



Fox Rothschild Podcast

The Presumption of Innocence

Episode 37: Vintage or Trendsetting? The SDNY's Whistleblower Pilot Program

Featuring Matt Adams and Andrew Bernstein of Fox Rothschild

Adams: Hi everyone and welcome to "The Presumption of Innocence," a podcast brought to you by the White-Collar Criminal Defense and Regulatory Compliance Practice at Fox Rothschild. I'm your host, Matt Adams. I'm a partner in the practice and one of the practice's co-chairs.

And today I have the good fortune of being joined by Andrew Bernstein. Andrew recently joined us here at the firm. He joins us in the litigation practice and is a trial and investigations lawyer whose practice focuses on white-collar criminal defense, government and corporate investigations, enforcement actions and regulatory compliance. Andrew also represents licensed professionals in misconduct and disciplinary proceedings.

Andrew, welcome to the program. It's so great to have you and it's also just great to have you here at the firm, expanding our knowledge base and our depth of our bench in the critical New York market. So, welcome.

Bernstein: Thanks, Matt. I appreciate being on the show today, and more importantly, becoming a partner here at Fox.

Adams: So, I want to focus on something in particular that's going on in New York, particular in the Southern District of New York. And that is the SDNY's Whistleblower Pilot Program. And like anything, "pilot program" sort of connotes that there's a test run being taken on this particular program. And, you know, to do that in the busiest district in the United States is quite the feat. Any understanding as to why this -- before we get into the nuts and bolts of it -- why this pilot program came to the Southern District in particular?

Bernstein: You know, I think they chose the Southern District for a few reasons. I think more than anything, DOJ wanted to say to businesses across the country, across the globe, that this is a serious program, that we want people to come forward. And doing it in the Southern District, of New York, on the biggest stage, makes an impact.

You know, they say over and over that Manhattan, particularly in New York City, is the business capital of the world. So, if you're going to roll out a program, where you want to be friendly to business, friendly to international business, and say, trust us, the government come forward, I think they chose, you know, they're backing up their words. New York is the business capital of the world.

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The SDNY is the biggest stage. And you know, final part of that is, I think we hear all the time, the Southern District of New York, it is a particular district where I think main Justice is willing to give the leaders a little more leeway. So, I think all those reasons made the SDNY, in my opinion, sort of the no-brainer district to roll this out in.

Adams: Yeah. I mean, when you think about beta testing, you know, you usually use a small population. In this point, they went all in. But this is not really new to the Department of Justice to be trying their hand at encouraging whistleblowers to come forward, encouraging corporate executives to sort of internally ferret out wrongdoing within their organizations and bring it forward to the government, is it?

Bernstein: No. In some respects, there's nothing new about this, except they've sort of codified, if you will, some previous policies and codified some expected outcomes.

You know, this happened in late 2023, early 2024. Even the government is into branding. So you're taking an old product, if you will, putting a nice name on it, getting it out there, doing the Lisa Monaco announcement. It got things into the stratosphere and I think it accomplished what they wanted to do. Corporations are talking to their counsel saying, hey, what's this all about? My answer is, it's an option that's always been there, but now it's an option a company's a little more familiar with.

Adams: Yeah, it's really formalized. And if you go to the Southern District's website, there's even an intake form with directions on how to take the intake form and email it to a separate account.

But before we get to that mechanical way that the whistleblower program actually works -- isn't this the same policy that's really been kicking around since the Yates Memo in 2008 of principles of corporate prosecutions? Isn't this just a update to that same policy that Department of Justice has been sort of beating a drum on or shouting from the rooftops for years now?

Bernstein: It is. I think, despite that shouting from the rooftops and beating on drums, I'm not so sure the government thinks that enough corporations are coming forward. And when I say that, I think they mean they want more corporate help. Cooperation is the bread and butter of federal prosecutions, and, you know, I think from a societal aspect, we all want good citizen corporations. So, like I said earlier, I think this is the branding. I think this is the continuing to louden that screaming from the rooftops. They continue to bang the drums, if you will.

Adams: But taking the devil's advocate approach, as I often like to, is this asking us to do the department's job for them?

