



Matthew D. Benedetto

PARTNER

Co-Chair, False Claims Act Practice

LOS ANGELES

+ 1 213 443 5323

MATTHEW.BENEDETTO@WILMERHALE.COM

Matthew Benedetto has more than 15 years' experience representing clients in complex civil, criminal and administrative matters, often involving crisis management and public policy responses. Mr. Benedetto co-chairs the firm's False Claims Act Group and has extensive experience representing pharmaceutical companies, healthcare companies and financial institutions in both federal and state False Claims Act actions. In the healthcare space, he has unique experience litigating California's Insurance Frauds Prevention Act, a qui tam statute in the Insurance Code, including arguing before the California Court of Appeal.

Since April 2020, Mr. Benedetto has written extensively about the FCA implications of the federal government's response to the COVID-19 pandemic. He has also provided FCA compliance counseling to a range of clients addressing CARES Act issues, including funding through the Paycheck Protection Program.

In the past year, Mr. Benedetto has represented a major financial institution in a number of state false claims act litigations around the country involving municipal bonds; a major financial institution in a series of putative class action lawsuits involving marketing of digital payment services; an automotive manufacturer in a federal criminal investigation of marketing practices; a healthcare company serving senior citizens in a federal FCA investigation; and a public hospital system in a federal FCA investigation of billing practices.

In 2016, the National LGBT Bar Association named Mr. Benedetto to its list of "Best LGBT Attorneys Under the Age of 40." He was also selected to be a fellow of the American Bar Foundation.

Before pursuing his law degree, Mr. Benedetto taught English at Phillips Academy, Andover, and pursued a PhD in English at The Johns Hopkins University.

Government Investigations

Mr. Benedetto has represented clients before federal and state regulatory and law enforcement agencies, including the SEC, the California Attorney General's Office, multiple US Attorneys'

Offices and Main Justice. Investigations have concerned allegations of: false claims act violations; securities, accounting and other frauds; consumer fraud; financial reporting and disclosure improprieties; export and trade controls; and privacy-related violations.

Internal Investigations

Mr. Benedetto has led and participated in internal investigations concerning: sexual misconduct by an executive; consumer privacy-related improprieties; consumer fraud allegations; misrepresentations; misappropriation of assets; financial fraud; and non-compliance with legal and regulatory obligations.

Litigation

Mr. Benedetto has litigated cases in federal and state trial and appellate courts, including the US Supreme Court. He has argued writs and appeals in the California appellate courts. Matters have included: state and federal False Claims Act violations; securities fraud; consumer fraud; breaches of contract, false advertising and other business torts; and consumer privacy actions.

Pro Bono

Mr. Benedetto serves on the firmwide Pro Bono and Public Service Committee and the West Coast Diversity Committee. In 2016, he received the firm's Pickering Award for Excellence in Pro Bono Service. In 2021, he joined the Board of Directors of Bet Tzedek, a Los Angeles-based nonprofit organization dedicated to providing free legal services and advocacy on behalf of low-income individuals and families.

In his pro bono practice, Mr. Benedetto obtained in 2015 a rare federal jury verdict in favor of his client, a California state prisoner, in a First Amendment retaliation case brought against state correctional officers. The verdict was covered by the Daily Journal and the San Francisco Chronicle. He argued an appeal before the Ninth Circuit Court of Appeals on behalf of another California state prisoner in a federal challenge to his conditions of confinement.

Mr. Benedetto also successfully represented a disabled, gay Army veteran in a federal challenge to the Defense of Marriage Act, obtaining summary judgment in her favor in an action which sought disability compensation for her same-sex spouse. He has also represented multiple veterans before the United States Court of Appeals for Veterans Claims, in connection with claims for service-connected benefits. In the past year, he has taken on multiple representations challenging state laws that ban transgender athletes from participating in high school sports.

Professional Activities

Mr. Benedetto is a member of the Board of Directors of Bet Tzedek, a Los Angeles-based nonprofit organization dedicated to providing free legal services and advocacy on behalf of low-income individuals and families. He was the 2015 Co-President of the LGBT Bar Association of

Los Angeles, an affinity group of the Los Angeles County Bar Association. He was also on the Board of Directors of USC Lambda LGBT Alumni Association.

Solutions

Litigation	False Claims Act	Class Actions
Cybersecurity and Privacy	Securities Litigation	White Collar Defense and Investigations
Securities Enforcement	Government and Regulatory Litigation	Commercial Litigation
Trials		

Experience

Represent major financial institution as lead trial counsel in a number of False Claim Act litigations involving municipal bonds in state courts around the country

Represent major financial institution as lead trial counsel in a number of putative class action lawsuits involving digital payment services

Represent automotive manufacturer in a federal criminal investigation of marketing practices

Represent public hospital system in federal FCA investigation of billing practices

Represent healthcare company serving senior citizens in federal FCA investigation

Represent aerospace manufacturer in federal criminal investigation of export control practices.

Represented a California-based financial technology company in multiple government plaintiff lawsuits alleging unfair business practices in connection with tax preparation services.

Represented a federally recognized Indian tribe in a California False Claims Act suit brought in California state court concerning the status of its reservation land; obtained dismissal on demurrer.

Represented healthcare client in federal criminal and administrative investigations, state investigations and civil litigation relating to healthcare fraud, wire fraud and consumer fraud allegations.

Secured dismissal of a series of False Claims Act cases against a major financial institution in federal and state courts.

Represented major pharmaceutical company in novel suit brought under California's Insurance Frauds Prevention Act by California Insurance Commissioner and

whistleblowers; obtained dismissal of whistleblowers on summary judgment.

Represented major medical device company in suit brought under California's Insurance Frauds Prevention Act by whistleblower; prevailed on summary judgment.

Represented California-based technology company in a number of government investigations related to consumer privacy and securities disclosures.

Represented technology company in sensitive internal investigation regarding sexual misconduct of an executive.

Obtained dismissal of federal suit brought against Indian tribe in challenge to tribal lands designation.

Represented defense contractor in sensitive internal investigation involving whistleblower allegations by former employee.

Represented individual in USAO grand jury investigation involving international money laundering allegations.

Represented technology company in multi-district class action litigation involving Smart TVs and alleged violations of the Video Privacy Protection Act (VPPA) and state law equivalents.

Recognition

- Named to the *Los Angeles Business Journal's* "Thriving in Their 40s" list (2022)
- Recognized as a "Top Minority Attorney" by the *Los Angeles Business Journal* (2021)
- Recognized as a "Next Generation Lawyer" in Dispute Resolution: General Commercial Disputes by *The Legal 500 United States* (2020)
- Recognized as a "Best LGBT Lawyer Under 40" by the National LGBT Bar Association (2016)

Credentials

EDUCATION

JD, University of Southern
California Law School, 2007

*Order of the Coif; Hale Moot
Court Advocacy Champion,
2006*

MA, English, Johns Hopkins
University, 2004

Doctoral Studies in English

BA, English, Dartmouth
College, 2000

summa cum laude

*High Honors in English, Phi
Beta Kappa*

ADMISSIONS

California