement, Compliance & White Collar Defense* (April 7, 2016)
- Quoted, “Analysis: Third Circuit Sets Up Split Over Original Source Status in Spate of FCA Cases.” *Bloomberg BNA: Federal Contracts Report* (March 29, 2016)
- Author, “Medicare Proposes to Increase RAC Use,” *Health Care Law Today* (January 11, 2016)
- Co-author, “A Review of Recent Whistleblower Developments,” *Foley & Lardner LLP Legal News: Whistleblower Developments* (January 7, 2016)
- Moderator, “Meet the Regulators” Association of Corporate Counsel Annual Meeting (October 20, 2015)
- Co-author, “A Review of Recent Whistleblower Developments,” *Legal News: Whistleblower Developments* (October 5, 2015)
- Author, “DOJ Provides Guidance on Prosecution of Individuals,” *Health Care Law Today* (September 17, 2015)
- Quoted, “Pa. Regulators Under Pressure As Feds Tackle Doping Scandal,” *Law 360* (August 18, 2015)
- Co-author, “A Review of Recent Whistleblower Developments,” *Foley & Lardner LLP Legal News: Whistleblower Developments* (July 8, 2015)
- Panelist, “Perspectives on *Qui Tam* and Challenges for Settlement,” JAMS Chicago CLE DAY 2015 (June 18, 2015)
- Panelist, “Responding to Government Investigations,” A For-Profit Schools Web Conference, hosted by Foley & Lardner LLP (May 21, 2015)
- Panelist, “Critical Ethics Issues for In-House Counsel: How to Avoid Sleepless Nights,” Foley’s Market Regulation Series Seminar (May 20, 2015)
- Co-author, “DOJ Pursuing Therapy Providers Under the FCA,” *Health Care Law Today* (May 18, 2015)
- Moderator: “Lessons Learned from Recent False Claims Act Litigation in the Seventh Circuit,” 7<sup>th</sup> Circuit Bar Association Annual Meeting (May 5, 2015)
- Co-author, “Second Circuit Denies Petition to Reconsider *Newman* Decision,” *Foley & Lardner LLP Legal News Alert: Securities Enforcement & Litigation* (April 6, 2015)
- Co-author, “SEC Brings Enforcement Proceeding Relating to Confidentiality Agreements That May Stifle Whistleblowers,” *Foley & Lardner LLP Legal News: Securities Enforcement & Litigation* (April 2, 2015)
- Panelist, “Under the Microscope: Managing, Defending and Curtailing Whistleblowers and Allegations Under the False Claims Act,” American Conference Institute’s 15th Advanced Forum on Fraud & Abuse in the Sales and Marketing of Medical Devices (March 11, 2015)
- Quoted, “Supreme Court Case Could Generate Tidal Wave of Healthcare Fraud Cases,” *Becker’s Hospital Review* (January 21, 2015)
- Speaker, “Identifying Serial Whistleblowers and Working With Relators,” The New England Alliance – Mid-Winter Meeting (January 15, 2015)
- Interviewed, “Government’s Health Care Fraud ‘Cash Cow’ Keeps Mooing,” *Mimesis Law* (December 15, 2014)
- Quoted, “New Attorney General Nominee Safe, Historic Choice,” *InsideCounsel* (November 12, 2014)
- Panelist, “Internal Investigations, Employee Conduct, Compliance Programs, & Whistleblowers,” 2014 Labor and Employment Summit (October 22, 2014)
- Co-author, “DOJ Is Facing Tough Task in Ferguson Probe,” *The National Law Journal* (October 20, 2014)

- Quoted, “SEC’s Broken Windows Sweep a ‘Game-Changer’ for Directors,” *Agenda* (October 13, 2014)
- Quoted, “The Impact of AG Holder’s Impending Resignation,” *InsideCounsel* (September 26, 2014)
- Quoted, “Holder To Leave DOJ Emboldened To Tackle Corporate Crime,” *Law360* (September 26, 2014)
- Quoted, “Designing a Whistleblower Policy to Withstand Retaliation Claims,” *Corporate Secretary* (September 16, 2014)
- Speaker, “False Claims Act Enforcement,” Foley & Lardner Litigation Department Meeting (August 21, 2014)
- Speaker, “How to Encourage Internal Compliance,” i-Sight Webinar (August 20, 2014)
- Quoted, “Three Regulatory Trends Are Defining Business Today,” *InsideCounsel* (July 31, 2014)
- Quoted, “Alabama Providers Settle Stark Case for \$24.5M; Feds Say Exceptions Didn’t Apply,” *Report on Medicare Compliance* (July 28, 2014)
