



Robert J. Higdon Jr.

Shareholder

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Robert J. "Bobby" Higdon Jr. is a shareholder in the Firm's Raleigh office and a member of the Government Enforcement and Investigations Group.

Bobby Higdon has more than 30 years of experience in both government and private practice, in which he advises clients nationwide on regulatory proceedings, enforcement actions, grand jury investigations, white-collar criminal defense, and related civil litigation.

From 2017 to 2021, Bobby served as the 47th Presidentially appointed United States Attorney for the Eastern District of North Carolina. In that role, he led federal law enforcement efforts across eastern North Carolina, overseeing high-profile cases involving national security, cybercrime, public corruption, financial fraud, health care fraud, violent crime, and drug offenses. During this time, Bobby worked closely with agencies such as the Federal Bureau of Investigation (FBI), Internal Revenue Service (IRS), Department of Health and Human Services (HHS), Drug Enforcement Administration (DEA), and various state and local enforcement groups. In addition, he served on the Attorney General's Advisory Committee, providing counsel to the Attorney General of the United States on policy and management issues.

Prior to his term as United States Attorney, Bobby spent more than 24 years as an Assistant United States Attorney in the Eastern and Western Districts of North Carolina, including 11 years as Chief of the Criminal Division and eight years leading the Organized Crime Drug Enforcement Task Force in the Eastern and Western Districts, respectively. He also spent more than two years as a senior trial attorney for the United States Department of Justice's Public Integrity Section, handling public corruption matters across the United States and its territories.

He has conducted more than 40 jury trials as a federal prosecutor, covering public corruption, campaign finance violations, drug trafficking, money laundering, white-collar offenses, bribery, and human trafficking. Bobby is a two-time recipient of the Department of Justice Director's Award for Superior Performance and has earned more than 50 commendations from law enforcement agencies for his work on investigations and prosecutions.

Additionally, Bobby has spent considerable time in private practice – both prior to his service as United States Attorney, and since completing his term – representing corporate and individual clients in a range of investigative and white collar matters including issues relating to violations of the federal False Claims Act, the Stark Law, the Anti-Kickback Statute, and a range of fraud and other civil and criminal issues. He has conducted numerous internal investigations for corporations operating in heavily regulated industries, achieving very positive results for his clients.

Bobby has also acted as an advisor to prosecutors, defense counsel, judges, and law enforcement overseas for a number of years, including in Kosovo, Albania, Bosnia and Herzegovina, Indonesia, and the Philippines. He also regularly serves the leadership and students at a Kosovo school.



Representative Matters

- Represented an international genetic testing laboratory during an internal investigation and self-disclosure process associated with marketing procedures and testing referral practices.
- Represented a nationwide operator of a government eligibility and benefits call-in center/hotline in conjunction with employee misconduct giving rise to substantial False Claims Act exposure, with extremely favorable treatment by the government and retention of an operating contract with a state health care program.
- Represented a large network of medical providers through internal investigation and self-disclosure associated with physician compensation arrangements, which implicated the federal Anti-Kickback Statute, with a very favorable settlement with the Inspector General of HHS.
- Represented a large regionally integrated provider of health care services and insurance coverage in response to a federal civil investigation of rate setting under the Affordable Care Act.
- Represented a hospital system in response to a qui tam/federal civil investigation regarding the operation of a Medicare Expansion program with a favorable settlement, including the avoidance of any outside monitoring of the hospital system.
- Represented a convicted individual at sentencing following a conviction under federal Anti-Kickback Statute and Money Laundering laws with a sentence 75 percent below that requested by prosecutors.
- Represented a real estate development company following a cyber-attack on its financial systems; worked with the FBI to mitigate the consequences of the attack.
- Handled subpoena compliance for a large regional health care system in response to allegations that a surgical practice with operating room privileges had filed false claims regarding its services.
- Represented an international shipping company whose vessels were targeted by drug cartels by secreting contraband aboard those vessels with a very favorable settlement with the United States Government.
- Represented a large midwestern children's hospital network in a range of compliance matters involving drug diversion and misuse by employees.
- Represented an election advisor in an investigation alleging improper use of a judicial office, with no charges being filed.
- Represented a former owner of a technical services company regarding False Claims allegations following the sale of the company against the buyer, with a very favorable settlement agreement.
- Represented the family of an individual who died while in the care of a camp for children with behavioral issues in conjunction with criminal and civil investigations.
- Represented the owner of a durable medical equipment company following a search of their business and threats of federal indictment, with no charges being filed.
- Represented an international research organization in response to a whistleblower investigation being conducted by the HHS.
- Represented a religious and cultural entity seeking to set up sovereign state operations within another country for financial, cultural, and faith-based purposes.
- Represented the business partner of a prior presidential administration official in conjunction with an investigation into the proposal of a slate of electors.
- Conducted an internal investigation for a large home heating and air corporation following allegations of abuse of underage women and girls, with findings of no merit to claims.
- Represented a large-scale retailer and operator of shopping malls and centers in the Balkans with the goal of attracting U.S.-based franchised companies.
- Represented several local churches in investigations (unrelated) regarding misconduct (financial, sexual, etc.) by employees of individuals in significant pastoral or leadership positions.
- Represented an organization endowed with state funding as part of a board investigation of claims made by a board member regarding operations and leadership of the organization.

