

## James W. Kraus

Partner

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JAMES W. KRAUS is a partner at Pietragallo Gordon Alfano Bosick & Raspanti, LLP, where he is the past Co-Chair of the Government Enforcement, Compliance, and White Collar Litigation Practice Group. He is also a member of the firm's Health Care Practice Group. Mr. Kraus concentrates his practice in the areas of white collar criminal defense, government enforcement, internal investigations, health care litigation and commercial litigation.

Mr. Kraus has extensive trial experience in a broad range of substantive legal areas. He has also conducted numerous internal investigations, including investigations for governmental organizations and publicly traded companies. In addition, Mr. Kraus has substantial experience in representing clients before both state and federal grand juries.

Mr. Kraus has taken cases to trial in a wide variety of complex matters, including health care litigation, securities matters, preliminary injunction proceedings and criminal trials in both state and federal court. Mr. Kraus has also handled environmental litigation and regulatory enforcement matters. In addition to his work in the courtroom, Mr. Kraus has represented clients in response to investigations by the U.S. Department of Justice, the Securities and Exchange Commission and other government agencies.

Mr. Kraus previously served as a JAG criminal prosecutor with the U.S. Army's 4th Infantry Division. He later served as environmental litigation counsel for the Department of the Army in Washington, DC, working with the DOJ as Agency counsel in litigation matters defending environmental lawsuits and regulatory actions.

Mr. Kraus began his career with the Hershey, PA, law firm of Clark & Clough, P.C., under the mentorship of current Dauphin County Court of Common Pleas Senior Judge, Lawrence F. Clark, Jr.

Mr. Kraus is the Immediate Past Chair of the Defense Research Institute (DRI) Government Enforcement and Corporate Compliance Committee (GECC). In addition, Mr. Kraus is a member of the National Association of Criminal Defense Lawyers (NACDL), the Pennsylvania Association of Criminal Defense Lawyers (PACDL) and the American Health Lawyers Association (AHLA).

Mr. Kraus has been named a *Pennsylvania Super Lawyer* in the area of Criminal Defense: White Collar in 2012, 2013, 2014, 2015, 2016, 2017, and 2018.

Mr. Kraus previously served as an adjunct professor in Carlow University's Forensic Accounting program. He also has served as a



### PRACTICE AREAS

Government Enforcement,  
Compliance, and White Collar  
Litigation  
Pro Bono Guardianship Program  
Health Care  
Professional Liability

### PUBLICATIONS

HHS/OIG Notes Lack Of Supporting  
Documentation A Significant Problem  
In Billing For Sleep Study Services  
Decisive Action On Notice Of Fraud  
Proves Critical In Avoiding  
Prosecution Of Corporation  
DOJ Continues Its Focus On False  
Claims In Mental Healthcare  
DOJ Settles Civil Medical Necessity  
Claims With Health System While  
Orthopedic Surgeon Remains a  
Fugitive From Criminal Charges  
DOJ Pursues Political Corruption By  
Targeting Political Operatives and  
Lobbyists

### BAR ADMISSIONS

Pennsylvania  
West Virginia  
Ohio  
District of Columbia  
U.S. Supreme Court  
U.S. Court of Appeals for the Fourth  
Circuit

guest lecturer in Carlow's Fraud and Forensics Master's Degree program. This includes consultation in curriculum development and lectures on various subjects relating to criminal and civil fraud litigation.

Mr. Kraus is also active in the community. He previously served as an elected city council member for the City of Butler where he was the Director of Public Safety. He now serves as President of the Board of Directors of the Alliance for Non-Profit Resources.



@White\_Collared

### Speaking Engagements

"Masters in Fraud and Forensics: 5-year Anniversary Celebration," *Carlow University* (Pittsburgh, Pennsylvania) August 15, 2016

"Understanding Pennsylvania Grand Jury Practice," *Pennsylvania Bar Institute* (Philadelphia, PA), July 21, 2016

"Understanding Pennsylvania Grand Jury Practice," *Pennsylvania Bar Institute* (Pittsburgh, PA), July 15, 2016

"Judicial Corruption," *Pennsylvania Defense Institute Annual Conference* (Bedford, PA), July 2015

"Government Enforcement and Corporate Compliance," *Defense Research Institute* (Washington, D.C.), July, 2014

"Rules and Regulations Regarding the Performance of Off-Label Procedures," *Innovative Treatment Options for Chronic Pain Symposium* (Pittsburgh, PA), March, 2014

"Training for Day-to-Day Success and Game-Planning for Crisis Response," *Defense Research Institute* (Washington, D.C.), June, 2013

"Legal Review of Healthcare Fraud and Abuse Laws," *Peripheral Nerve Stimulator Hands-On Pain Management Conference* (Pavilion X, Pittsburgh, PA), March 2013

"Changes in the Plea Process," *National Symposium: Plea Bargaining After Lafley and Frye* (Duquesne University School of Law, Pittsburgh, PA), March, 2013

"Reflecting on Whitewater, Lessons in the Art of Negotiating Proffer Agreements Through the Prism of a Presidential Crisis," *Pennsylvania Association of Criminal Defense Lawyers White Collar Practice Seminar* (Philadelphia, PA), November 2012

"SOX to Dodd Frank, 10 years of Increased Government Enforcement," *The Defense Research Institute Annual Meeting, Government Enforcement and Corporate Compliance Committee CLE* (New Orleans, LA), October 2012

"Key Steps in Initiating a Fraud Investigation," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer* (Pittsburgh, PA), April 2012

"Gathering, Storing, and Preserving Evidence," *Carlow University,*

U.S. Court of Appeals for the Sixth Circuit

U.S. Court of Appeals for the Third Circuit

U.S. District Court - Eastern District of Pennsylvania

U.S. District Court - Middle District of Pennsylvania

U.S. District Court - Western District of Pennsylvania

U.S. District Court - Northern District of Ohio

U.S. District Court - Southern District of Ohio

U.S. District Court - Northern District of West Virginia

U.S. District Court - Southern District of West Virginia

### EDUCATION

J.D., Dickinson School of Law

B.A., Washington and Jefferson College

*Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), April 2012*

"Conducting the Witness Interview," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), April 2012*

"Factors and Considerations in Fraud Prosecutions," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), April 2012*

"Preparing the Report of Investigation," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), April 2012*

"Offers and Proffers – Reflecting on Clinton, Starr and the People of Whitewater: Cooperating Witnesses and Defendants," *The Mid-Atlantic Region Subcommittee of the ABA's White Collar Crime Committee CLE Program (Pittsburgh, PA), December 2011*

"Sarbanes Oxley: Key Features, Business Environment Precursors, and Legacy," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), December 2011*

"Criminal and Civil Fraud: Comparison and Contrast," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), December 2011*

"Motions Practice: The Shaping of a Fraud Case," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), December 2011*

"ADR and the Fraud Case," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), December 2011*

"Effective Use of Expert Witnesses," *Carlow University, Fraud and Forensics Masters Program, Guest Lecturer (Pittsburgh, PA), December 2011*

"Trends in Criminal and Civil Sanctions Under the False Claims Act," *The Defense Research Institute Annual Meeting, Government Enforcement and Corporate Compliance Committee CLE (Washington, DC), October 2011*

"Environmental Compliance and Criminal Enforcement," *The Mid-Atlantic Region Subcommittee of the ABA's Criminal Justice Section White Collar Crime Committee CLE Program (Pittsburgh, PA), December 2010*

"Responding to Government Investigations," *Association of Certified Fraud Examiners (Pittsburgh, PA), December 2010*

"Document Retention and Destruction," *Lorman Education Services (Pittsburgh, PA), September 2009*