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STATE OF OHIO
Executive Department

OFFICE OF THE GOVERNOR

Columbus

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, D. (Don) Michael Crites, J.D., Republican, from Powell, Delaware County, Ohio, as a Member of the Ohio Elections Commission for a term beginning March 28, 2018 and ending at the close of business December 31, 2022, replacing William Lawrence Vasil, whose term expired.



IN WITNESS WHEREOF, I
have hereunto subscribed my name
and caused the Great Seal of the State
of Ohio to be affixed, at Columbus, this
28th day of March in the year of our
Lord, Two Thousand and Eighteen.

John R. Kasich
Governor

2018 APR -4 AM 9:50

OHIO STATE



D. Michael Crites

Partner
mcrites@dinsmore.com

Columbus, OH
Tel: (614) 628-6934

Michael's practice focuses exclusively on white collar criminal defense and complex business litigation. As the former United States Attorney for the Southern District of Ohio and an Assistant United States Attorney for the Southern District of Ohio, he has years of grand jury and litigation experience in federal court and regularly litigates and negotiates global settlements of criminal, civil and regulatory matters on behalf of corporations and businesses throughout the United States.

He counsels and represents corporations, senior corporate executives, boards of directors, elected officials, banks, public and private universities, trucking companies and hospitals in a wide range of federal and state investigations and prosecutions. He has guided his clients through a wide-range of high stakes government investigations, including antitrust, money laundering, environmental crimes, public corruption and campaign finance cases, as well as a number of economic crime and fraud cases relating to health care, transportation, financial, securities, tax, immigration, defense contracts and defense procurement matters. He has also handled Foreign Corrupt Practices Act (FCPA) and Federal False Claims Act (FCA) matters, as well as OFAC economic sanctions, Arms Export Control Act and International Traffic in Arms Regulations (ITAR) compliance.

Mike is frequently called upon by corporate clients to conduct confidential internal investigations to assist corporations in the different business sectors in assessing the risk of criminal prosecution or regulatory enforcement and advises corporate clients on corporate compliance and voluntary self-disclosure protocols.

Services

- Litigation
- White Collar Crime
- Financial Services Industry
- Education Industry
- Antitrust & Trade Regulation
- International Business

- Government Investigations
- Government Relations
- False Claims Act
- Health Care Industry
- Municipal & Government
- Pharmaceutical & Medical Devices
- Insurance Industry
- Natural Resources Industry
- Transportation Industry

Education

- Ohio Northern University, Claude W. Pettit College of Law (J.D., 1978)
- United States Naval Academy (B.S., 1970)

Bar Admissions

- Ohio

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio

Affiliations/Memberships

- United States Senator Rob Portman Service Academy Nominations Board
 - Chairman
- United States Senators Rob Portman and Sherrod Brown Bipartisan Judicial Advisory Commission
- United States Senator Rob Portman United States Attorney Screening Committee
 - Past chairman
- Ohio Elections Commission
 - Appointed commissioner by Governor John Kasich
- City of Powell
 - Past elected city councilman
 - Charter Review Commission
 - Past chairman
 - Comprehensive Plan Review Committee

- Past chairman
- Greater Powell Veterans Memorial Foundation
 - Past chairman
- Ohio Board of Building Appeals appointed by Governor Bob Taft
 - Past chairman
- Olentangy Local School District
 - Board of Education
 - Past president
- Ohio Veterans Hall of Fame Foundation
 - Board of Trustees past member
- University of Rio Grande
 - Board of Trustees past member
- The Wellington School
 - Board of Trustees past secretary and member
- The United States Naval Academy Information Program
 - Area coordinator
- United States Senators George Voinovich and Mike DeWine Service Academy Nominations Board
 - Past chairman
- Congressman Steve Stivers, Service Academy Nominations Board
 - Past chairman
- United States Navy (Retired) Vietnam Veteran
 - Captain

Distinctions

- Peer Review Rated AV in Martindale-Hubbell
- The Best Lawyers in America®
 - Criminal Defense: White-Collar
 - Regulatory Enforcement Litigation (SEC, Telecom, Energy)
- Ohio Super Lawyers® White Collar Criminal Defense
- Top Lawyers by Columbus CEO Magazine
- Ohio Veterans Hall of Fame
- Public Policy Leadership Award from the Ohio Supreme Court
- Ohio School Board Association Award
- Commandant's Award from the United States Naval Academy,
- University of Rio Grande, Masters Degree of Public Service (Honorary)

Experience

State Grand Jury Investigation

We represented a physician who had been designated as a "target" of a state grand jury investigation focusing on alleged healthcare fraud and false statements violations. After completion of an internal investigation and meetings with and presentations to the local prosecuting attorney, the investigation against our client was closed with no criminal charges filed and all civil and administrative matters resolved favorably to the client.