Bernstein: Well, I go back to my previous answer. Nothing new. You know, they've always long asked the corporate world, the private defense bar, to do their job. I don't mean that in some negative sense, necessarily, in that they're lazy -- I mean, the Southern District is a very active prosecutorial body -- but this is their way of saying, you know what? We want to solve crimes. We want to have good-acting corporations. And you want to, you know, get out unscathed. You don't



want your company going down. You don't want your executives going to jail. So, here is a way to do it.

But, you know, anytime you have cooperation, you become team government, yes, you are doing the government's job, or maybe you're assisting in them, but that is what they are asking.

Adams: Yeah. And nonetheless, even if I take that sort of devil's advocate approach for a moment, they have extended a fairly significant olive branch, a fairly significant carrot in this entire policy, and they have been doing so for years. And that really comes in the form of cooperation credit. And so, why don't we dig into this SDNY Pilot Program and talk a little bit about it mechanically. First and foremost, who is it for?

Bernstein: So it is for corporations, individuals at corporations. There are some exclusions, however, I'm going to talk to you later about the exclusions. The exclusions are the exceptions, rather.

So, internal investigation discovers company has done something, or they should have done something. Company, you know, is brought into a lawsuit, whatever. They discover some misconduct and this is telling the company they should come forward. It's also incentivizing individuals in a corporation coming forward. It specifically says that CEOs and other elected officials are excluded from the discounts or coming forward. I will tell you my own experience where I think that has not played out that way, and that's good news for our clients.

But that's their target audience. You are a corporation and you have discovered something wrong, or some sort of malfeasance or misconduct and -- sort of the big and there -- is perhaps it wasn't going to come to light otherwise.

Adams: What's that incentive Andrew? They're not going to get people to participate in this without giving them something of substance. What's the quid pro quo for the information that you provide through this pilot program to the SDNY?

Bernstein: So, anytime you cooperate pre-enforcement action, pre-arrest, genesis of investigation, you know, the Holy Grail is you're not charged. But what they're laying out here is, if you're a corporation and you come forward and you meet certain guidelines, you can get what's known as a DPA, a Decline to Prosecute Agreement, or potentially even an NDA where there is no prosecution whatsoever. So, the Decline to Prosecute: companies actually charge or individual is charged and they eventually declined to prosecute, which means fancy term for they dismissed the case.

The NPA -- I think I called it an NDA earlier -- the NPA, the Non-Prosecutorial Agreement, which really is the Holy Grail, is a promise from the government that you're not going to be prosecuted at all. There are other metrics or other frameworks laid out where you can get certain discounts or reductions in sentencing guidelines and things like that. But that's really the main incentive, that that's the real stick they're holding out -- the real carrot, rather, that they are holding out.



Adams: You mentioned a few minutes ago that there were some exceptions. What are they? When will an individual or entity that's coming forward to make a self-disclosure through this SDNY Whistleblower Pilot Program be sort of pushed away and said, no, you're not getting the carrot?

Bernstein: So, if you're an individual and you're coming forward, the very first thing you have to first check on anything is that you're being honest. From there, they have categories of behaviors that you can't engage in. So, for example, you can't engage in any criminal conduct that involves physical force or harm, aiding terrorism, any sort of national security defense and any force or coercion of a minor. If you engage in that type of act, you're not going to be eligible.

Additionally, you cannot have a prior conviction for fraud or dishonesty. I think they were smart about that last part in that, you know, if you are a high-ranking company official and you unfortunately had a DWI or, you know, you got into a fight years ago, that's not necessarily going to exclude you. So, I think they're very clear that the prior felony conviction for fraud or dishonesty. If you are an elected or appointed federal or local official, you're also excluded from this, which I think makes sense.

Generally they say that, if you are the CEO, CFO, if you're a C-suite officer, you are also excluded from this because essentially, you know, you're ratting on yourself when you are potentially the person who sanctioned the conduct or the buck stops there.

That is what they say. Again, I can give you an example where I think that there is some leeway. In fact, they even say that individuals we just mentioned that are ineligible, there is a sort of catch-all that says if there is ... I think the language is something like, they have the discretion to offer a Non-Prosecution Agreement to those individuals if it's in the public interest. So, if you're the CEO, or yes, you have a previous fraud conviction, if we think it's in the public interest to do this we can offer you a DPA.

Adams: It's fairly fascinating. Let's try to take a look at those conditions of eligibility a little bit more. Obviously, like most programs, this can't be a subsequent disclosure to the government. They can't know about this already. It's got to be something that's being revealed to the government for the first time.

