

Joseph F. Savage, Jr. -- SELECTED PRESENTATIONS AND PUBLICATIONS

Books:

“White Collar Law 2007, Top Lawyers on Trends and Key Strategies for the Upcoming Year,” Aspatore Books, 2007

Chapters:

“Chapter 15: “The State of Criminal Justice: Science and Technology Implications for Criminal Justice,” American Bar Association, Criminal Justice Section, March 2007, with Grosso, A. and Goldstone, D.

Chapter 22: “Trademark, Copyright and Intellectual Property Crime,” White Collar Crime: Business and Regulatory Offenses, Law Journal Press, New York, New York

“Inside the Minds: The New Perils of White Collar Crime,” Aspatore Books, May 2006

“They Are Coming For You: Dangers for Corporate Executives in the Expanding World of Financial Crime,” Aspatore Books, with Nuzum, K. and Perlman, D.

“Filing And Defending Qui Tam/Whistleblower Suits,” Massachusetts Business Torts, MCLE Press, Boston, MA, with Chunias, J.

“Securities Laws And The Internet,” Computer Crime and The Internet, West Publishers, with Chung, C.

“Cybercrime: The Investigation, Prosecution and Defense of Computer-Related Crime,” Caroline Publishers, Fall 2001, with DeMelo, D.

Articles:

“Challenging the Federal Sentencing Guidelines on Policy Grounds,” Business Crimes Bulletin, January 2008, with Shah, P.

"The Changing Face of FDA Consent Decrees - Are They Now Just Court-Ordered Corporate Integrity Agreements?," Business Crimes Bulletin, March 2007, with Ziegler, Adam.

“Attorney-Client Privilege on the Rebound?,” White-Collar Crime, June 2006, with Schumacher, D.

“Enlisting Law Enforcement in Corporate Competition,” Business Crimes Bulletin, June 2006

“Government Use of Civil and Criminal Proceedings: Any Limits?,” White Collar Crime Reporter, December 2005, with Durbin, R.

“Trends in Corporate Fraud Enforcement: A Calm During the Storm?,” Business Crimes Bulletin, October 2005, with Chung, C.

“Getting the Help You Need: Privileges Protecting Nonlegal Professionals,” White Collar Crime Reporter, May 2005, with Luster, J.

“SOX Lowers the Bar for Barring Directors and Officers,” Business Crimes Bulletin, December 2004, with Chung, C.

“Can You? Should You? Must You? Counsel’s Obligation to Self-Report Company Crime,” Business Crimes Bulletin, April 2004, with Chung, C.

“Strict Liability for White Collar Crimes? The Rise of Certification Requirements, the Responsible Corporate Office Doctrine and the Death of Willfulness,” White Collar Crime Reporter, March 2004, with Nuzum, K.

“Feeding the Beast While Protecting the Attorney-Client Privilege: A Public Relations Professional Privilege?,” White Collar Crime Reporter, September 2003, with Levitin, S.

“Another Day, Another Dollar: Paying to Defend the Coming Wave of Corporate Criminal Investigations,” White Collar Crime Reporter, May 2003, with Feldman, R.

“Sarbanes-Oxley: New Ways to Solve Old Crimes,” Business Crimes Bulletin, December 2002, with Pratt, S.

“Confidential Settlements: A Thing of the Past?,” Massachusetts Lawyers Weekly, November 11, 2002, with Abate-Recht, E.

“False Claims Act Enforcement in Massachusetts,” Boston Bar Association Criminal Law Section Newsletter, May 2002, with Chunias, J.L. and Raphael, N.

“Ex-Employees’ Duty to Produce Corporate Records,” Massachusetts Lawyers Weekly, April 8, 2002

“Who Pays Retail?: Defining Retail Value Under the Sentencing Guidelines,” White Collar Crime Reporter, September 2001, with Smith, C.N.

“The Qui Tam Explosion: Massachusetts Joins the Battle,” Massachusetts Lawyers Weekly, June 30, 2001, with Chunias, J.L.

“New Wine in Old Bottles: Searching for a Rational Approach to Sentencing for New Economy Crimes,” Business Crimes Bulletin, July 2001, with Smith, C.

“When the Heartland is ‘Outside the Heartland’: The New Sentencing Guidelines for NET Act Sentencing,” George Mason Law Review, Winter 2000, with Barclay, K.

“Waive Goodbye to the Attorney-Client Privilege,” Business Crimes Bulletin, November 2000, with Longo, M. (Reprinted in the RICO Law Reporter, January & February 2001)

“Trade Secrets: Conflicting View of the Economic Espionage Act,” American Bar Association Criminal Justice Magazine, Fall 2000, with Martel, M.A. and Zwillinger, M.

