

Ellen H. Persons

SHAREHOLDER

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A former Assistant U.S. Attorney, Ellen brings firsthand insight into federal investigations, enforcement strategy and complex fraud matters. She defends companies and executives facing scrutiny from the DOJ, SEC, Department of Labor and other enforcement agencies, often in matters involving the False Claims Act, the Anti-Kickback Statute, health care fraud, securities violations and antitrust claims. Known for her steady judgment and sharp instincts, she guides clients through parallel investigations, internal reviews and complex litigation with the urgency and control these cases demand.

Before joining Polsinelli, Ellen served in the Civil Division of the U.S. Attorney's Office for the Northern District of Georgia, where she investigated and prosecuted fraud against the federal government and defended the United States in complex civil matters. That dual perspective — prosecutor and defense counsel — shapes her approach to every case.

Education

- University of Virginia (B.A., 2005)
 - American Government
- University of Georgia School of Law (J.D., *cum laude*, 2008)
 - Moot Court

Bar Admissions

- Georgia, 2008

Court Admissions

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Northern District of Georgia

Memberships

- Atlanta Bar Association, Judicial Selection & Tenure Committee Member
- Chair of the Northern District of Georgia's Committee on Discipline
- Vice Chair of State Bar of Georgia's White Collar Law Section

Capabilities

- False Claims Act Defense
- Government Investigations
- Health Care Litigation
- Internal Investigations
- Litigation
- Commercial Litigation

- Georgia Bar Association, 2008-present
- Women's White Collar Defense Association, Member
- American Bar Association, White Collar Crime Committee
- American Health Lawyers Association
- The Atlanta Lawyers Club

Recognition

- Selected for inclusion in *Best Lawyers in America*® for:
 - Commercial Litigation, 2025-2026
 - Litigation - Health Care, 2025-2026
 - Health Care Law, 2025-2026
 - Criminal Defense: White-Collar, 2023-2026
- Ranked in *Chambers USA: America's Leading Lawyers For Business*, Litigation: White-Collar Crime & Government Investigations, Georgia, 2024-2025
- Named "Local Litigation Star" by *Benchmark Litigation*, 2021
- Named "Future Star" by *Benchmark Litigation*, 2022-2026

Matters

- Representation of former CEO in federal criminal investigation involving allegations of healthcare fraud and potential violations of the AKS.
- Conducted internal investigations in conjunction with in-house counsel, including investigations of possible fraud.
- Represented healthcare company in a large scale antitrust investigations by the DOJ's Antitrust Division.
- Represented several individuals in various SEC and DOJ investigations concerning allegations of misrepresentations made to investors.
- Defended a public hospital in a qui tam alleging the hospital violated the False Claims Act by billing Medicare for certain services in various clinical trials, resulting in dismissal with prejudice by the government.
- Represented senior executives of a public pharmaceutical company in connection with a federal investigation into allegations of off-label marketing.
- Internal investigation of a hospital offering pre-certification/pre-authorization services to physicians.
- Involved in qui tam litigation relating to alleged false claims submitted by a hospice company.
- Represented compounding pharmacy in a parallel civil and criminal matter involving allegations of AKS violations.
- Represented an automotive safety parts company in a large scale government and foreign antitrust investigation.
- Represented a senior executive in parallel civil and criminal government investigations of defense contracting issues.
- Represented a government contractor in grand jury investigation of bribery and corruption.

Publications

December 17, 2025

FCA at a Crossroads: Eleventh Circuit Case Could Upend Qui Tam Actions

August 25, 2025

Healthcare fraud enforcement ramps up in the Trump administration, with implications for all stakeholders

Quoted, HFMA

July 14, 2025

EKRA Gets Teeth: Ninth Circuit Strengthens EKRA Enforcement in Schena Ruling

July 8, 2025

The AI Red Flags In DOJ Fraud Investigations

Quoted, Law360

July 1, 2025

DOJ Unveils Record-Breaking National Health Care Fraud Takedown

June 25, 2025

DOJ Civil Division Refocuses Affirmative Enforcement Priorities

May 15, 2025

Focus, Fairness and Efficiency: DOJ Reveals Administration's Plans for Enforcement of Corporate and White-Collar Crime

April 16, 2025

Seventh Circuit Reverses Conviction in Landmark Anti-Kickback Case

February 25, 2025

A Deepened Divide: Appellate Court Joins False Claims Act Circuit Split in Favor of Health Care Defendants

February 11, 2025

A Changing Enforcement Landscape Under the New Administration

January 24, 2025

DOJ Announces Modest Increase in FCA Recoveries, Fueled Largely by Whistleblower Lawsuits

August 6, 2024

Ready for Takeoff - DOJ's Criminal Division Corporate Whistleblower Awards Pilot Program Launched

July 17, 2024

"Tokens of Appreciation:" Supreme Court Continues to Weaken Corruption Laws

March 27, 2024

How Sales and Marketing Compensation Can Get Hospices Into Hot Water

Quoted, Hospice News

June 26, 2023

Supreme Court OKs Leeway for DOJ in Dismissing Whistleblower Cases

Quoted, Report on Medicare Compliance Volume 32, Number 23

April 13, 2023

DOJ Continues to Target Lab Sales Arrangements and Ordering Practices

April 5, 2023

False Claims Act: Appellate Court Deepens Circuit Split in Favor of Healthcare Defendants

March 9, 2023

Annual ABA White Collar Conference Brings Additional Updates to DOJ Corporate Enforcement Policy

Author, The National Law Review

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March 1, 2023

DOJ Announces New Nationwide Voluntary Self-Disclosure Policy

February 21, 2023

False Claims Act Recoveries 2022

January 18, 2023

Screening Failures Caused PPP Fraud

September 6, 2022

President Biden Extends Statute of Limitations for PPP and EIDL Fraud to Ten Years

Summer 2022

The Department of Justice Continues Its Intense Scrutiny of the Clinical Laboratory Industry

Author, Georgia Bar Health Law Section

June 27, 2022

DOJ's New Settlement Policy Demonstrates Increased Focus on Robust Compliance Programs

April 25, 2022

Another Wave of Criminal Charges Brought in COVID-Related Fraud

April 20, 2022

DOJ Faces Two Strikeouts in First Health Care Wage-Fixing and "No Poach" Prosecutions

March 10, 2022

Significant Legal Developments in the South Region

Panelist, ABA White Collar Conference

2021

Healthcare Fraud: Pandemic Impacts and Financial Implications

Panelist, ABI Health Care Program

2021

Artificial Intelligence in a Commercial Context

Panelist, Association Corporate Counsel

2018 - 2022

Healthcare Fraud and Abuse Enforcement Update

Panelist, States Bar of Georgia Fundamentals of Healthcare

February 14, 2022

False Claims Act Recoveries During 2021