But those categories of individuals that are accepted and then maybe consumed by the catch-all that allows the public interest to be furthered if relaxing one of those categories of individuals is beneficial to society at large. Why do you think that they have framed it with those types of limitations? Why do you think that public officials are not eligible? Why do you think that generally -- again, before you look to the exception to the exception -- the C-suite is not eligible. Why would that be?

Bernstein: Well, I think the not allowing the program to apply to public officials, I think that makes the most common sense in that, look, you are part of the government. You should be behaving in a manner where it's consistent with your, you know, either elected duties or employment with the



government. And, you know, you have other reporting duties, you should be required to turn those things in. So I think that makes sense.

The C-suite part of it: I think we can go back and forth whether it makes sense, right? I think they probably made the decision -- in my opinion, they made the decision that the public is sick and tired of hearing about CEOs getting, you know, \$50 million bonuses every year and their companies doing misconduct. So, I think unfortunately there may have been a public policy or thinking that we want to exclude the C-suite because of what the general public thinks.

On the other hand of that, I also think that, as I said earlier, if you are the CEO, you know, if you're the head official, what you're turning in is probably something you could have stopped. Now, I think there's an argument to say, CEOs are not all-seeing, all-knowing, and they should be encouraged to turn in misconduct when it gets to them. But I think, I think that's the general reason. I think the government officials make sort of common sense. The CEO, CFO rebel, I think is more optics, if you will, but I think there's some problems with that.

Adams: Is this a program geared at folks that may have exposure and are looking to maybe help themselves? Or is this a program for do-gooders, for people that are altruistic and want to clear the organization of wrongdoing?

Bernstein: So, because there is no financial incentive -- which I guess would make you not altruistic in the first place -- but, answer that directly, no, I think this is not a program for the altruistic. I do not think this is a program that screams out to the whistleblower who wants to stop sludge in the river that they found out about from their company. And the reason I say that is, I'm not so sure that a person with zero culpability gets anything out of this other than their company might get to you know, continue to live on. I think it is geared towards individuals with culpability. Because the carrot that they're laying out is that if you come forward, if you meet the obligations here, you will either get an NPA or DPA, or if we have to charge you, there'll be a reduction in your sentence.

So this is a program squarely aimed at, I don't want to say the bad actors, but people with culpability.

Adams: Mechanically, how does one avail themselves of this particular pilot program in the SDNY?

Bernstein: So if you ask the SDNY they say, you know, we have this beautiful form on our website. You fill it out and you send it in.

I'll take a step back and say, the first thing is, you know, if you're an individual that is aware of information that has not been disclosed, or not known to the Southern District of New York, if that information is not something that you're under a requirement to turn over -- you know, if you're a broker dealer and you're regulated by the SEC, certain reporting requirements, many examples of that. But if you're an individual that's got information not known to the SDNY, not under a duty to report it, the very first thing you do is you speak to a lawyer. From there, if you are the lawyer, if you're the counsel dealing with this, my first move is not to fill out that form and send it in.



Hopefully, you have contacted counsel that practices in the Southern District on a regular basis, has relationships with that office. My first move is to reach out to an AUSA. You know, we can't necessarily AUSA shop or judge shop, but you can reach out to an AUSA. They're in a unit that this makes sense for, right? You're not going to, uh, general street crimes because you like the guy there. You're going to someone in either a white-collar unit or international, trans international money laundering unit. And you're saying, hey, I have a client that wants to make a disclosure. And from there, they'll either say, fill out the form or they'll say, let's, let's have a conversation. That's how the ball gets rolling.

Adams: When I look at this intake form, right, and it's found right on the SDNY's website -- and I'm probably not going to make a lot of friends in the SDNY saying this, but I'll go one step further -- I think it would be insane for an individual to actually fill out this form and email it as suggested on the SDNY's website.

It starts out by saying, quote, "individuals, including through counsel, seeking to be considered for the SDNY Whistleblower Pilot Program may use this form to begin the process of disclosing criminal misconduct. Please note, this SDNY Whistleblower Program and this intake form are for individuals who are disclosing misconduct in which they had some involvement."

So they're right off the bat telling you, we know you probably did something wrong, but if you want to come clean, put it on this form and maybe, just maybe, we'll give you a credit for coming clean. Which I just find remarkable, but it even gets worse. You go down, it tells you to put your name and then it has "name of counsel if applicable."

