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ABOUT US

DAVID J. STETLER

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David J. Stetler is a founding principal of Stetler & Duffy, Ltd. His practice is primarily concentrated in the defense of complex civil and administrative matters and white collar prosecutions and investigations, including health care, antitrust, securities, and tax matters. He handles all aspects of federal criminal prosecutions through the investigative, administrative, prosecutive, and appellate stages. Mr. Stetler also has extensive experience representing corporations with agents and employees who have been implicated in misconduct. This experience includes conducting internal corporate investigations, both prior to and following commencement of governmental investigations. Finally, Mr. Stetler's practice includes the representation of civil litigants in complex financial lawsuits and civil RICO matters, as well as clients subject to federal administrative and regulatory audits and investigations.

From late 1988 until early 1998, Mr. Stetler was a partner in the Litigation Department in the Chicago office of international law firm McDermott, Will & Emery. For the prior nine years, he served in the United States Attorney's Office for the Northern District of Illinois. As an Assistant U.S. Attorney, he investigated and prosecuted complex financial crimes and public corruption cases. He was appointed Deputy Chief of the Special Prosecutions Division and later, Chief of the Criminal Receiving and Appellate Division, where he supervised 25 federal prosecutors and was responsible for all criminal appeals from the U.S. District Court for the Northern District of Illinois to the U.S. Court of Appeals for the 7th Circuit.

Mr. Stetler has extensive federal trial experience in both jury and non-jury cases. He is a Fellow of the American College of Trial Lawyers, and a Fellow of the American Bar Foundation. He has taught trial practice for the U.S. Attorney General's Advocacy Institute and at John Marshall Law School, and he is a frequent speaker on white collar topics.

Mr. Stetler is a member of the bars of the State of Illinois, the U.S. District Court for the Northern District of Illinois (general and trial bars), U.S. Court of Appeals (Seventh, Third and Eighth Circuits), and the Supreme Court of the United States. Mr. Stetler received his undergraduate (1971) and law (1974) degrees from Villanova University. He is currently ranked as one of the top lawyers in the field of Litigation: White-Collar & Government Investigations, according to [Chambers and Partners](#).

TRIAL EXPERIENCE

Since entering private practice, Dave has defended numerous individuals throughout the course of state and federal investigations, civil and criminal jury trials, and appeals. While an Assistant United States Attorney, he tried approximately 35 federal criminal jury trials, with primary emphasis on complex mail and tax fraud prosecutions, and several high profile public corruption trials. He has also tried many jury trials since entering private practice, including:

Health Care Fraud

United States v. Alan MacKenzie, et al. (D. Mass.). Mr. Stetler defended the lead defendant in this prosecution of 12 present and former pharmaceutical company executives charged with conspiracy to defraud the Medicare system and to violate the Prescription Drug Marketing Act and the federal anti-kickback statute. The defendants' employer had pleaded guilty and paid \$885 million to settle civil and criminal allegations. Following a three month jury trial in federal district court in Boston, all 11 defendants who went to trial were found not guilty.

United States v. Thomas Bartels, et al. (S.D. Ill.). Dave successfully defended one of four Blue Cross/Blue Shield of Illinois executives charged with defrauding Medicare and various related offenses. Blue Cross/Blue Shield had pleaded guilty and paid \$144 million in civil damages and criminal penalties. All four defendants who elected to stand trial were acquitted following a three month jury trial.

Financial Cases

Claris, et al. v. Americair, et al. (Orange Co., CA). This civil franchise dispute resulted in 6 month jury trial in Orange County California. Our clients were sued for approximately \$25 million, but were found not liable and were awarded in excess of \$2 million on their claims.

United States v. Robert Bailin, et al. (N.D.Ill.). Successful defense of a commodities futures trader charged with mail fraud and Commodities Exchange Act violations. This 6-month jury trial was the result of an extensive FBI undercover operation where agents posed as traders in the currency futures trading pits at the Chicago Mercantile Exchange.

United States v. Alex Stamatakis (N.D.Ind.). Dave's client was a businessman charged with conspiring to defraud the Internal Revenue Service and tax evasion through the payment of millions of dollars in insurance premiums to a captive off-shore insurance company. Following a three week jury trial, Mr. Stamatakis was found not guilty on all counts.

Public Corruption

United States v. Rafael Frias (N.D.Ill.). Dave successfully defended a Chicago Alderman charged with extortion and making false statements to FBI agents following a highly publicized government "sting" operation. Mr. Frias remains the only Chicago Alderman ever fully acquitted by a jury of public corruption charges.

APPELLATE EXPERIENCE

David Stetler has briefed and argued dozens of appeals, including the successful appeal from the district court of the conviction of Chicago's former City Treasurer. *United States v. Miriam Santos*, 201 F.3d 953 (7th Cir. 2000).

David Stetler has personally briefed and argued over 20 appeals before the United States Court of Appeals for the Seventh Circuit. Mr. Stetler has also argued appeals before the Third and Eighth Circuits. The Eighth Circuit case is *In re Lull Corporation v. Stamatakis Industries, Inc.*, 52 F.3d 787 (8th Cir. 1995), where he obtained reversal of a summary judgment in a multimillion dollar fraudulent transfer action brought by a trustee in bankruptcy. At the subsequent jury trial, the District Court in Minneapolis directed a verdict in favor of his client.

As Chief of the Criminal Receiving & Appellate Division in the Chicago U.S. Attorney's Office, Mr. Stetler was responsible for all criminal appeals, and he personally edited approximately 25 appellate briefs each year.

PROFESSIONAL ACTIVITIES AND ACHIEVEMENTS

Fellow, American Bar Foundation

Fellow, American College of Trial Lawyers

Frequent speaker at various bar and industry-related programs and events

Frequent past lecturer, Attorney General's Trial Advocacy Institute, Washington, D.C., the FBI Academy in Quantico, Virginia, and at numerous Department of Justice seminars and programs

Director's Award for Superior Performance, Department of Justice, October 1988

James E. Markham, Jr. Memorial Award: Awarded in recognition of excellence in leadership and exceptional contributions to the Office of Chief Counsel, Internal Revenue Service

Various additional awards, United States Department of Justice and Internal Revenue Service

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