



Lousene M. Hoppe

SHAREHOLDER

Minneapolis

612.492.7402

lhoppe@fredlaw.com

Services

Litigation

White Collar & Regulatory
Defense

E-Discovery Strategy &
Advocacy

Energy Litigation

False Claims Act Defense

Foreign Corrupt Practices
Act & Anti-Corruption

Government Contracts &
Grants

Health Law

Health Care Fraud &
Compliance

Internal Investigations

Lousene is a litigator and criminal defense attorney who represents corporations and individuals accused of health care fraud, financial or tax crimes, and criminal felony and misdemeanor cases at both the state and federal levels.

She also focuses on foreign corruption practices act (FCPA) investigations and due diligence, false claims act (FCA) litigation, investigations of alleged regulatory or licensing violations, and related commercial litigation matters.

Lousene is experienced in dealing with representatives/agents of the Federal Bureau of Investigation (FBI), Department of Justice (DOJ), the Office of the Inspector General (OIG), the Food and Drug Administration (FDA), the Department of Labor (DoL), and other government agencies on behalf of clients under investigation for civil or criminal penalties. She assists companies and individuals with responding to grand jury or administrative subpoenas and civil investigative demands (CIDs). Lousene offers practical guidance for those who face exclusion from state and federal programs, including Medicare/Medicaid. Her commercial litigation practice focuses on shareholder disputes, civil fraud and misrepresentation, and the healthcare industry.

Experience

Criminal Proceedings

- Represented a nonprofit foundation president in a six-week federal trial involving alleged participation in an \$80 million ponzi scheme.
- Represented a doctor in a multi-count sexual abuse trial, resulting in acquittal on all counts.
- Represented several oil and gas companies in criminal misdemeanor case involving the Migratory Bird Treaty Act, resulting in dismissal of all charges.
- Represented a business owner in a federal income tax evasion prosecution and achieved a favorable result.
- Represented large nursing home organization in criminal neglect case; avoided threat of debarment and loss of licensure for 35 care centers and senior living programs.

False Claims Act Defense

- Represented large healthcare system in first overpayment case under the 2009 amendments to the False Claims Act that expanded potential overpayment liability.
- Represented over 80 orthopedic and neurosurgeons on a qui tam False Claims Act Case alleging receipt of illegal kick-backs and off-label marketing of a medical device. The federal district court dismissed all counts against the physicians and the First Circuit Court of appeals affirmed the result.
- Represented major multi-specialty medical center in FCA litigation. The qui tam relator voluntarily dismissed the suit after the court's favorable decision on motions to dismiss.
- Won dismissal of a 180-million dollar False Claims Act high-profile lawsuit brought by a qui tam relator against a major municipality. The individual appealed and the Eighth Circuit Court of Appeals affirmed the lower court's dismissal of the action.
- Represented a large general contractor in a False Claims Act investigation under the disadvantaged business enterprise regulations.
- Won dismissal of a multi-million dollar False Claims Act lawsuit brought by a qui tam relator against a Minneapolis hospital. The individual appealed and the Eighth Circuit Court of Appeals affirmed the lower court's dismissal of the action.

Foreign Corrupt Practices

- Conducted Foreign Corrupt Practices Act (FCPA) due diligence for Fortune 500 companies on more than 10 deals.
- Conducted an investigation into allegations that a medical device company gave kickbacks to physicians in China, and advised the company about disclosures to the Department of Justice.
- Advised companies on developing anti-corruption compliance programs and policies in a variety of industries including: medical device, restaurant franchising, industrial equipment manufacturing, mining, construction, and others.

Civil Litigation

- Represented a bank in a dispute with an insurance company over payment under the bank's fidelity bond for employee dishonesty and forgery. The suit was resolved on terms very favorable to our client following our success on a summary judgment motion and a mediation.
- Helped resolve shareholder disputes in both state and federal court, achieving favorable settlements for her clients.
- Defended an energy company and its principals in a shareholder derivative suit, resulting in dismissal of all charges.

Administrative Proceedings

- Represented healthcare providers in Medicare reimbursement appeals.
- Represented healthcare professionals in licensing board matters.

Pro Bono Representation

- Represented hearing-impaired individual who was unjustly arrested and jailed without access to state-mandated communication devices or translator.
- Helped obtain asylum for Ethiopian women subjected to torture and oppression in her home country.
- Assisted Pulitzer-prize winning journalist with favorable resolution of criminal charges.

Credentials

Education

- University of Michigan Law School, J.D., 2006, *cum laude*
- Luther Seminary, M.A., 1999
- St. Olaf College, B.A., 1994, *magna cum laude*

Admissions

- Minnesota, 2006
- U.S. District Court for the District of Minnesota, 2006
- U.S. Court of Appeals for the Eighth Circuit, 2007
- U.S. District Court for the Eastern District of Wisconsin, 2012
- Lower Sioux Community in Minnesota Tribal Court, 2006

Clerkships

- Clerk, Honorable Michael J. Davis, U.S. District Court for the District of Minnesota, 2007
- Internship, U.S. Attorney's Office, Southern District of California, 2004

Recognition

- Minnesota Super Lawyers, Criminal Defense: White Collar, 2017-2023
- 100 People to Know in 2022, *Twin Cities Business*
- North Star Lawyer, Minnesota State Bar Association, 2012-2022

- Rising Star, *Minnesota Super Lawyers*, 2013-2016
- National Criminal Defense College, Trial Practice Institute Participant
- Honoree, Best LGBT Attorneys Under 40, National LGBT Bar Association, 2011
- Phi Beta Kappa, Member
- Eta Sigma Phi, Member