And there's a footnote. And the footnote says, "individuals reporting misconduct through this Pilot Program are not required to do so through counsel." Well, for our listeners in the audience, if you need to make a disclosure about misconduct and you believe that you may have some culpability for that, doing so without the advice of counsel and without a skilled criminal defense lawyer guiding you through that and simply putting it on this form is -- I don't know, Andrew, give me an adjective. I'm at a loss for words. I already called it insane. What else would you say?

Bernstein: You know, I think the legal term that comes to mind is bananas.

Adams: Yeah.

Bernstein: I mean, you know, nuts.

Look, I think ... Well, I'll, I'll go as you said earlier, I'll go one step further. I think anytime you're speaking to the government -- forget misconduct. If you're going to the government because you're a witness of something, you need to get counsel, because, lying to the federal government is a crime.

Adams: 1001.

Bernstein: You know, people are going to say, but I'm not going to do that. Well, fine. If you're going to talk about anything, and all of a sudden, they start asking you about your tax return a



couple of years ago, or, you know, what you did on the way into the office today, you don't want to be in that spot.

So, if you're talking to the government about anything, you think you're the most innocent person in the world, you need competent counsel. You need someone who can advise you properly. There's no other way around that.

Look, I will give my colleagues, or folks I know at the Southern District, some credit in that I think the misguided reason for that form and that language is they want to open the doors to this program to everybody, not the individuals that can run out and hire a white-collar lawyer right off the bat. This is for, you know, the wage worker or the person making \$35,000 a year who can't fathom hiring counsel. I think the intent was that we're welcoming anyone to make disclosure.

Now, that doesn't change the fact I think the form is nuts and is troublesome to me. But I think that was the misguided theory, is that we want this to be a program that encourages someone who says I could never hire a lawyer to come on it.

Adams: And just for our audience, so it's clear, this form is by no means mandatory to participate in that program. That's not how you go about identifying yourself for the first time. It's not that you have to use the form, right?

Bernstein: No. You know, again, everyone has a different approach. I'm pretty adamant about mine, but my approach is reaching out to someone, trying to figure out the right AUSA to go to, and say, hey, I'm aware of the form as you know. I, you know, here's some limitations it has. Here's some concerns I have. We want to get to you, Mr. and Ms. Prosecutor, today, Mr. and Ms. AUSA. We want to start the ball rolling. And I have never had a prosecutor say to me, fill out that form.

Adams: There's a type of speak that we do as lawyers -- criminal defense lawyers in particular when we speak to a prosecutor -- where we can convey the message that we are trying to convey -- and usually it's in the form of hypotheticals -- that we may have information, but that we'll need assurances before we convey that information. And we can even convey that information skillfully in a way that allows the government to assess the quality of that information before we actually show all of our cards. Is that your experience?

Bernstein: Yes, that is, that is my experience and that is why I have made up my own mind that reaching out to the government the way I do is probably the right way to do it.

Adams: So for all of our listeners out there that may be considering participating in this program, we caution you: please, do not fill out this form on your own. Despite what you may read on the internet, this is a bit of a landmine, and certainly, we really strongly encourage you to reach out to competent criminal defense counsel if you find yourself in a position of wanting to avail yourself of a program like this.

Andrew, what's your experience been with the program to date? It's really of recent vintage. It was rolled out earlier this year. Some tweaks have been made along the way. I think the policy itself



became effective in early February. And here we are a couple months in. What's your experience been like navigating the formalization of what has been a DOJ policy kicking around for a while, so something you're familiar with from your years of experience and practice, but what's that experience been like in the SDNY, particularly as it relates to this pilot program?

Bernstein: Sure. So, as we talked about earlier, some of this is, you know, just the same old, same old. I will say bringing a client in now or making a disclosure now feels a little bit differently, twofold. One, it's a little -- despite what we just said about not filling out the form and again, we can't say that enough -- it feels a little formulaic in the beginning. But it also gives you, the defense attorney, the ability to say, hey, this is what you want. The world is watching and so we're coming in under this program and we all want it to be a success.