Successfully defended state official during investigation of possible conflicts of interest

We represented an elected state official under investigation by the FBI for using his influence to divert money to projects from which he would benefit. We spent three months reviewing documents and interviewing witnesses, and after presenting our findings to the U.S. attorney's office, the case was dropped.

Defended an Equipment Supplier Against Anti-trust Allegations

We represented a national equipment supplier suspected of anti-trust violations. The government's anti-trust division believed the company was colluding with competitors to pre-determine bids for certain opportunities. We conducted a three year investigation, interviewing more than 60 sales personnel across the country and reviewing thousands of emails. Ultimately, our report to the Department of Justice resulted in the end of the investigation.

Dismissal of Federal Criminal Tax Indictment

We represented the owner of a Columbus-based home health agency who, along with others, was the subject of a federal criminal indictment alleging 43 counts of federal tax violations. The case was scheduled for a two week trial, but was dismissed with prejudice by the Government two weeks prior to trial. The investigation and prosecution were conducted by the United States Attorney's Office and the Internal Revenue Service.

Federal Grand Jury Investigation

We represented an elected public official who had been designated as a "target" of a federal grand jury investigation. After completion of an internal investigation and a series of meetings with and presentations to United States Department of Justice officials, the investigation against our client was closed with no criminal charges filed.

Federal Grand Jury Investigation

We represented a physician who had been designated as a "target" of a federal grand jury investigation focusing on alleged anti-kickback violations. After completion of an internal investigation and meetings with and presentations to United States Department of Justice and United States Department of Health and Human Services officials, the investigation against our client was closed with no criminal charges filed.

Federal Grand Jury Investigation

We represented an IT Consultant who had been designated as a "target" of a federal grand jury investigation focusing on alleged public corruption violations. After completion of our internal investigation and meetings with and presentations to United States Department of Justice, the investigation against our client was closed with no criminal charges filed.

Settlement of a Hospital OIG Voluntary Disclosure matter

Evolving and complex legislation in the health care arena can provide a myriad of challenges for providers, and overcoming the challenges requires effective and efficient legal counsel. We represented an Ohio hospital that disclosed information about improper financial relationships with referring physicians in response to claims of violating the False Claims Act, the Anti-Kickback Statute and the Stark Statute. Our client had a relationship with two physicians – a joint venture with a pain management physician and also an arrangement where our client purchased intraocular lenses at an inflated price from an ophthalmologist. Both relationships were alleged to have violated statutory requirements. We represented the client in negotiating a settlement with the Department of Justice, the Office of the Inspector General and the Ohio Attorney General (collectively "Government"). During the negotiations, our client disclosed that some of their arrangements with physicians for violated the federal Anti-Kickback Statute because they did not meet the requirements of the relevant safe harbors. Criminal charges against our client were declined, and we worked to address the civil and administrative issues to provide a global resolution. We entered into negotiations with the Government and ultimately settled for an amount that was agreeable to our client.

Negotiation of Settlement in Stark Law Matter

Evolving and complex legislation in the health care arena can provide a myriad of challenges for providers, and overcoming the challenges requires effective and efficient legal counsel. We represented Ohio Hospital in negotiating a settlement with the Centers for Medicare & Medicaid Services (CMS) in a matter involving violations of the federal physician self-referral statute, more commonly referred to as the Stark Law. Our client disclosed that some of their arrangements with physicians for electrocardiogram interpretation, medical director services, vice chief of staff services, and hospital services violated Stark Law because they did not meet the requirements of applicable exceptions. We entered into negotiations with CMS, and ultimately settled for an amount that was agreeable to our client.

Negotiation of Global Settlement in Environmental Law Matter

We represented a coal company under federal investigation by the United States Department of Justice and the EPA for felony violations of the Clean Water Act. After completion of an internal investigation and meetings with and presentations to United States Department of Justice and EPA officials, we negotiated a favorable global resolution of all criminal, civil and administrative issues that included a plea agreement to misdemeanors, a compliance agreement with the United States and no debarment of the company.

Negotiation of Global Settlement in Environmental Matter

We successfully defended a corporate environmental compliance officer in an investigation which resulted in a negotiated plea agreement, probation and favorable resolution of all civil and administrative issues.

Negotiation of Global Settlement in Lacey Act Investigation

We represented a corporate executive under federal investigation by the United States Department of Justice and the United States Fish and Wildlife Service for felony violations of the Lacey Act involving the removal of white tail deer from Ohio to South Carolina. We engaged in a successful defense which resulted in a negotiated misdemeanor plea, probation and favorable resolution of all civil and administrative issues.