Civic & Professional

Professional Activities

- American Bar Association, Criminal Justice Section, Co-Chair of Regional White Collar Crime Subcommittee, Chair of LGBT Committee, August 2014-present
- National LGBT Bar Association, President, 2021-2023 President-Elect, 2020-2021, Board of Directors, 2017-present
- Minnesota State Bar Association
- Hennepin County Bar Association
- Minnesota Lavender Bar Association, Co-Chair, 2013-2015
- Minnesota Association of Criminal Defense Lawyers
- *Journal of Law Reform*, Executive Editor

Community

- One Voice Mixed Chorus, Board of Directors, 2008-2010
- American Constitution Society—Minneapolis-St. Paul Chapter, Co-Chair, 2010-2013, Advisory Board, 2015-present

News

Firm News | 07.17.2023

Fredrikson Attorneys Named 2023 Minnesota Super Lawyers and Rising Stars

Firm News | 06.26.2023

Fredrikson Attorneys Recognized as North Star (Pro Bono) Lawyers

Firm News | 06.16.2022

Fredrikson & Byron Attorneys Recognized as North Star Lawyers

Firm News | 01.27.2022

Fredrikson & Byron Achieves Perfect Score on 2022 Corporate Equality Index

Firm News | 12.07.2021

Attorney Lousene Hoppe Selected as Twin Cities Business' 100 People to Know in 2022

Firm News | 06.01.2021

Attorney Lousene Hoppe Named President of the National LGBTQ+ Bar Association

Firm News | 01.28.2021

Fredrikson & Byron Achieves Perfect Score on 2021 Corporate Equality Index

Firm News | 08.11.2020

Attorney Lousene Hoppe Named President-Elect of the National LGBT Bar Association

Firm News | 02.19.2019

White Collar Defense Attorney Lousene Hoppe and Tax Disputes & Litigation Attorney Gauri Samant Named to Leadership Council on Legal Diversity Programs

Firm News | 11.15.2018

Fredrikson & Byron is the First Private Law Firm to Receive the Sam Dalton Capital Defense Advocacy Award

Firm News | 03.16.2017

Lousene Hoppe Named Board Member of National LGBT Bar Association and Foundation

Speaking Engagements

Event | 09.13.2023

Health Law Webinar—Common Misunderstandings About Legal Privileges

Event | 02.10.2021

Health Law Webinar—Understanding and Protecting Legal Privileges

Event | 11.12.2019

Cross-Border Investigations Seminar

Event | 07.11.2018

Health Law Webinar—Preserving Privilege in Investigations

Event | 06.13.2018

Beyond #MeToo: Conducting Effective and Privileged Workplace Investigations

Publications & Presentations

Panelist, *Celebrating Women in Leadership*, ABA Commission on Women in the Profession, March 24, 2023

Featured in "Promoting Inclusion Top Priority for New President of LGBTQ Law Group," *Star Tribune*, July 4, 2021

Featured in "Fredrikson & Byron Atty Named LGBT Bar President," *Law360*, June 2, 2021

Co-Presenter, *Understanding and Protecting Legal Privileges*, Fredrikson & Byron Health Law Webinar Series, February 10, 2021

Co-Presenter, *Diversity & Inclusion in the Workplace: Going Beyond a Policy!*, Fredrikson & Byron's Annual Employment & Labor Law Seminar, October 27, 2020

Featured in "Breaking the Ice: Attorney Seeks Equity as National LGBT Bar leader," *Minnesota Lawyer*, September 10, 2020

Panelist, *Privacy and Security in Cross-Border Investigations*, Fredrikson & Byron's Cross-Border Investigations Seminar, November 12, 2019

Co-Presenter, *Preserving Privilege in Investigations*, Fredrikson & Byron Health Law Webinar Series, July 11, 2018

Co-Presenter, *Email Investigation Methods with Hillary Clinton's FOIA Release*, Minneapolis – St. Paul Women in eDiscovery, June 14, 2018

Co-Presenter, *Beyond #MeToo: Conducting Effective and Privileged Workplace Investigations*, Fredrikson & Byron Seminar, June 13, 2018

Moderator, *The Attorney-Client Privilege in Federal Criminal Proceedings: A Moderated Panel Discussion in Immoderate Times*, White Collar Crime Committee of the Minnesota Chapter of the Federal Bar Association, June 6, 2018

Co-Presenter, *Conducting an Effective Internal Investigation*, Lunch & Learn, Association of Corporate Counsel (ACC) Minnesota, April 11, 2018

Author, "MNCLE, Handling Internal Investigations—Best Practices for Investigating Alleged Fraud, Bribery, Regulatory Noncompliance, and Other Types of Corporate Wrongdoing," Chapter 1, *Investigation Planning*, 2017

Presenter, *Conducting an Effective Internal Investigation—Consideration & Planning*, MSBA CLE The 2017 Health Law Institute, June 15, 2017

Presenter, *The Role of the Firm's General Counsel in Risk Management and Ethics Compliance*, MSBA CLE Legal Ethics Summit VII, June 9, 2017

Presenter, *Beyond the FCPA: Developments in Foreign Anti-Corruption Enforcement and Legislation*, MSBA CLE The 41st Annual International Business Law Institute, May 18, 2017

Moderator, *Avoiding the Unthinkable: Employee Embezzlement and Malfeasance*, Fredrikson & Byron Event, May 3, 2017

Presenter, *Sword or Shield? The Attorney-Client and Work Product Privileges in Investigations*, Pressure on The Privilege CLE, Minnesota Continuing Legal Education, April 27, 2015

Presenter, *The Federal False Claims Act: How Whistleblower Suits May Affect Your Clients and Their Businesses*, June 2014

The Foreign Corrupt Practices Act: What You May Not Know (But Should), 20th Annual MNCPA Management & Business Advisers Conference, June 2014