So, prior to this program, a quite frequent part of my practice making a voluntary self-disclosure. Maybe we wouldn't call it that in the past necessarily. Since the program has taken place, I can say -- and look, I have colleagues that might give you a different opinion, but my experience has been very positive. And I say that because a constant conversation I've had in an active matter at the moment is, we came forward, we came forward early enough. This was not going to get on your radar. And, you know, we've followed everything the DOJ has said. You know, I've sort of noted to them look, you're advertising this, if you will, and you want to be a success. And in fact, in my situation, which you can't really get into too much, you government want this to be a success to say to others in a particular industry to come forward.

And I think, you know, those are arguments we've always had. But now, when you say it, you know, there's some buy-in from the line AUSA that yeah, we all want to make this a success. So, my early experience is that it's been positive and I have a feeling that U.S. Attorney's Office, Southern District of New York, they want this to work. And so, I think that plays a big role. So, so far so good. We'll see how it goes. But, early returns, I think, are positive.

Adams: Do you expect the Southern District of New York to publicly release statistics surrounding at least the numbers, the quantities, of deferred prosecution agreements and non-prosecution agreements that they enter into as a byproduct of this program?

Bernstein: So, I will say this to start, the name escapes me at the moment, but they did release some information on one or two companies already, and name them. And I think that was sort of unavoidable anyhow. Do I think they want to release those statistics? Yes, I do. Do I think they will? I do. You know, I wonder if main Justice will have some conversation about, you know, was this actually a voluntary self-disclosure under our program or not? I'm not going to accuse them of manipulating statistics, but I think that's perhaps the internal conversation to have. But, yes, I expect in some form or fashion, we'll get some information.

You know, if the numbers are low, it'll be interesting how they deal with it. But I think there's nothing they want more than to say, 1000 individuals came forward. The individual came forward. Here's the company. Here's what happened. Because at the end of the day, they want to be able to get back on their marketing program here and say, these bad actors, or these folks who engage in misconduct



and these folks who are aware, they came forward and look at this count. So you all should do the same.

Adams: You just struck a chord with me because I was thinking that this really just seems like a marketing program. It seems like a marketing program for an old product that us defense lawyers are used to trying to negotiate. But they are really out there telling us come, forward. And it's good in a way, because it means that we can point to this in our negotiations with the government and say, hey, you asked for it and I'm willing to give it to you. But, you know. It's not going to be free.

And I think it's the same conversation we've been having for decades as defense lawyers and in these white-collar cases, but it's with a new spin on it and a new marketing that may very well be to our benefit because we might be able to use it more frequently. And we might be able to jettison prosecutors into that line of thinking under circumstances that they might not previously.

Bernstein: You know, if you videotaped me or recorded me years ago making my pitch when a company comes forward, and then you record me next month, making a voluntary self-disclosure under the plan, my arguments will be exactly the same, except now I'll say, but, hey, we followed the plan.

We made a disclosure and you want it work and we all want it work. And guess what? My client should get credit because you know, when you run out the statistics, or you announce this, other companies will come forward and want to do the same thing.

So that's the same argument I made before that, oh, when this comes out, companies will want to do the same thing. But now we're pushing the, hey, you can tout your program and people are going to come forward, so.

Adams: Same old party, but this time we got invited. We didn't have to kick our way through the door.

One final question on the SDNY's Pilot Program before we wrap up today. What do you expect about this program taking hold in other districts outside of the Southern District of New York? They call it a pilot program, which seems to suggest some coordinated effort to examine the results of what they're doing with this marketing plan surrounding whistleblower protections.

Bernstein: So, it's supposed to be a three-year pilot program. And I can imagine the general public saying, wow, that's one heck of a pilot program, three years. Those of us and the clients who cooperate realize that three years may not be enough time to conclude investigation, may not be enough time to cooperate. So, I think that the timing mechanism is such that they'll get some sample size here. And I think there is a desire for it to be successful and if it works in the Southern District, I expect it to be rolled out in other districts.

There is an argument to be made that New York is unique and it may not play everywhere, but my honest thinking is, if people are coming forward and the government's happy about it, and our clients are getting good results, then it will be popular and I think it will roll out.



And maybe not taking the devil's advocate position, but just to say this: if I'm representing a client in another jurisdiction and I feel that my client's not getting the same benefits, I'd say, look, you're not the Jets and the Giants. You're the same organization. You're the DOJ. One company went to the SDNY, is getting X and Y benefits. Shouldn't I be getting that? And I promise you those AUSA's are getting those arguments and main justice is considering it. So, again, I think it will be rolled out across multi districts. And even if it's not rolled out, we on the defense bar will sort of force its roll out if you will.