- Quoted, “Federal Regulators Turn Up the Heat on the *Fortune 500*,” *InsideCounsel* (July 24, 2014)
- Speaker, “What Every Health Care Attorney Needs to Know: RICO, the 500-Lb. Legal Gorilla,” Association of Corporate Counsel Webinar (June 19, 2014)
- Quoted, “SEC Probes Whistle-Blower Confidentiality Agreements,” *Agenda* (May 27, 2014)
- Co-author, “Recent Decision Underscores Need for Involvement of Counsel in Internal Investigations,” *Health Care Law Today* (April 28, 2014); and *Just Anti-Corruption – Main Justice* (May 5, 2014)
- Quoted, “NJ Bridgegate Panel Down But Not Out After Subpoena Ruling,” *Law360* (April 10, 2014)
- Speaker, “Best Practices for Internal Investigations – Have Some Suspicions? How to Proceed Without Getting Yourself in Trouble and Come Out Ahead,” CEO Roundtable-Chicago (February 11, 2014)
- Panelist, “RICO in Health Care Industries: Understanding the Emerging Civil and Criminal Trends,” ABA Section of Antitrust Law Program (February 6, 2014)
- Quoted, “Risk-Based Solutions to Complying with Anti-Money Laundering, Export Controls, Economic Sanctions and the FCPA,” *The FCPA Report* (January 22, 2014)
- Co-presenter, “Practical Suggestions for FCPA, OFAC and AML Compliance: Conducting an Internal Risk Assessment,” Cross Border Group Webcast (January 9, 2014)
- Quoted, “Analytics, Whistleblowers Drive Surge in Enforcement Activity,” *Compliance Week* (December 31, 2013)
- Speaker, “SEC Awards \$14 Million to Whistleblower: In-Depth Analysis on the Present and Future of the SEC’s Whistleblower Bounty Program,” West LegalEdCenter Webcast (December 10, 2013)
- Quoted, “Can Whistleblowers Remain Anonymous During an Investigation?” *i-Sight* (December 5, 2013)
- Quoted, “Should Companies Offer Incentives to Internal Whistleblowers?” *i-Sight* (October 18, 2013)
- Quoted, “How to Manage Whistleblower Complaints,” *i-Sight* (October 9, 2013)
- Moderator, “Lessons Learned From Parallel Health Care Fraud Investigations,” ABA Criminal Justice Section (September 18, 2013)
- Panelist, “Strategies for Detecting Wrongdoing – Model Internal Policies and Reporting Systems,” Thomson Reuters 2013 Corporate Whistleblowing Forum (September 12, 2013)
- Panelist, “Data Breach and Forensic Investigations,” First Chair Awards Conference (August 28, 2013)
- Co-author, “Mum’s the word: *Salinas* changes the significance of pre-arrest silence,” *Chicago Daily Law Bulletin* (August 7, 2013)
- Speaker, “When Investigators Come Knocking, Should You be Talking? Tips for Responding to

- Government Investigations," Foley ACC Webcast (July 25, 2013)
- Author, "U.S. Supreme Court: Silence Admissible," *Foley & Lardner LLP Legal News Alert: Government Enforcement, Compliance & White Collar Defense* (July 22, 2013)
  - Panel Moderator, "FCPA Compliance Best Practices: Success Stories of Robust and Effective Anti-Corruption Compliance Programs in High Risk Markets," American Conference Institute's 18<sup>th</sup> FCPA Boot Camp (June 19-20, 2013)
  - Interviewed, "Q&A With Foley & Lardner's Lisa Noller," *Law360* (May 24, 2013)
  - Author, "Novartis Sued Twice in One Week," *American Health Lawyers Association: Health Briefs e-Newsletter* (May 7, 2013)
  - Speaker, "Handling Fraud Investigations," Q1 Pharma and Device Sales and Marketing Compliance (April 30, 2013)
  - Speaker, "Food Packaging and Country of Origin: Minimizing Compliance Risks," Foley's Quarterly Food & Beverage Industry Web Conference (April 24, 2013)
  - Quoted, "Fed's Pilot Investigation Could Be Lengthy," *Knoxville News Sentinel* (April 18, 2013)
  - Speaker, "The Best Defense: Compliance Programs in Light of Recent Corporate Integrity Agreements," ACI Fraud and Abuse Conference (March 20, 2013)
