

Melissa B. Coffey

Partner

mcoffey@foley.com

Tallahassee
8505133375



Melissa Coffey's practice focuses on (1) conducting internal investigations, including to preempt or mitigate actions by the Department of Justice (DOJ), the Securities and Exchange Commission (SEC), the Public Company Accounting Oversight Board (PCAOB), and other enforcement agencies; (2) successfully defending companies and senior executives in government enforcement actions and civil and criminal litigation; and (3) delivering practical regulatory advice to help avoid enforcement actions in the first place.

Clients turn to Melissa for her keen judgment and her practical and efficient approach to problem-solving, including in connection with crisis management and bet-the-company matters. Melissa has represented countless companies and individuals in government investigations, litigation initiated by the federal government and whistleblowers (including in False Claims Act actions alleging health care or other fraud), and other complex civil litigation. She also conducts internal investigations on behalf of companies and board committees to investigate concerns including fraud and employee misconduct, and successfully advises clients in order to avoid enforcement actions or litigation.

Melissa advises clients across a spectrum of industries, including financial services, accounting, retail, pharmaceutical, home health, and medical supplies, among others. She also has extensive experience facilitating the efficient review of large volumes of electronic data, including using artificial intelligence in connection with internal and government investigations and litigation.

Representative Experience

- Successful dismissal, affirmed on appeal, of civil RICO litigation seeking \$200 million in damages
- Closing or other favorable resolution of a variety of investigations and litigation involving fees broker-dealers charged to clients, including distribution and shareholder services fees
- Closing of SEC insider trading investigation involving a broker-dealer
- Favorable resolution of DOJ False Claims Act investigation and related litigation involving home health agency, part of a major healthcare services company

- Representation of retailer in an internal and SEC investigation involving alleged accounting fraud relating to the accounting for markdowns
- Representation of accounting firms in a variety of PCAOB enforcement investigations
- Representation of securities lending executives in civil litigation and an SEC investigation of a major financial institution, which the SEC declined to pursue
- Representation of current and former employees of pharmaceutical companies in federal grand jury investigations involving potential False Claims Act allegations

Awards and Recognition

- *The Best Lawyers in America*®, Criminal Defense: White-Collar and Litigation – Regulatory Enforcement (SEC, Telecom and Energy) (2019-Present)

Affiliations

- Co-Chair of the Sponsor Committee, Women’s White Collar Defense Association (<http://wwcda.org/>)
- Member, American Bar Association

Sectors

- [Health Care & Life Sciences](#)
- [Innovative Technology](#)
- [Medical Devices](#)
- [Pharmaceuticals](#)
- [Racial Justice & Equity](#)

Practice Areas

- [Commercial Litigation](#)
- [False Claims Act](#)
- [Government Enforcement Defense & Investigations](#)
- [Litigation](#)
- [Securities Enforcement & Litigation](#)
- [eDiscovery & Data Management](#)

Education

- Boston College Law School (J.D., magna cum laude, 2004)
 - Order of the Coif
- Harvard University (A.B., cum laude, 2001)

Admissions

- Florida
- Massachusetts
- U.S. Supreme Court

- U.S. District Court for the Middle, Northern, and Southern Districts of Florida
- U.S. Bankruptcy Court for the Northern District of Florida
- First Circuit Court of Appeals
- Eleventh Circuit Court of Appeals
- U.S. District Court for the District of Massachusetts