“1st Circuit Splits Again in Subpoena Dispute,” Massachusetts Lawyers Weekly, August 28, 2000, with Mitchell, J.

“Federal Criminalization of Trade Secret Theft: An Update to the Economic Espionage Act,” MCLE, July 2000

“Citizens Protection Act of 1998 Offers Less Protection Than Before,” Business Crimes Bulletin, February 2000, with Abate-Recht, E.

“Secrets and Lies: Is There an Obligation by Public Companies to Disclose Uncharged Criminal Conduct?,” White Collar Crime Reporter, January 2000, with Urgent, A.

“Is it Sunset for Corruption Cases? Assessing the Impact of Sun Diamond,” Criminal Justice Weekly, December 20, 1999, with Bapooji, A. (Reprinted in BBA Criminal Justice Section Newsletter, January 2000)

“Criminalization of Trade Secret Theft: On the Second Anniversary of the Economic Espionage Act,” Currents International Trade Law Journal, November 1999, with Bauer, J.

“Compliance Programs Avoid Costly and Lengthy Prosecution,” Boston Business Journal, November 1999, with Hughes, T.

“The Economic Espionage Act: A Promise Unfulfilled?,” Criminal Justice Weekly, September 28, 1999, with Didget, C.; Corporate Law Weekly, September 30, 1999, with Didget, C.

“New Amendments to the Foreign Corrupt Practices Act Broaden Its Scope As Enforcement Increases,” White Collar Crime Reporter, July/August 1999, with Willson, C. and Martin J.

“The Organizational Sentencing Data 1991-1997: A Preview of Coming Attractions?,” Business Crimes Bulletin, June 1999, with Hughes, T.

“How to Achieve Compliance Without Committing a Crime,” The Corporate Councillor, June 1999, with Fago, J.

“Perjury Prosecutions - Not Just for Liars Anymore,” White-Collar Crime Reporter, April 1999, with Martel, M.A.

“Here Come the Subpoenas...Maybe,” Massachusetts Lawyers Weekly, February 15, 1999, with Pond, J.

“You Can't Hide Your Spying Eyes: EEA Issues Emerge,” Business Crimes Bulletin, November 1998, with Stagnone, L. (Reprinted in The Corporate Councillor, January 1999)

“Recovering Attorneys' Fees After Wrongful Federal Prosecutions: New Amendment Opens the Door,” White-Collar Crime Reporter, May 1998, with Stone, G.

“Ethics in Flux: ‘No-Contact’ Rule Revision Under Consideration,” Business Crimes Bulletin, April 1998, with Delker, N.

“Grand Jury Subpoenas to Lawyers,” Boston Bar Association Criminal Justice Section Newsletter, April 1998

“Keeping Business Above Board,” Security Management, February 1998, with McElroy, L.

“Grand Jury Subpoenas to Massachusetts Lawyers,” Massachusetts Lawyers Weekly, January 19, 1998

“Watch Corporate Campaign Donations in ‘98,” Boston Business Journal, January 1998 with Delker, N.

“I Spy: The New Economic Espionage Act Can Be Risky Business,” American Bar Association Criminal Justice Magazine, Fall 1997

“The Next War? Federal Prosecutors Focus on Intellectual Property Crimes,” Boston Bar Association Journal, November/December 1997, with Bauer, J.

“Nolo Under Sentencing Guidelines: A Plea Whose Time Has Come,” Business Crimes Bulletin, September 1997

“Does the Government Think You're a Spy?” Boston Business Journal, May 30 - June 5, 1997, with Bauer, J.

“The Tenth Circuit Narrows Reach of Wire-Fraud Statute,” Business Crimes Bulletin, Vol. 4, No. 4, May 1997

“Use of the Travel Act to 'Aid' State Prosecutors Is Limited,” Business Crimes Bulletin, Vol. 4, No. 3, April 1997

“New Limits on Fraud As Tool To Deter Employee Misconduct,” Business Crimes Bulletin, Vol. 4, No. 2, March 1997

“Caremark: Director's Fiduciary Duty in a Sentencing Guidelines World,” Business Crimes Bulletin, Vol. 3, No. 12, January 1997

“Subpoenas to Lawyers: An Area of Growing Protection,” Massachusetts Lawyer's Weekly, January 13, 1997

“Corporations and Campaign Finance Law,” Massachusetts Lawyer's Weekly, November 4, 1996, with Cronin, C.

