

Emily McGowan

Partner

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Emily McGowan defends individual and corporate clients in a wide range of matters, including government investigations, white collar criminal cases, and complex business and health care litigation. Emily has worked on criminal and civil proceedings related to state and federal securities laws, the Sherman Act, and the False Claims Act. She defends and counsels companies and individuals in associated investigations by the Department of Justice. Emily is recognized in the 2021 edition of *Chambers USA: America's Leading Lawyers for Business* as an "Associate to Watch" in North Carolina in Litigation: White Collar Crime & Government Investigations. She is also recognized in the inaugural "Ones to Watch" list by *The Best Lawyers in America*® for commercial litigation.

Before joining Alston & Bird, Emily served as a law clerk to the Honorable Allyson K. Duncan on the U.S. Court of Appeals for the Fourth Circuit. She also worked for a prominent law firm in Washington, D.C. While in law school, Emily served as the president of the Women of Stanford Law. She obtained her B.A. in English with highest honors from the University of North Carolina at Chapel Hill.

Representative Experience

- Representing a major pharmacy benefit manager and mail-order pharmacy in nationwide litigation related to drug pricing and drug distribution.
- Defending a chief financial officer in an ongoing securities fraud investigation.
- Represented a major generic drug manufacturer in a DOJ antitrust investigation.
- Defending an executive in an ongoing criminal price-fixing and bid-rigging investigation.
- Represented a large health care system in DOJ False Claims Act investigations related to Medicare coding issues.
- Defended an accountant accused of securities fraud in a federal criminal trial.
- Represented over 70 former state attorneys general as amici curiae supporting former Virginia Gov. Bob McDonnell's appeal to the U.S. Supreme Court.
- Represented a generic drug manufacturer in a Fourth Circuit appeal seeking review of a final agency action.
- Represented a generic drug manufacturer in its response to FDA Form 483 observations.
- Represented a large insurance company in federal class action litigation over a physician practice coding dispute, convincing plaintiff's counsel to drop all claims.
- Represented a natural gas joint action agency in federal litigation over hedge prices.
- Represented a former bank employee in a DOJ obstruction of justice investigation.

Publications & Presentations

Publications

- “Diversity & Inclusion,” in *Successful Partnering Between Inside and Outside Counsel*, Thomson Reuters and Association of Corporate Counsel, April 2020.
- “The Yates Memo and the DOJ’s Focus on Individuals,” *Pratt’s Government Contracting Law Report*, Vol. 1, No. 9, December 2015.

Education

- Stanford University (J.D., 2012)
- The University of North Carolina at Chapel Hill (B.A., 2008)

Admitted to Practice

- North Carolina

Related Services

Antitrust | White Collar, Government & Internal Investigations | Litigation | State Attorneys General Practice Team | FDA Enforcement & Litigation | FDA Compliance & Enforcement | Appellate