  - Interviewed, "Foley & Lardner's Lisa Noller on Securing Deferred Prosecution Agreements," *Corporate Crime Reporter* (March 11, 2013)
  - Co-author, chapter on "Criminal and Civil Penalties," *Problems in Health Care Law: Challenges for the 21st Century*, 10th ed., published by Jones and Bartlett Learning (2013)
  - Quoted, "Whistling While They Work," *The American Lawyer* (February 2013)
  - Speaker, "FCPA Risk Update," Foley NewsFeed Quarterly Food & Beverage Industry Web Conference Series (January 31, 2013)
  - Quoted, "Judge rejects WakeMed deal: \$8 million settlement called 'slap on the hand'," *Modern Healthcare* (January 19, 2013)
  - Quoted, "Think Before You Give," *INSIGHT Magazine* (Winter 2012)
  - Co-author, "Those who seek and follow advice of counsel may avoid liability," *Michigan Lawyer's Weekly Medical Law Report* (December 31, 2012)
  - Co-author, "Top Ten Health Law Stories of 2012," *Association of Corporate Counsel* (December 28, 2012)
  - Speaker, "The Lacey Act: What You Need to Know," Window and Door Manufacturers Association Webinar (November 12, 2012)
  - Author, "A Modest Practitioner Proposal: Striking a Balance in Whistleblower Lawsuits," *The University of Chicago Legal Forum* (Volume 2012)
  - Speaker, "Liability Concerns in the Enforcement of Federal and State False Claim Act (FCA)," Third Annual Medical Device and Diagnostic Ethics & Compliance Conference (October 16, 2012)
  - Co-author, "Federal District Court Expands Whistleblower Protections Under Dodd-Frank," *Foley Legal News Alert: Government Enforcement, Compliance & White Collar Defense* (October 2, 2012)
  - Co-author, "More Scrutiny For Nursing Homes Under ACA," *Law360* (September 28, 2012)
  - Panelist, "Welcome to the Show: Teamwork, Expectations and Ethics in Major White Collar Investigations," Illinois CPA Society Fraud Conference (September 20, 2012)
  - Co-author, "Introduction of the Private-Public Partnership and the Future of Fraud Claims," *Foley Legal News: Health Care Alert* (July 30, 2012)
  - Co-author, "SEC Modifies Settlement Language for Cases Involving Criminal Convictions," *Financier Worldwide* magazine (July 2012)
  - Speaker, "Healthcare Fraud Investigations: Response Strategies," American Health Lawyers Association Fraud and Abuse Bootcamp Webinar Series (June 7, 2012)

- Panelist, "Criminal Investigations: Secrets, Privileges and the Lawyer's Role," PLI's Illinois MCLE Marathon 2012 (May 14, 2012)
- Panelist, "Internal Investigations in the Wake of Dodd-Frank," Foley's Market Regulation Series, Navigating the Dodd-Frank Minefield (April 12, 2012)
- Quoted, "5 steps to protect against whistleblowers," *InsideCounsel* (April 2012)
- Panelist, "Light at the End of the Tunnel? Recent Court Cases and the Saga of Off-Label Promotion Enforcement," American Conference Institute, Fraud and Abuse in the Sale and Marketing of Drugs (March 27, 2012)
- Author, "Regulatory: DOJ & HHS tout \$4.1 billion in recoveries in 2011 - How to ensure corporate compliance in light of increased government scrutiny," *InsideCounsel* (March 7, 2012)
- Speaker, "False Claims Act Enforcement on the Rise," Strafford Publications Live Webinar (February 23, 2012)
- Author, "Regulatory: Sallie Mae Case Lowers Rule 9(b) Standards," *InsideCounsel* (February 22, 2012)
- Co-author, "Regulatory: The Advantages of Alternative Dispute Resolution," *InsideCounsel* (February 8, 2012)
- Speaker, "FDA Enforcement in 2012," Medmarc Loss Control Webinar Series (January 24, 2012)
- Co-author, "Regulatory: SEC Modifies Settlement Language for Cases Involving Criminal Convictions," *InsideCounsel* (January 25, 2012)
- Speaker, "Living With the Responsible Corporate Officer Doctrine," New England ACHCA Midwinter Meeting Legal Update and Symposium (January 19, 2012)
- Co-author, "Regulatory: The Health and Human Services 2012 Work Plan," *InsideCounsel* (January 11, 2012)