Adams: Yeah, I, I think it's an imperative from Congress because the 3353 factors of which we all beat the drum to on sentencing suggest uniformity between all the districts. And not just suggest, they mandate it. So, it is something I think that we as the defense bar will grab a hold of. And there is a persuasive argument to be made in other districts that something similar should be going on.

Bernstein: I just want to say this to the listener, you know, we talk about the program, we talk about following its requirements. You know, it sounds kind of rigid. Obviously, we've dispensed with the form. The other thing about this that makes it maybe not so rigid, or is an invitation for quality white-collar counsel to get creative, is, you know, this notion of, okay, you have all these exclusions, but you know, we'll look at interest of justice who it applies to.

I had a situation where -- for various reasons, I can't get into -- a company went from having multiple directors to having one director. And the director came forward. And we understand that, you know, usually it's not supposed to work that way. But we've explained, you know, uniquely, or the sort of role reversal. And in my situation, we're expecting that the individual will hopefully get a non-proce or decline to proce, and the company will take a plea and avail itself. So, I give that example to say, number one, this rigid program, if you will, isn't so rigid because of the catch-all of interest of justice. And number two, like anything that happens in the federal system, it is an invitation for you, the criminal defense attorney, to get creative, to be unique, to tell your story, to get them to say, that's your policy and you can actually follow it by doing this thing, or you can follow the spirit of it. So, that's just my own two cents. And you can sense my excitement there, I hope, because anytime we, as defense attorneys, have an opportunity to be creative: sentencing memos, trials turning programs from DOJ up on their head, I think, you know, we should be taking them and we should be excited about it.

Adams: And that is why we practice this area of law and don't answer interrogatories and take depositions all day like our civil counterparts. In the waning moments of our discussion, Andrew, I did mention at the outset that you're new to the firm. I wanted to give you a few minutes to talk a little bit about your background, your experience and describe for our listeners the nature of your practice now that you've joined Fox Rothschild in our New York office.

Bernstein: Thanks, I appreciate that. I am a white-collar criminal defense attorney. I often put the emphasis on criminal. My bread and butter is representing individuals and corporations under investigation by the DOJ, attorney generals across the country, state and local law enforcement. Really, anytime there is an accusation that someone has done something wrong and it could be criminal, I can get involved. That's led me to my parallel investigation practice.



So, I am involved in matters where the SEC is looking at individuals, IRS, IRS CID. My clientele is oftentimes individuals, which I very much enjoy. On the other hand, I have a fair amount of corporations that I represent.

Like a lot of defense attorneys, I view myself as a real criminal defense attorney. I can represent clients in any sector across the world. With that being said, oftentimes my clientele is in the financial sector, in the life science, medical sector, doctors, pharmacies, pharmaceutical companies, medical supply companies and every sort of actor on the financial side.

I very much enjoy what I do. I got to the white-collar world in a little bit of unique path. I am a former and -- proud former -- New York City public defender. I was in Manhattan for four years. Murders, rapes, robberies, street crime, you name it. Tried a lot of cases, had a lot of fun. And so that was my background, I was able to get the trial skills, the litigation skills that often take some folks 20, 30 years or never at all, and was able to parlay that into going into private practice.

White-collar is fascinating. It is, in my opinion, the most fun law one can practice, but it's not easy. So, I took a few years to rehaul my practice, associated myself with some great white-collar lawyers. Had the good fortune of moving up to an Am Law 200 firm, and now I've had the very good fortune of joining Fox Rothschild, one of the top Am Law 100 firm.

We have a fantastic white-collar group. You know, yourself, your co-chair and a lot of the other folks in this group are the reason that I joined Fox. I want my clients to have a strong bench of quality lawyers. And, you know, as I always say, I hope you don't need me. I hope you don't need us, but, you know, if the government's calling in any way, shape or form, please call us. Because life gets very difficult when the government calls, but you can get through it. You can fight them and you can have peace of mind and, all the things you need for that battle.

Adams: Well, great Andrew, you're a wonderful addition to the firm and we're so happy to have you.

That is all the time we have on this episode, but we will see you next time on "The Presumption of Innocence." I'm your host. Matt Adams. Take care.