“How Corporations Spell Relief: Substituting Civil Sanctions for Criminal Prosecution,” American Bar Association Criminal Justice Magazine, Spring 1996 with Martz, S.

“Federal Prosecution of State and Local Officials: The Obstacles to Punishing Breaches of the Public Trust and a Proposal for Reform” (Part I), 94 W. Va. L. Rev. 301 (1991-92) (Part II) 94 W. Va. L. Rev. 989 (1992) with Carey, M. and Ellis, L.

“Some Thoughts on Character Evidence,” West Virginia Association of Defense Counsel, September 1991

Presentations:

"Cutting Edge: Major Developments in State & Federal Criminal Law," Moderator, Boston Bar Association, Boston, MA, January 24, 2008

"Identity Fraud, Computer Forensics and E-discovery," panelist, Boston Bar Association CLE, Boston, MA, November 14, 2007.

“Steps to Strides into the New Age,” Moderator, American Bar Association National Institute on Computing and the Law, Surveillance & Civil Liberties Panel, Nikko Hotel, San Francisco, CA, June 25 & 26, 2007

United Way of Massachusetts Bay’s Justice Panel, Omni Parker House, Boston, MA, June 12, 2007

“State False Claims Summit,” Panelist, American Conference Institute, The Warwick Hotel, New York, NY, May 23 & 24, 2007

“Cutting Edge Issues in Federal Court,” Moderator, Boston Bar Association CLE, May 2007

Boston Bar Association CLE Health Care Fraud Seminar, BBA Conference Center, Boston, MA, April 19, 2007

“Hot Issues in White Collar,” Panelist American Bar Association, New England Regional Conference, February 2007

“Internal Investigations,” Panelist, ACI, New York, June 2006

“5 Mistakes You Are About to Make: Ethical Issues in Internal Investigations,” Panelist, National Association of College and University Attorneys, Chicago, June 2006

“Recent Developments and Strategic Considerations in Health Care Fraud Cases” American Bar Association, Health Care Fraud Panel, San Francisco, CA, March 3, 2006

“Joint Defense Agreements,” Panelist, Boston Bar Association White Collar Crime Meeting, February 16, 2006

“Beyond The Case: Handling the Media Crisis,” Boston Bar Association, Boston, MA, December 8, 2005

“Changes in Securities Enforcement Panel Moderator,” American Bar Association Regional White Collar Crime Meeting, Boston, MA, October 24, 2005

“Defending On All Fronts: Representing Your Client in Parallel Proceedings,” National Association of Criminal Defense Lawyers, Georgetown University, Washington, DC, September 22, 2005

“Defending Corporate Fraud Cases,” FBI Corporate Fraud Conference, Boston, MA, August 23, 2005

“New Technology and the Law,” American Bar Association Annual Meeting, Chicago, IL, August 8, 2005

“False Claims Act Enforcement and Litigation,” ACI National Forum, Washington, DC, June 2005

Innocence Project and Compensation Legislation, Boston Bar Association, June 2005

“The Big (Not So) Easy: How Recent Developments Have Transformed the Handling of Federal Criminal Cases, from Internal Investigations through Sentencing and Designation,” Panelist, CLE Conference and National Meeting of the Federal Bar Association’s Criminal Law Section, New Orleans, May 2005

Compensation Panel, National Innocence Network Conference, Washington, DC, April 2005

“Getting the Help You Need: The Attorney-Client Privilege for Non-Legal Professionals,” Boston Bar Association, CLE White Collar Crime Seminar, February 2005

Corporate Crime Panel, Boston Bar Association, January 2005

“Qui Tam Litigation,” CLE International, San Francisco, CA, September 2004

“Conducting and Managing Investigations,” ACI, NY, May 2004

“White Collar Crime Overview,” American Bar Association, Northeast Regional Conference, Boston, MA, January 2004

Moderator, “The Second National In-House Counsel Forum on Prescription Drug Pricing,” ACI, New York, NY, October 2003

“Business Ethics in the 21st Century,” Harvard College Reunion Symposium, June 2003

“Sarbanes Oxley: New Enforcement Environment,” ACI, New York, NY, May 2003

“Technology Offenses,” Federal Bar Association National Seminar on Federal Sentencing Guidelines, Miami, FL, May 2003

“Collateral Consequences In White Collar Prosecutions,” Boston Bar Association, April 2003

“Criminal Minefields in Civil Corporate Practice,” Nevada Bar Association Regional Seminar, Las Vegas, NV, April 2003

