

Peter E. Gelhaar

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EDUCATION

JD, *cum laude*, Boston College Law School, 1982
BA, *cum laude*, University of Vermont, 1978, Phi Beta Kappa

CLERKSHIP

Massachusetts Superior Court

BAR ADMISSIONS

Massachusetts
United States District Court (D. Mass.)
United States Court of Appeals (1st Cir.)



Peter E. Gelhaar

Peter E. Gelhaar is a former federal prosecutor with broad expertise in representing persons and entities involved in white collar criminal proceedings, enforcement proceedings brought by the Securities and Exchange Commission, and business litigation matters. He also counsels clients on compliance with federal law concerning health care, securities, consumer products, military and government procurement, and customs matters. Mr. Gelhaar also represents attorneys in Board of Bar Overseers investigations and proceedings, and other professionals before professional disciplinary boards. Mr. Gelhaar has served as a non-neutral arbitrator in an arbitration proceeding.

In his 29 years of practice, Mr. Gelhaar has successfully defended numerous persons and entities in criminal, enforcement and regulatory proceedings including:

- The dismissal at trial of bank fraud and bank bribery charges against the President and Director of a large Metropolitan Boston bank;
- A not guilty verdict returned against an individual accused of defrauding a federal agency;
- The successful defense of numerous targets of grand jury investigations investigating allegations of health care fraud;
- Successfully represented numerous individuals accused by the Securities and Exchange Commission of committing insider trading, accounting fraud violations, the market-timing of mutual funds, and the back-dating of stock options;
- Successfully defended clients in proceedings commenced by federal and state regulators;
- Successfully defended investment advisors in investigations conducted by federal prosecutors and securities regulators into fraudulent investment practices; and
- Exonerated numerous individuals accused of committing fraud against federal and state taxing authorities.
- Successfully represented individuals involved in investigations concerning the alleged violation of the Foreign Corrupt Practices Act.

Mr. Gelhaar was appointed Assistant United States Attorney for the District of Massachusetts in 1986 and later became Deputy Chief of the Civil Division and Chief of Affirmative Civil Enforcement, prosecuting civil fraud cases against government contractors and representing the federal government in a wide variety of other civil lawsuits. Thereafter, he served in the Criminal Division as a member of Major Crimes and Public Corruption Units, prosecuting bank fraud, health care fraud, government and military procurement fraud, and public corruption cases. Mr. Gelhaar also trained law enforcement officers and federal attorneys on false government claims actions, general civil and grand jury practice, civil and criminal fraud, and search and seizure law.

From 1996 to 2001, Mr. Gelhaar served as a member of the Massachusetts Judicial Nominating Commission which screens, interviews, and recommends candidates for

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appointment to the bench. He also served from 1999 through 2001 on the Massachusetts Board of Registration in Medicine, which oversees the accreditation and professional conduct of the Commonwealth's physicians. He presently serves as the New England Regional Co-Chair of the American Bar Association's White Collar Crime Subcommittee. Recently, Mr. Gelhaar presented on the new SEC whistleblower rules adopted under the Dodd-Frank Act at the American Bar Association's National Institute on Securities Fraud held in New Orleans on November 3-4, 2011. Mr. Gelhaar was named a Massachusetts Super Lawyer in 2004, 2006, 2007, 2008, 2009, 2010 and 2011.

A 1982, *cum laude* graduate of Boston College Law School, Mr. Gelhaar served as Articles Editor of *The Boston College Law Review* and delivered legal services to the disadvantaged through the Vermont Legal Aid program. He is a phi beta kappa, *cum laude* graduate of the University of Vermont, where he captained the varsity swimming team. After law school, Peter served as a Massachusetts Superior Court Law Clerk and subsequently joined Nutter, McClennen & Fish as an associate, where his training and practice were concentrated in business and product liability litigation and in white collar criminal defense.