

Thomas F. Carlucci

Partner

tcarlucci@foley.com

San Francisco
415.984.9824



Thomas F. Carlucci is a seasoned trial lawyer, trying more than 50 civil and criminal cases over the past 30 years at the federal and state levels. As managing partner of the firm's San Francisco office, Tom has extensive experience representing corporations, organizations, and individuals in white-collar matters, with a focus on False Claims Act (FCA), Antitrust & Competition, Tax, the Foreign Corrupt Practice Act (FCPA), and other government enforcement related actions.

Tom routinely handles civil and criminal matters that are high-stakes and complex in nature, including serving as lead lawyer for Major League Baseball during the steroids investigation and recently avoiding indictment for a CEO in a criminal antitrust matter related to no-poach agreements. He is highly experienced in civil and criminal tax litigation, recently representing a party in a sealed crypto-related tax grand jury investigation that was argued before the United States Supreme Court. Tom is also handling multiple investigations before the CFTC, SEC, and USAO-SDNY for a foreign company involved in the blockchain/cryptocurrency space.

Tom draws on his 13 years as a federal prosecutor to effectively represent clients facing investigations or trial involving government agencies. He served as an Assistant U.S. Attorney in San Francisco, California, and prior to that, as a trial attorney with the U.S. Department of Justice Tax Division in their Honors' Program. During his tenure at the U.S. Attorney's Office, he received the Attorney's General's John Marshall award, which is the Department of Justice's highest award for litigation.

Tom is former chair of the firm's White-Collar Defense and Corporate Compliance & Enforcement Practice and a member of the Government Enforcement Defense & Investigations and Health Care Practices and the Health Care Life Sciences Sector.

Representative Experience

- Represented multiple medical device companies in conducting international internal investigations regarding alleged FCPA violations.

- Conducted an internal investigation for a pharmaceutical company regarding off-label marketing, anti-kickback and other potential health care fraud issues.
- Represented medical practice in False Claims Act matter involving allegedly anti-kickback violations.
- Represented national medical provider in False Claims Act relating to lab overbilling, upcoding and anti-kickback violations.
- Represented medical device manufacturer in False Claims Act matter relating to anti-kick back violations.
- Represented individual indicted for alleged theft of trade secrets in gaming industry.
- Represented several senior executives in cross-border criminal antitrust investigations.
- Represented individuals indicted for mail, tax, securities, and immigration fraud.

Awards and Recognition

- Northern California Super Lawyers (2023)
- *Chambers USA*, White Collar Crime & Investigations (2015-2024)
- *The Best Lawyers in America*®, Criminal Defense: White-Collar (2010-2024)

Presentations and Publications

- Moderator, ABA panel for Criminal Antitrust Enforcement in Miami (2023)
- Speaker, USC Tax Conference on representation of client in sealed Supreme Court grand jury investigation involving a cryptocurrency-related tax matter (2023)

Sectors

- [Health Care & Life Sciences](#)
- [Medical Devices](#)
- [Racial Justice & Equity](#)

Practice Areas

- [Antitrust & Competition](#)
- [False Claims Act](#)
- [Government Enforcement Defense & Investigations](#)
- [International Government Enforcement Defense & Investigations](#)
- [Litigation](#)
- [Tax Controversy](#)

Education

- California Western School of Law (J.D.)
- UMass Boston (B.A.)

Admissions

- California



FOLEY & LARDNER LLP

- Nevada
- District of Columbia