“Winning Without Trying,” Frank J. Murray Inn of Court, Boston, MA, April 2003

“Commercial Litigation,” MCLE, February 2003

“Sarbanes-Oxley and Enforcement: A View from Both Sides,” Frank J. Murray Inn of Court, January 28, 2003

“Strategies for Success,” Boston Bar Association, January 2003

“Qui Tam Litigation,” MCLE, Boston, MA, December 2002

“Jury Selection and Consultants,” Boston Bar Association, Boston, MA, December 2002

“Commercial Litigation: Hearing from the Experts,” Boston Bar Association, Boston, MA, October 2002

Moderator, National Meeting, Federal Bar Association Criminal Justice Section, Boston, MA, July 2002

Moderator, National Meeting, Federal Bar Association, Dallas, Texas, September 2002

Moderator, “The New Face of White Collar Crime,” ABA Northeast Regional White Collar Crime Section, May 2002

“Sentencing Issues in Technology Offenses,” Federal Bar Association/U.S. Sentencing Commission National Seminar on Federal Sentencing Guidelines, Palm Springs, CA, May 2002

“Qui Tam Litigation,” CLE International, San Francisco, CA, April 2002

“The Criminalization of Business Practices: Successful Strategies to Avoid Indictment,” Boston Bar Association, April 2002

“Privileges in Government Investigations,” Boston Bar Association, March 2002

“The Role of Media In Corporate Criminal Investigations,” Boston Bar Association, January 2002

“Managing Investigations in the Pharmaceutical Industry,” Food and Drug Law Institute, Washington, D.C., December 2001

“Current Issues in the Pharmaceutical Industry,” American Health Care Lawyers Association, Orlando, FL, June 2001

“Hot Topics in Health Care Enforcement,” American Health Care Lawyers Association, Washington D.C., June 2001

“Technology Offenses”, Federal Bar Association National Seminar on Federal Sentencing Guidelines, May 2001

“Whistle Blower and Government Investigations,” Boston Bar Association, April 2001

Moderator, "Racially Disparate Charging, Prosecution and Sentencing," Boston Bar Association, November 2000

"Hot Topics in Compliance in the Pharmaceutical Industry," Health Care Compliance Association/FDLI, October 2000

"Federal Sentencing Policy for Economic Crimes and New Technology Offenses," U.S. Sentencing Commission, October 2000

"Cybercrime Symposium," Southern New England School of Law, October 2000

Moderator, "The Fair Treatment Initiative: 'Yes' or 'No' on Question 8?" Boston Bar Association, September 2000

"Cybercrime and Corporate Fraud: Rights and Remedies," MCLE, July 2000

"Computer and High Technology Crime," Boston Bar Association and U.S. Attorney, May 2000

Moderator, "Cutting Edge Issues In White Collar Criminal Law," Federal Bar Association National Litigation Seminar, February 2000

Moderator, "Managing Public Relations During a Business Crisis," Boston Bar Association, September 1999

"Intellectual Property and Computer Crimes," American Bar Association Annual Meeting, July 1999

Moderator, "Law Enforcement Priorities and the Business Community," Boston Bar Association, May 1999

"Hot Topics In High Technology Crime," Boston Bar Association Continuing Legal Education, April 1999

"Intellectual Property Crime," ABA National Institute on Representing High Technology Companies, October 1998

Moderator, "Dealing With the Press as a Business Litigator," Boston Bar Association, September 1998

"Managing the Securities Liability Risks of Being a Public Company," American Corporate Counsel Association, September 1998

"The New Hack Tour: Get Smart on Security," Sponsored by Cambridge Technology Partners, May 1998

"Proactive Approaches to the Prevention of Corporate Liability," Sponsored by Testa, Hurwitz & Thibault, LLP, the American Electronics Association, the National Subacute Care Association, and Price Waterhouse LLP, May 1998

“Economic Espionage Act,” Massachusetts Bar Association, High Tech Law Section, March 1998

“Corporate Compliance Programs and Building an Effective Business Ethics Process,” Sponsored by Price Waterhouse LLP, January 1998

Moderator, “Hacking, Spamming, Browsing and Stealing by Technocrooks: Developing Strategies for Dealing With Cybercrime,” Boston Bar Association, November 1997

Moderator, “Criminalizing Business Practices,” Boston Bar Association, Business Law Section Seminar, June 1997

“Winning Strategies At Trial,” ABA White Collar Crime National Institute, March 1997

“Winning Before Indictment, Defending Clients During the Grand Investigation,” MCLE, October 1996

“Comparative Criminal Justice Systems,” Superior Council of Magistrates, Rome, Italy, July 1996