- Represented a privately-owned investment firm providing capital to companies addressing sustainability challenges in a federal investigation into the handling of waste products by a company in which the client maintained a substantial investment.
- Represented large election support organizations during federal investigations of improper use of mailing lists and funds by client political organizations, with no charges or claims being filed.
- Conducted an internal investigation for an international energy company regarding allegations of widespread abuse of financial controls and credit card use, with ongoing recommendations regarding tighter controls and appropriate employee discipline.
- Represented a renewable natural gas company regarding control issues over a large landfill with a favorable result from the state regulatory agency.
- Defended a North Carolina hospital system against breach of contract, unjust enrichment, and Unfair and Deceptive Trade Practices Act class action claims and secured a complete dismissal of all claims asserted against the client at the motion to dismiss stage.
- Represented a major health care provider in an investigation by the DOJ for improper requests for reimbursement from Medicare/Medicaid programs, with no charges being filed.
- Represented a major life insurance company that was defrauded by financial advisors before the U.S. DOJ.
- Represented licensed firearms dealers during an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, with no charges being filed.
- Represented a major psychiatric care provider under investigation by the U.S. DOJ, with no charges being filed.
- Represented an accountant to a successful Congressional campaign in a federal grand jury investigation for violations of federal campaign finance laws, with no charges being filed.
- Represented a large religious organization during an investigation of misconduct by a partner charitable organization and advised on how to respond to violations by that partner organization.
- Resolved allegations of mishandling of funds by a large religious organization without any charges being filed or loss of charitable tax status.
- Represented principals in an investment fund set up to facilitate economic development in Balkan countries.
- Represented a large-scale mail order distributor against investors/principals on issues related to theft of trade secrets, breach of contract, and unfair competition.

Department of Justice Experience

- Led the investigation and prosecution of an American presidential candidate for violations of federal campaign finance laws.
- Led the investigation and prosecution of a sitting state senator for bribery and violations of federal campaign finance laws in conjunction with support for candidates in a presidential primary.
- Led the investigation of a businessman who laundered funds from a foreign prime minister into a U.S. presidential campaign.
- Co-led the investigation and prosecution of individuals employed by a U.S. defense contractor and trainer for violations of U.S. export control laws.
- Co-led the investigation and prosecution of a medical device manufacturer for the intentional sale of adulterated products.
- Oversaw the investigation of a major regional hospital for violations of Medicare/Medicaid reimbursement regulations.
- Personally prosecuted more than 2,000 defendants for offenses, including drug trafficking, violent crime, fraud, health care fraud (Stark Law, Anti-Kickback Statute, etc.), bribery, environmental crime, national security violations, human trafficking, and intellectual property laws.
- Led 10-year effort to mentor and train prosecutors, defense counsel, judges, and law enforcement officers in the Republic of Kosovo.

- Worked with U.S. Embassy personnel and members of Congress in the Philippines to enact consensual monitoring laws.
- Trained prosecutors and law enforcement officers in Indonesia.
- Regular trainer and instructor on grand jury and trial practice at the National Advocacy Center.



Professional Honors & Activities

- Member – National Association of Former United States Attorneys (Lifetime Member)
- Member – Fourth Circuit Judicial Conference
- Member – Republican National Lawyers Association
- Member – The Federalist Society
- Member – Triangle Leadership Association
- Immediate Past Chair – Board of Elders, The Shepherd's Church, Cary, North Carolina
- Advisor – Trial Team/Moot Court – Advocates for Justice and Chief Justice's (NC) Moot Court Initiative



Education

- Wake Forest University School of Law, J.D., 1989
 - Editorial Staff – *Law Review*
- Wake Forest University, B.A., 1985, cum laude



Admissions

- North Carolina, 1990
- Georgia, 1989 (Currently Inactive)
- U.S. Courts of Appeals for the Fourth and Eleventh Circuits
- U.S. District Courts for the Eastern, Middle, and Western Districts of North Carolina
- U.S. District Court for the Northern District of Georgia