



Erin J. Hoyle

SHAREHOLDER

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Overview

Erin Hoyle concentrates her practice on government investigations, corporate internal investigations, and white collar criminal defense, with a focus on the False Claims Act, whistleblower complaints, allegations of health care fraud, securities litigation, and OFAC licensing applications.

Her experience with the False Claims Act includes defending health care clients in civil qui tam actions alleging the submission of false claims for payment, federal anti-kickback and Stark Law violations, and employer retaliation claims. She also represents government contractors accused of fraud, waste, or abuse of government funds. Erin counsels companies on how to best avoid and detect potential False Claims Act violations, and how to most effectively respond when faced with such allegations.

Erin frequently defends companies, executives, and employees in government and criminal investigations and conducts internal investigations. Her experience in this area includes government contracting fraud, cybercrime, trade secret misappropriation, video voyeurism, theft of government property, health care technology, bribery of public officials, initial coin offerings, securities, public company accounting, and compliance with professional standards of conduct. These investigations have been prompted by government enforcement proceedings, as well as company-initiated investigations based on suspected wrongdoing by employees, competitors, and other third parties.

Erin further assists U.S. companies with OFAC licensing matters, including seeking approval for proposed transactions with a foreign company or government and applying for the release of funds transferred from a specially designated national (SDN).

Erin serves as a member of the Rankings and Endorsements Committee and the Young Professionals Committee of the Women's White Collar Defense Association, an organization promoting diversity for female attorneys who specialize in the defense of government enforcement actions and internal investigations. She is a frequent speaker and author on the False Claims Act, corporate compliance, and protecting the attorney-client privilege and work product doctrine.

Experience

- *United States v. HPC Healthcare, Inc.*, 723 F. App'x 783 (11th Cir. 2018). The Eleventh Circuit Court of Appeals affirmed dismissal with prejudice of a qui tam action brought against our client for the alleged fraudulent submission of medical billing to Medicare and Medicaid. The Eleventh Circuit agreed that the plaintiff had failed to plead detailed allegations sufficient to satisfy the applicable standards under Federal Rule of Civil Procedure 9(b).
- *United States v. Advanced Anesthesia*. Relator's complaint dismissed with prejudice.

Areas of Focus

Practices

- White Collar Crime & Government Investigations
- Health Care
- Litigation and Trials
- Securities Litigation and Enforcement
- Education
- Cybersecurity and Privacy
- SEC Enforcement
- False Claims Act, Qui Tam, and Whistleblower Defense
- Global Anti-Corruption, Sanctions, and Compliance
- Internal Investigations

Industries

- Health Care

Insights

09.08.2023

Joint-Defense and Common-Interest Agreements in Government Investigations: Best Practices for In-House Counsel to Retain Privilege and Develop Legal Strategies

05.24.2023

Recent DOJ Guidance on Corporate Compliance, Cooperation, and Compensation

03.21.2022

DOJ's First Cyber-Fraud Settlement Places Emphasis on Cybersecurity Shortfalls

10.29.2021

DOJ's New Enforcement Team May Intensify Push to Recover Cyberattack Payments
Connecticut Employment Law Letter

10.20.2021

DOJ Unveils New Initiative to Pursue Cybersecurity-Related Fraud by Government Contractors and Grant Recipients

10.14.2021

New DOJ Enforcement Team Suggests DOJ May Take Additional Efforts to Recover Cyberattack Ransoms

05.11.2021

Record-Breaking SEC Whistleblower Awards Signal the Need for Robust Anti-Retaliation Policies

05.05.2021

More Aggressive Enforcement Sprouts at SEC

10.05.2020

Maintaining Privilege: A Refresher on Attorney-Client Privilege for the Remote-Work Environment

06.15.2020

Industry Voices — Relaxing Telehealth Regulations Does Not Mean Relaxing Fraud Enforcement
Fierce Healthcare

06.10.2020

CARES Act Provider Relief Funding: Think Before You Deposit

04.30.2020

Five Steps to Minimize the Risk of Future FCA Investigations and Enforcement Actions Stemming From COVID-19 Stimulus Funding

03.31.2020

Federal and State Officials Launch Joint Efforts to Investigate and Prosecute Fraud Related to the Coronavirus

01.09.2020

Recent Cases Indicate Viability of False Claims Act Liability Connected to Federal Cybersecurity Standards

10.04.2019

SEC Now May Consider a Simultaneous Settlement Offer and Waiver Request

09.11.2019

US v. AseraCare: Eleventh Circuit Holds That Contradictory Clinical Judgments Alone Cannot Trigger FCA Liability

12.07.2016

Home Depot Cyber Derivative Action Shuttered: Another Data-Breach Derivative Suit Fails to Clear Fundamental Corporate Law Hurdles

12.06.2016

Whistleblowers on Campus: DOJ Adds Research Universities to its False Claims Act Focus

07.18.2016

Collaboration Key to Combating Cyber Threats: Federal Government Issues Final Guidance Clarifying Liability Protection for Private Entities that Share Cybersecurity Information

06.02.2016

Share What You Know: Liability Protection for Private Entities that Share Cybersecurity Information Pursuant to Federal Guidelines

05.03.2016

Avoiding a Messy Break-Up: How a Firm's Investigation Can Deflect a Financial Advisor's Form U-5 Defamation Claim

