

Matthew J. Modafferi

Partner

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Matthew J. Modafferi is a seasoned litigation and trial attorney with experience in healthcare law. He focuses his practice on complex civil litigation and white-collar defense and investigations.

As a partner in Frier Levitt's Healthcare and Life Sciences Litigation Department, Matthew's practice is dedicated to representing healthcare clients in various litigation matters including:

- Commercial litigation in federal and state courts
- ERISA disputes on behalf of Plan Sponsor clients
- Government litigation including Administrative Procedure Act matters
- Unfair Trade Practice cases and Consumer Protection
- Healthcare fraud, *qui tam*, and False Claims Act matters
- DEA inspections and investigations
- State and federal OIG investigations
- Government self-disclosures
- 340B audits and litigation

Matthew's clients include medical providers and practices, pharmacies and pharmacists, plan sponsors, pharmaceutical companies, biologics laboratories, oncology practices, and hospital systems. Matthew represents clients in various federal courts across the country, administrative tribunals, New York and New Jersey state courts, and in arbitration.

Prior to joining Frier Levitt, Matthew worked as an Assistant United States Attorney in the Civil Division at the U.S. Attorney's Office for the Eastern District of New York. During his time as an AUSA, Matthew represented the United States and its agencies in various affirmative and defensive matters, appearing before both the Eastern District of New York and the Second Circuit Court of Appeals. He successfully defended Executive Branch policies and initiatives, and prosecuted health care fraud qui tam and other False Claims Act cases. Additionally, he worked on a team of lawyers in a high-

Education

Brooklyn Law School, J.D.

- Member, Moot Court Honor Society

Boston College, B.A., *cum laude*

- Dean's List Second Honors
- National Collegiate Scholar
- Member, Golden Key International Honor Society

Admissions

Bar Admissions

- New York
- New Jersey

Court Admissions

- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, District of Columbia Circuit

profile litigation against Barclays Bank and its affiliates concerning their underwriting and issuance of residential mortgage-backed securities, resulting in a multi-billion dollar settlement.

Matthew has represented various clients at trial. He has handled 24 trials in federal court, 21 of which were jury trials, and has served as first chair in 19 trials.

Matthew is an Adjunct Professor at Brooklyn Law School, where he teaches a seminar course designed to help students develop litigation skills such as interviewing and deposing witnesses, drafting legal documents and discovery, and communicating effectively.

Insights

Recent Speaking Engagements

- Moderator, "Evaluating Relationships with PBMs: Transparency, Fiduciary Risk, and Troubleshooting," Frier Levitt and NEBGH's Direct Contracting Strategies for Self-Insured Employers and Plan Sponsors Conference (May 2026)
- Panelist, Part 2: "Litigation and Business Strategies for 503A GLP-1 Compounding – Navigating Regulatory and Legal Risks," Frier Levitt's Navigating GLP-1 Compounding Webinar Series (February 2025)
- Panelist, Part 3: "Navigating Litigation and Intellectual Property in 503A Compounding: Challenges and Risk Mitigation Strategies," Frier Levitt's Mastering GLP-1 Compounding Webinar Series (June 2024)

Awards & Recognition

- *Best Lawyers: Ones to Watch® in America,* Health Care Law (2026)

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