



Jana Volante Walshak

Partner

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Combining legal skill and practical business knowledge, Jana serves as a trusted adviser to companies and individuals, addressing their legal challenges in a consistent and comprehensive manner to help them eliminate obstacles, reduce risk and seize opportunity. An experienced trial attorney, she is well versed in commercial litigation and white-collar criminal defense and compliance.

Jana is also outside general counsel to a large health care provider, managing a full range of legal matters involving real estate, labor and employment, medical staffing issues, compliance with HIPAA and other health care regulations, data privacy, civil litigation and nonprofit/corporate governance issues.

Commercial Litigation

A seasoned commercial litigator, Jana knows the risks and issues businesses commonly face. She represents clients in state and federal trial and appellate courts as well as in alternative dispute resolution proceedings, including mediation and arbitration. Her diverse litigation experience includes matters involving breach of contract, unjust enrichment, civil and criminal Clean Air and Clean Water Act violations and copyright claims.

Understanding that the best, most efficient resolution to litigation can often be found outside the courtroom, she is adept at striking settlements that advance her clients' business goals. When a trial is called for, Jana is a tenacious advocate, protecting their vital interests in court.

White-Collar Criminal Defense & Regulatory Compliance

Jana helps clients draft, improve and implement corporate compliance programs and represents corporations, officers, executives and other professionals in investigations conducted by both state and federal prosecutors. She also has experience representing witnesses testifying before grand juries, responding to grand jury subpoenas and defending clients against alleged False Claims Act violations.

When businesses need clarity on allegations of in-house wrongdoing, Jana conducts meticulous internal investigations to uncover misconduct, identify the parties involved, the scope of their misdeeds and the methods used to perpetuate and conceal them. Using that information, she helps clients take corrective action, make voluntary disclosures, cooperate with external investigators, recover funds and make changes to mitigate the risk of similar conduct in the future.

Health Law



In addition to serving as outside general counsel for a large health care provider, Jana advises hospitals, physicians and other entities on a variety of regulatory, commercial and litigation matters specific to the industry, including professional licensing, prescription drug laws, contract negotiations, compliance with Food & Drug Administration regulations and insurance audits.

Before Fox Rothschild

Jana grew up in a family that owns funeral homes and a wholesale produce business. She worked at her family's wholesale produce business throughout high school and college, learning firsthand what it takes to operate such a business on a daily basis and giving her unique insight into the challenges facing businesses, in particular small and family-owned businesses, and a better understanding of how to overcome those challenges.

Additionally, Jana is a former intern for the U.S. Attorney's Office for the District of Massachusetts, where she served on the Drug Task Force. She also served as an intern for the Honorable Terrence McVerry of the U.S. District Court for the Western District of Pennsylvania. At Harvard Law School, Jana was a teaching assistant to Professor Bruce Hay, worked on the *Journal on Legislation* and volunteered with the Harvard Defenders.

Beyond Fox Rothschild

Jana is actively engaged in the community. She is president of the Grove City College Alumni Council, and previously served as Vice President and Chair of its Nominating Committee. She is also a member of the Women's Leadership Council of the United Way of Southwestern Pennsylvania and the Board of Directors of Goodwill of Southwestern Pennsylvania. She is immediate past Chair of Junior Achievement of Western Pennsylvania's Young Professionals Board, which focuses on teaching students work-readiness, entrepreneurship and financial literacy skills.

Jana is a graduate of Leadership Pittsburgh, Inc.'s Leadership Development Initiative, Class XXI. She is also a founding member of the Pittsburgh Chapter of the Women's White Collar Defense Association and a former member of the Pittsburgh Regional Board of Strong Women, Strong Girls.

Additionally, Jana speaks and writes on a variety of legal topics including eyewitness testimony; restitution; internal investigations; drafting, revising and implementing corporate compliance programs; and the particular legal challenges facing funeral homes.

Practice Areas

- Litigation
- Directors' & Officers' Liability & Corporate Governance
- E-Discovery
- Environmental
- Health Law
- Law Firms & Attorneys
- Securities Industry
- White-Collar Criminal Defense & Regulatory Compliance

Bar Admissions

- Pennsylvania

Court Admissions



- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, Western District of New York

Education

- Harvard Law School (J.D., 2010)
- Grove City College (B.A., *summa cum laude*, 2007)

Memberships

- Allegheny County Bar Association – Federal Court Council
- Allegheny County Bar Association, Federal Court Section – Criminal Practice Subcommittee
- Pennsylvania Bar Association
- American Bar Association
- Women's White Collar Defense Association

Board of Directors

- Grove City College – Alumni Council (President)
- Junior Achievement of Western Pennsylvania – Young Professionals Board (Immediate Past Chair)
- United Way of Southwestern Pennsylvania – Women's Leadership Council
- Goodwill of Southwestern Pennsylvania

Representative Matters

- Conduct major internal investigations for clients across industries, uncovering misconduct within organizations, assisting them in making voluntary disclosures to applicable government agencies and taking corrective action to mitigate the risk of similar misconduct in the future, including drafting and implementing strong corporate compliance programs.
- Represent both individuals and entities that are targets of federal and state investigations and prosecutions, working to preserve client liberty and minimize penalties, including negotiation of favorable settlements with regulatory agencies and plea agreements with prosecutors as well as vigorous advocacy at trial.
- Represent both individuals and entities who are witnesses and/or victims in federal and state investigations, assisting them with responding to government subpoenas and preparing to testify.
- Represent a broad range of medical professionals, including doctors, chiropractors and pharmacists, in criminal investigations involving allegations of fraud and other charges as well as licensure matters and insurance audit proceedings, working to preserve their ability to practice medicine.
- Represent attorneys facing investigations, licensure issues and alleged violations of the Rules of Professional Conduct in resulting criminal, civil and administrative/disciplinary proceedings, working to preserve their ability to practice law.
- Defend entities, professionals and other individuals in *qui tam* actions brought under the False Claims Act, obtaining dismissals of such claims.



- Represent both individuals and entities in breach of contract disputes and other civil lawsuits, securing favorable results, including significant settlements, jury trial verdicts and an order denying an attempt by a foreign company to add a client to a \$20 million judgment under theory of alter ego.

Podcasts

Eyewitness Testimony and Strategies for Defense Attorneys

Eyewitness identification is oftentimes the most influential evidence during a criminal trial. In this podcast, Jana Walshak, litigator and defense attorney, shares her strategies for effectively handling such testimony. Pulling points from her recently [published article](#) in Bloomberg BNA's *Criminal Law Reporter*, Jana explains the effects of recent court opinions and discusses the range of remedies available to defense counsel when faced with what could be incriminating testimony.

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