



Li Yu

Partner

New York

646.933.1000 | lyu@dicellolevitt.com

485 Lexington Avenue
Suite 1001
New York, New York 10017

Overview

Li Yu is an experienced trial and appellate lawyer whose practice focuses on health care and pharmaceutical fraud, financial and securities fraud, civil rights, commercial, and other complex litigation. A recognized expert in qui tam and other whistleblower cases, Li has a proven track record of rooting out fraud and securing justice for victims of fraudulent and illegal conduct.

For more than a decade, Li served as an Assistant U.S. Attorney for the Southern District of New York, including four years as the senior counsel to the civil frauds unit, where he led the government's qui tam litigation in cases concerning Medicare Part C, prescription drug marketing, pharmacy billing, medical devices, and other fraud matters. During his AUSA tenure, Li obtained more than a dozen significant civil fraud settlements totaling over \$800 million and secured other important relief for American consumers.

Li has successfully litigated numerous cases to protect vulnerable individuals and ensure the fair and efficient functioning of the economy. For example, in a mortgage fraud case, Li obtained a series of injunctive orders to stop fraudulent flip sales and persuaded a federal district court to hold the fraudster in contempt after a trial for circumventing an injunction. He also spearheaded a series of Fair Housing Act cases against several of the largest real estate developers in the nation, which resulted in retrofits at more than 15,000 rental apartments to improve accessibility for people with disabilities.

Before joining DiCello Levitt, Li worked in securities enforcement at the Financial Industry Regulatory Authority. He also served as senior counsel to the Senate Permanent Subcommittee on Investigations under Sen. Jon Ossoff, where he conducted consequential and headline-grabbing investigations into the mistreatment of military families by a large housing contractor and the sexual abuse of women prisoners by federal prison staff, among other issues. Earlier in his career, Li served as a law clerk for the Hon. Sidney H. Stein of the Southern District of New

York and as a litigation associate at two international firms.

Li is a member of the Federal Bar Council and the New York City Bar Association's Federal Courts Committee and is a frequent contributor to *Law360*, where he provides expert analysis on the False Claims Act and related topics. Outside of work, he is an active volunteer, including with InTandem Cycling, which provides tandem bicycling programs to people who are blind, have low vision, or cannot ride independently due to other disabilities.

Practice Areas

CIVIL AND HUMAN RIGHTS LITIGATION

CLASS ACTION LITIGATION

COMMERCIAL LITIGATION

PHARMACEUTICAL FRAUD, WASTE, AND ABUSE

PRODUCT LIABILITY

SECURITIES AND FINANCIAL SERVICES LITIGATION

PRIVACY, TECHNOLOGY, AND CYBERSECURITY

WHISTLEBLOWER, QUI TAM, AND FALSE CLAIMS ACT

Education

Columbia University Law School, J.D.

Wesleyan University, B.A.

Representative Matters

Notable Representations:

United States v. Anthem Insurance (SDNY): led False Claims Act (FCA) investigation and litigation of alleged Medicare Advantage risk-adjustment fraud by Anthem. After obtaining judicial enforcement of an investigative subpoena, filed lawsuit in 2020 and defeated Anthem's motion to dismiss in October 2022.

S. ex rel. Kester v. Novartis Pharmaceuticals Corp. (SDNY): led the investigation and litigation of a *qui tam* FCA case against Novartis and two specialty pharmacies for alleged kickback

arrangements. Defeated Novartis's motion to dismiss, prevailed on major discovery motions, and obtained \$465 million in total settlements from the three defendants.

S. ex rel. Rahimi v. Walgreens Boots Alliance, Inc. (SDNY): led joint federal-states qui tam investigation of Walgreens's practices for the billing and sale of reusable insulin pens. After a focused, data-driven investigation, obtained a \$209.2 million settlement in January 2019.

In re. Chrysler (SDNY Bankr.): represented the Treasury Department at trial and on appeal in the Chrysler bankruptcy (received the Attorney General's Distinguished Service Award).

United States v. City of New York and NYC Dept' of Transportation (SDNY): Won Title VII trial against the New York City Department of Transportation for intentionally discriminating against female bridge painters in hiring.

Awards & Honors

Attorney General's Distinguished Service Award (2011)

Publications & Presentations

What Circuit Split May Mean For FCA Kickback Liability, *Law360*, (August 28, 2023) (co-author)

Using the False Claims Act to Fight Customs Fraud, CLE presentation for the *New York State Bar Association* (July 10, 2023).

Enforcement Trends in Value-Based Care, presentation for Ropes & Gray's Value-Based Care 2.0 (June 22, 2022).

FCA Can Be an Effective Tool for Fighting Customs Fraud, *Law360* (May 30, 2023) (co-author)

Emerging Trends in Electronic Health Record Enforcement, *Law360* (Feb. 21, 2023) (co-author)

FCA Takeaways from Courts' Recent Approach to Escobar, *Law360* (Nov. 15, 2022) (co-author)

Admissions & Memberships

Bar Admissions

New York

Court Admissions

U.S. District Court, Southern District of New York

U.S. Court of Appeals, Second Circuit