02.01.2016

In *Flannery v. SEC*, First Circuit Rebukes Commission, Signals Departure from Deferential Review

01.05.2016

New Federal Law Protects Companies that Share Cyber Threat Information

12.16.2015

Flawed Auctions and Buy-Side Conflicts: Financial Advisor Liability for Aiding and Abetting Breach of the Duty of Care in *RBC Capital Markets v. Jervis*

01.01.2014

Including the Frozen Heir: Expanding the Florida Probate Code to include Posthumously Conceived Children's Inheritance Rights

DOJ Launches Corporate Whistleblower Awards Pilot Program

ACC Tampa Bay

News

02.16.2024

Carlton Fields Shareholder Class Featured in Law360: "Carlton Fields Taps 12 for Shareholder Roles Across 7 Offices"

11.18.2022

Editor's Notebook: COVID Relief Fraud is Spiking in Tampa Bay, and Other Readouts on Business Lawyers' Radar

10.29.2021

Carlton Fields Attorneys Discuss DOJ's New Enforcement Team

01.05.2021

Government Enforcement Agencies Increasing Focus on Telehealth Fraud

07.07.2020

Doctors Cashing Telehealth Paychecks Run Fraud Risk After Virus

06.15.2020

Relaxing Telehealth Regulations Does Not Mean Relaxing Fraud Enforcement

03.08.2018

Key Issues and Best Practices for Corporate Internal Investigations

03.08.2018

Adam Schwartz and Erin Hoyle Author Article in Trial Advocate Quarterly on Corporate Internal Investigations

01.25.2018

Carlton Fields Wins Appeals Court Victory in False Claims Act Case

01.24.2018

11th Circ. Won't Revive \$320M Fla. Hospice FCA Case

Recognition

- *The Best Lawyers in America: Ones to Watch*, Commercial Litigation, Criminal Defense: White-Collar, Health Care Law, Litigation – Securities, Technology Law (2021–2025)

Professional & Community Involvement

- Women's White Collar Defense Association
 - Young Professionals Committee
 - Rankings and Endorsements Committee
- National Association of Criminal Defense Lawyers
- Tampa Connection
 - Director (2021–2024)
- Teen Court Judge, Thirteenth Judicial Circuit Juvenile Diversion Program

Speaking Engagements

- "A Practical Guide to Implementing Corporate AI Policies: Navigating Risk Mitigation, Stakeholder Buy-In, and Technical and Ethical Considerations," Association of Corporate Counsel, Tampa Bay Chapter, Tampa, FL (May 16, 2024)
- "When the Government Comes Knocking: Managing Investigations of Senior Executives, Protecting Privilege, and Navigating Ethical Dilemmas," Association of Corporate Counsel CLO/GC Corporate Counsel Joint Symposium, Orlando, FL (November 3, 2023)
- "Internal Investigations and the Attorney Client Privilege," Client Presentation (March 7, 2023)
- "The Essentials of Preserving Attorney-Client Privilege," Federal Bar Association (November 23, 2022)
- "Attorney-Client Privilege & Work Product Doctrine for In-House Counsel," Association of Corporate Counsel, Tampa Bay Chapter, Longboat Key, FL (August 2022)
- "Attorney-Client Privilege & Work Product Doctrine for In-House Counsel," Federal Bar Association (October 20, 2021)
- "A Day at the Beach? Preventing and Defending False Claims Act Complaints Through Compliance," Association of Corporate Counsel, Tampa Bay Chapter, Longboat Key, FL (August 2021)
- "Attorney-Client Privilege & Work Product Doctrine for In-House Counsel," Client Presentation (June 29, 2021)
- "When the Government Comes Knocking," Client Presentation (March 4, 2021)
- "Maintaining Privilege: A Refresher on Attorney-Client Privilege for the Remote Work Environment," Association of Corporate Counsel, Tampa Bay Chapter, St. Petersburg, FL (November 2020)
- "Legal Considerations and Response to an Information Security Incident," 2019 Cyber Security Symposium, Tampa, FL (October 2019)

- “Advising Boards & Management: Ethical Rules & Professional Liability Risks of Corporate Counsel on Advancement and Indemnification,” Association of Corporate Counsel, Tampa Bay Chapter, St. Petersburg, FL (May 2019)
- “Best Practices for Effective Compliance Programs,” Association of Corporate Counsel, Tampa Bay Chapter, Longboat Key, FL (November 2018)
- “Avoiding Broken Glass: When the Government Comes Knocking,” Association of Corporate Counsel, West Central Florida Chapter, St. Petersburg, FL (April 2018)
- “Painting a Compliance Picture in a False Claims Landscape,” Association of Corporate Counsel, West Central Florida Chapter, St. Petersburg, FL (May 2017)

Credentials

Education

- Stetson University College of Law (J.D., 2015)
 - Editor in Chief, *Stetson Law Review*
- George Washington University (M.A., 2005)
- Florida State University (B.A., 2003)

Court Admissions

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida

Bar Admissions

- Florida

Background

- Independent Consultant, St. Petersburg, FL (2011–2012)
- Florida State University Foundation, Tallahassee, FL
 - Interim Chief of Staff (2011)
 - Director of Research and Prospect Management (2008–2011)
 - Director of Research (2007–2008)
 - Senior Research Analyst (2007)
 - Research Analyst (2005–2007)