

Zachary R. Hafer

Partner



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Boston

White Collar Defense and Investigations

Crisis Management

Trials

International Anti-Corruption/FCPA

False Claims Act/Qui Tam/FIRREA

Commercial Litigation

Zach is a widely recognized member of Cooley's white collar defense and investigations practice group and a prominent trial lawyer and former federal prosecutor. He represents companies, boards, and individuals in sensitive internal and government investigations and litigation, including cases arising under the Anti-Kickback Statute, Foreign Corrupt Practices Act (FCPA), Coronavirus Aid, Relief, and Economic Security (CARES) Act, Securities Exchange Act and False Claims Act. Zach has been characterized by Chambers USA as "exceptional in every regard," "smart, strategic, creative, and responsive," "willing to fight for his clients," and "an outstanding attorney who knows how to leverage his prior experience as a federal prosecutor for the benefit of the client."

Zach spent 14 years in the US Attorney's Office for the District of Massachusetts, where he served as chief of the office's criminal division. In this role, he supervised approximately 100 federal prosecutors and managed the investigation and prosecution of cases involving healthcare fraud, Racketeer Influenced and Corrupt Organizations (RICO) Act matters, securities and financial fraud, public corruption, national security, cybercrime, and money laundering and organized crime.

During his tenure as criminal chief, Zach oversaw some of the highest-profile white collar cases in the US, including Operation Varsity Blues, a fraud and bribery prosecution involving corruption of the college admissions process, and *United States v. Babich, et al.*, the landmark RICO trial of several executives of a major pharmaceuticals company. As an assistant US attorney (AUSA), he successfully represented the government in numerous prosecutions that earned him national recognition, including the prosecution and extradition of 13 members of an international drug trafficking organization and the prosecution and trial of notorious Boston crime boss James "Whitey" Bulger. Zach also successfully led the capital retrial of Gary Lee Sampson and the high-profile corruption prosecution of a former Massachusetts mayor.

Zach has been featured in numerous news outlets and publications – including The Boston Globe and The American Lawyer's Litigation Daily – for cases he handled as an AUSA. He has taught a class on white collar crime as an adjunct professor at the Boston University School of Law, was a presenter on behalf of the Department of Justice (DOJ) to the Advisory Committee on Criminal Rules, and has been a frequent lecturer at Harvard Law School, Boston College Law School, and several bar associations and organizations. Before joining the DOJ, Zach was an associate at a US-based international law firm and served as a law clerk for Judge Shirley Kram of the US District Court for the Southern District of New York.

Zach's representative experience for companies includes advising:

- A Fortune 200 company in a cross-border investigation regarding whistleblower allegations of fraud and insider trading in connection with a multibillion-dollar investment vehicle

- A major public financial services company in an internal investigation regarding allegations of self-dealing by portfolio managers
- A US airline at trial in the US District Court for the District of Massachusetts in Boston in a merger challenge brought by the DOJ under Section 7 of the Clayton Act
- A public technology company in response to a broad federal subpoena in an industrywide anti-kickback investigation by the DOJ
- The audit committee of a public life sciences company in an internal investigation regarding allegations of accounting fraud by a senior executive
- A public life sciences company in an internal investigation regarding allegations of clinical data fraud by a senior scientist
- The audit committee of a public life sciences company in an internal investigation regarding allegations of misconduct by the CEO in violation of company policy
- A publicly traded education company in response to a 93A investigation by the Massachusetts attorney general relating to allegedly unfair and deceptive practices
- A global design company in connection with recently enacted public safety regulations in Massachusetts
- A global real estate developer in an internal and government investigation related to fraudulent wire transfers

Zach's representative experience for individuals includes advising:

- A former state senator in connection with state and federal criminal investigations into alleged CARES Act fraud and related regulatory proceedings regarding suspension of casino licenses in New Hampshire
- A district attorney in a federal corruption investigation led by the FBI and US Attorney's Office
- A senior state law enforcement official in a federal corruption investigation by the DOJ and FBI
- Twelve employees of a global financial services company in an industrywide Securities and Exchange Commission investigation regarding off-platform communications
- A witness in a federal criminal investigation of Robert "Hunter" Biden by the DOJ
- Multiple physicians in criminal anti-kickback investigation by the US Attorney's Office in Boston
- A senior executive of a global life sciences company in an FCPA investigation
- A prominent investor in a federal tax and wire fraud investigation by the DOJ and IRS

Recognition

- Chambers USA: Massachusetts: White Collar Crime and Government Investigations (2024)
- Lawyers of the Year: Massachusetts Lawyers Weekly (2021)
- Attorney General's Award for Distinguished Service as an AUSA (2014)
- Attorney General's Award for Excellence in Law Enforcement (2011)

Media mentions

- ["Sanborn Secures Another Win Over the State, This Time an Extension to Sell his Casino,"](#) New Hampshire Bulletin, June 27, 2024
- ["Sanborn Wins Significant Concessions From Lottery Commission,"](#) New Hampshire Bulletin, October 23, 2023
- ["They Bought Mansions, a Rolls Royce, and Chartered a Jet With COVID Relief Loans, Prosecutors](#)

[Allege](#),” The Boston Globe, February 12, 2023

- [“Renowned Lawyer Defending Duxbury Mother Lindsay Clancy Has a History of Tackling Crimes Driven by Severe Mental Illness](#),” The Boston Globe, February 7, 2023
- [“Scott Garland and Zach Hafer – Practice After the DOJ](#),” “FCPA Compliance Report” podcast, December 19, 2022
- [“‘Tell Them What Verdict You Want’: Closing Complex Cases With Cooley Partner and Former Federal Prosecutor Zach Hafer](#),” The American Lawyer’s Litigation Daily, September 12, 2022
- [“Judge’s Obstruction Case In ‘Black Hole,’ Puzzling Attorneys](#),” Law360, August 19, 2022
- [“Life After ‘Varsity Blues’: What’s Next For The Boston Feds](#),” Law360, July 13, 2022

Education

University of Virginia School of Law
JD, 2003

Dartmouth College
BA, 1999

Admissions & Credentials

Massachusetts

New York

Court Admissions

US Court of Appeals for the First Circuit

US District Court for the District of Massachusetts

US District Court for the Southern District of New York

US District Court for the Eastern District of New York

Rankings & Accolades

Chambers USA: Litigation: White-Collar Crime & Government Investigations – Massachusetts (2024)

Massachusetts Lawyers Weekly: Lawyer of the Year

The United States Department of Justice: Attorney General’s Award for Distinguished Service

The United States Department of Justice: Attorney General’s Award for Excellence in Law Enforcement