Negotiation of Settlement in Misbranding Law Matter

We represented a physician who had been designated as a "target" of a federal grand jury investigation focusing on FDA allegations of misbranding. The client along with other oncologists potentially faced numerous felony

charges. We successfully defended the physician, resulting in a plea agreement to a single misdemeanor, favorable resolution of all civil matters including false claims act violations and no debarment of physician.

Federal Civil Litigation

Our firm represented a New York defense contractor in federal civil litigation alleging that our client had conspired with another company to conduct flawed testing on certain seat belt assemblies for use by the military in Iraq and Afghanistan, resulting in the supplier of the seat belt assemblies to be debarred and lose its contract to provide seat belt assemblies to the military. We filed a motion to dismiss and obtained a judgment of dismissal on behalf of our client.

Federal Criminal Indictment

Consulted with and provided legal advice to a Fortune Global 50 company regarding alleged white collar criminal issues involving the Global 50 company's United States subsidiary.

Federal Grand Jury Investigation

Represented a CPA who had received a "Target Letter" from the United States Department of Justice in connection with a federal grand jury investigation of alleged tax fraud. After completion of our own internal investigation, meetings with Department of Justice and Internal revenue Service, Criminal Investigation Division officials, no charges were brought against our client.

Federal Grand Jury Investigation

Dinsmore represented the Director of Sales of an international orthopedic company that developed, manufactured, marketed and sold orthopedic implant devices in a federal grand jury investigation in New Jersey, looking into alleged violations of the federal anti-kickback statute. We were successful in persuading government prosecutors not to charge our client.

Federal Grand Jury Investigation

Dinsmore represented a former executive of one of the nation's largest healthcare financing companies in a \$2.8 billion corporate fraud case during the federal grand jury investigation and in United States District Court. The client entered into a negotiated plea agreement with the United States Attorney's Office that resulted in the client receiving a two year sentence, the lowest sentence of anyone sentenced for participation in the corporate fraud.

Foreign Corrupt Practices Act and Enforcement Defense - Executive Training/Presentations

We provide executive training and presentations to multiple public and private clients on issues related to the Foreign Corrupt Practices Act and enforcement defense. There is a great cost/benefit to clients as we tailor prior-used proven training materials and methods to specific client needs.

Investigation for Medicaid Fraud

Dinsmore represented the former owner of an ambulette company under investigation by the Ohio Attorney General's Office for Medicaid Fraud. The State alleged that the company had billed for patient services that were

never rendered. Using information obtained through our own internal investigation, we negotiated a plea agreement which was very favorable to the client, including probation, a stipulated restitution amount and the client keeping his employment with the federal government.

Investigation of Medicaid Fraud

Represented an Emergency Room Practice Group in a criminal investigation conducted by the Ohio Attorney General's Office in connection with alleged Medicaid fraud. After completion of our own internal investigation and meetings with the Attorney General's Office, no charges were brought against the client.

Investigation of Medicaid Fraud

Dinsmore represented a healthcare transportation company and its owner during a State of Ohio criminal investigation for Medicaid Fraud. The State of Ohio alleged that the owner and company had billed Medicaid for patient services that were rendered outside of the program guidelines. Using information obtained through our own internal investigation, we negotiated a plea agreement favorable to our client with the Attorney General's Office and reduced the amount of restitution owed by the company's owner. Our office also took steps to transfer the ownership of the business in a timely manner to ensure that the business continued its operational existence without interruption.

Product Liability Litigation

Represented a concrete mixer manufacturer in product liability litigation in federal court. Plaintiff alleged that his injuries resulted from defective manufacturing and defective design of the concrete mixer unit designed, manufactured and installed by our client. After discovery, the case against our client was dismissed.

Settlement of an ambulance company OIG Voluntary Disclosure matter

Medicare billing and coding requirements are complex and present compliance risks for all types of providers. Mitigating these compliance risks requires experienced and sophisticated legal counsel. We represented an Ohio Ambulance Company in negotiating a settlement with the Office of the Inspector General and the Ohio Attorney General (collectively "Government") in a matter involving non-emergency transport claims that did not meet Medicare's medical necessity requirements. Our client voluntarily disclosed their billing errors to the Government, and they declined to pursue criminal charges. We then pursued a global resolution of the civil and administrative issues, and eventually settled this matter for an amount that was agreeable to our client.