- Quoted, "Enforced Cooperation," *CFA Magazine* (January/February 2012)
- Co-author, "Regulatory: Reviewing the Dodd-Frank Whistleblower Program's 2011 Annual Report," *Inside Counsel* (December 28, 2011)
- Panelist and Speaker, "Healthcare Fraud Investigations: Preparation and Response Strategies," Q1 Regulatory Off-Label Communications Conference (December 2011)
- Co-author, "Top Ten Health Law Stories of 2011," *Association of Corporate Counsel (ACC)* (November 28, 2011)
- Author, "Strategically Responding to a Government Investigation," chapter in *Strategies for Criminal Tax Cases*, Aspatore (2011)
- Co-author, "Holding Rogue Employees Accountable Under the FCA," *Law360* (November 3, 2011)
- Speaker, "Healthcare Fraud Investigations: Response Strategies," Association of Corporate Counsel annual meeting (October 25, 2011)
- Quoted, "Supreme Court Clarification Needed on Scope of FCA Liability," *BNA's Health Care Fraud Report* (October 19, 2011)
- Speaker, "Dealing with Fraud and Waste in Healthcare from a Legal Perspective," Knowledge Congress webinar (October 12, 2011)
- Speaker, "Living with the Responsible Corporate Officer Doctrine," Q1 Medical Device and Diagnostic Corporate Ethics and Compliance seminar (October 11, 2011)
- Co-author, "Responding to A Government Subpoena or RFI: In-House Counsel Should Take Extra Care," *The Corporate Counselor*, Vol. 26, No. 5 (September 2011)
- Interviewed, Passing of Final SEC Whistleblower Rules, MarketsWiki.tv (August 30, 2011)
- Co-author, "Pretrial Motions," *Federal Criminal Practice* (IICL 2011 & 2014 Supp.)
- Co-author, "Preparing to Meet with the Government Following a Whistleblower's Report," *BNA Insights*, Vol. 43, No. 35, p. 1790 (August 29, 2011)
- Quoted, "Whistle-blower Rules Give Companies Less Time to React," *CFO* (August 24, 2011)

- "Inside Track with Broc," *The Corporate Counsel's* podcast (July 20, 2011)
- Co-author, "First Circuit Rejects False Claims Act Analysis and Rescues Anti-Kickback Claims Against Medical Device Company," *Foley Legal News Alert: Government Enforcement, Compliance & White Collar* (June 16, 2011)
- Speaker, "Healthcare Fraud Investigations: Response Strategies," presented at both the Association of Corporate Counsel's Legal Quick Hit teleconference (June 7, 2011) and a Strafford Publications webinar (June 9, 2011)
- Speaker, "Foreign Corrupt Practices Act," Detroit Association of Corporate Counsel seminar (May 2011)
- Panelist, "Compliance Issues: FCPA and Dodd-Frank Investigations," Crain's Detroit Business General and In-house Counsel Summit (May 2011)
- Speaker, "Dodd-Frank Whistleblower Provisions and Sentencing Guidelines Amendments," Detroit Association of Corporate Counsel's State of the Law Update (April 2011)
- Panelist, "Investigating Insider Trading," White Collar Crime and Corporate Governance Seminar by the Chicago Law Bulletin (April 2011)
- Co-Author, "Growing Risk: FCPA Exposure For Foreign Food Cos.," *Product Liability Law360* (March 2011)
- Co-Author, "A Reasoned Approach to Identifying Federal Health Care Program Overpayments," *HCCA Compliance Today* (February 2011)
- Panelist, "SEC Enforcement Activities Roundtable, The New SEC Whistleblower Rules," Foley's National Directors Institute (January 2011)
- Speaker, "Email Will be The Death of You," American College of Health Care Administrators Conference (January 2011)
- Co-Speaker, "Fraud, Abuse and Enforcement Update for Long Term Care Providers," American College of Health Care Administrators Conference (January 2011)
- Co-Author, "Whistleblowers Take on Off-Label Marketing," *Genetic Engineering & Biotechnology News* (December 1, 2010)
- Co-Author, "FDIC Teams with FBI to Investigate Member-Insured Institutions," *Foley Legal News Alert: Government Enforcement, Compliance & White Collar Defense* (November 23, 2010)