State Grand Jury Investigation

We represented a public employee who was the "target" of a state grand jury investigation focusing on alleged public corruption and theft in office, stemming from the administration of a county program. After completion of our internal investigation and meetings with and presentations to the local prosecuting attorney, the investigation against our client was closed with no criminal charges filed.

Trade Dress Infringement and Trade Dress Dilution Litigation

Firm represented as local counsel a large international company against claims alleging Trade Dress Infringement, Trade Dress Dilution, deceptive trade practices, unfair competition and unjust enrichment relating to

certain product package designs. After extensive discovery and several mediations, the case was settled on terms very favorable to the defense.

Wrongful Death Action

Defended a corporation which operated and managed a marina in a wrongful death action brought by the estate of an employee who drowned while removing a boat from the water of the marina. We obtained summary judgment and dismissal on behalf of our client following discovery. The decision was affirmed in the Court of Appeals.

Publications

March 15, 2018

Health Care Fraud Remains High Priority for Federal Government as Monetary Penalties Increase

March 9, 2018

DOJ Announces Possible Expansion of Corporate Self-Disclosure Policy

March 5, 2018

Department of Justice Announces Task Force to Combat Prescription Opioid Crisis

March 5, 2018

Tawdry Tales of Ferraris, Rolexes and Ball Gowns: How McDonnell v. U.S. Redefined Official Acts in Public Corruption Prosecution

January 10, 2018

DOJ Announces a New FCPA Corporate Enforcement Policy

October 23, 2017

Deputy Attorney General Rod Rosenstein Discusses a Reexamination of DOJ Corporate Compliance and Enforcement Policies

June 12, 2017

Defining the Standard of Friendship in Insider Trading Cases After Salman

May 30, 2017

White Collar Crime Will Not Take a Back Seat to Other DOJ Priorities in the Trump Administration

May 23, 2017

Preparing for the Search Warrant: The Importance of Developing a Response Plan

March 7, 2017

It's Time to Evaluate Your Compliance Program: The DOJ Issues New Compliance Program Guidance

June 27, 2016

Supreme Court Narrowly Defines "Official Act" in McDonnell Case

July 31, 2014

What's in Your Wallet? Who Cares—What's in Your Cell Phone Is More Important!

February 15, 2013

The Real FCPA Guide: 35 years in the Making

February 1, 2013

The Foreign Corrupt Practices Act at Thirty-Five

October 24, 2012

Health Care Reform Increases Compliance and Enforcement Concerns

August 29, 2012

Are Your Trade Secrets at Risk?

July 26, 2012

Access Denied: Public Agencies and the Release of Public Records

April 24, 2012

Receive a Grand Jury Subpoena? What's a Health Care Provider to do?

January 30, 2012

Broader than Bombs: What the Arms Export Control Act Means to You

December 7, 2011

Healthcare Providers: When In Doubt, Self-Report!

December 2, 2011

Antitrust Investigation Results in \$200 Million Fine & Jail Time

October 3, 2011

Office of Foreign Assets Control: Understanding the Federal Agency

July 28, 2011

Dodd-Frank: Final Whistleblower Provisions Take Effect August 12th

July 19, 2011

Congress, Get Out Your Pencils: FCPA Rules Are Ripe for Revision

June 28, 2011

FCPA Enforcement After Lindsey

June 20, 2011

Have Plan in Place in Case Agents Arrive With Search Warrant

May 20, 2011

Foreign Corrupt Practices Act: Is Your Company Prepared for the New Era of Increased Enforcement?

May 13, 2011

Why The Foreign Corrupt Practices Act is Hurting Our Businesses and Needs to be Reformed

April 8, 2011

DeWine and Lawmakers Introduce Ohio False Claims Act Legislation

February 28, 2011

The Columbus Dispatch Advocates for Lawmakers to Create an Ohio False Claims Act

February 2, 2011

Health Care Fraud Penalties May Be On the Rise

January 1, 2011

"Inside the Minds: International White Collar Enforcement," chapter written by Mike Crites

GOVERNOR'S APPOINTMENTS TO BOARDS AND COMMISSIONS

Date: 3/28/2018

Name of Appointee: Mr. D. (Don) Michael Crites, J.D.

Address: 7833 Polo Lane
Powell, OH 43065
Delaware County
(H) -
(W) - 6146286934
(M) - 6143271061

Name of Commission: Ohio Elections Commission

Contact: Phil Richter
77 S. High Street, 18th Floor
Columbus, OH 43215
(614) 466-3205

Term Begins: 1/1/2017

Term Ends: 12/31/2022

Party Affiliation: Republican

Senate Confirmation: Appointed by the Governor, confirmed by the Senate

Financial Disclosure: Public disclosure required

Vice: William Lawrence Vasil