



**Mark S. Olinsky**

*Member*



Newark, NJ



(973) 643-5402



molinsky@sillscummis.com

---

Mark S. Olinsky has been a civil and criminal trial lawyer for more than thirty years. He served as a federal prosecutor in the Office of U.S. Attorney Samuel A. Alito, Jr. and is Past President of the Association of the Federal Bar of New Jersey. Mr. Olinsky’s diverse caseload includes complex business disputes, health care litigation, complex commercial landlord-tenant litigation, and white-collar criminal defense. His courtroom experience includes many jury and bench trials, arbitrations and appeals, and his expertise includes defense of federal and state RICO actions.

He has conducted numerous corporate internal investigations and has represented both individuals and corporations in a wide variety of government investigations, particularly in the health care and pharmaceutical industries. He has successfully represented large health care systems and high-level executives in recent investigations involving alleged violations of the False Claims Act, the Anti-Kickback Statute, and other federal health care statutes and regulations.

*Chambers USA® Guide to America’s Leading Lawyers for Business describes Mr. Olinsky as “incredibly bright,” “a sophisticated trial attorney and very thoughtful and strategic thinker,” and “an excellent, highly intelligent lawyer who can successfully turn his hand to almost anything.”*

**Practices**

Litigation

Appellate

Corporate Investigations and Integrity

Health Care

Intellectual Property

## Court Admissions

---

U.S. District Court, District of New Jersey

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

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

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

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

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Third Circuit

U.S. Supreme Court

## Newsroom

---

### Press Releases

---

#### **Benchmark Litigation 2022 Recognizes Sills Cummis & Gross as a Top Tier New Jersey Litigation Law Firm**

September 30, 2021

#### **Sills Cummis & Gross Further Expands Its Current Price Gouging Work/Practice**

May 12, 2020

#### **Mark S. Olinsky Receives 2019 Professional Lawyer of the Year Award**

October 23, 2019

### In the News

---

#### **Sills Cummis Increases Price-Gouging Practice — And Offers Warning To Companies**

*ROI-NJ*

May 14, 2020

#### **Linares to Assume Chief Judge Post as Simandle Takes Senior Status**

*New Jersey Law Journal*

May 17, 2017

**Who Will Be the Next Top Prosecutor in New Jersey?**

*The Record*

January 18, 2017

**Even After Recent Confirmations, NJ Still in 'Emergency' Status**

*New Jersey Law Journal*

July 25, 2016

**Lawyers Weigh In on Supreme Court's Newman Rejection**

*Law360*

October 6, 2015

**Lawyers Weigh In On DOJ's Newman Appeal to High Court**

*Law360*

July 30, 2015

**Attys React To Supreme Court's Wartime Limits To FCA Ruling**

*Law360*

May 26, 2015

**Practical Discussion of Issues and Effective Strategies for Internal Investigations**

*The Metropolitan Corporate Counsel*

May 1, 2013

**Q&A With Sills Cummis' Mark Olinsky**

*Law360*

March 12, 2013

**Sub-prime suits: Floodgates open**

*New Jersey Lawyer Online*

July 1, 2008

**The Subprime Irony: Bust for the Economy Is Boom for Law Practices**

*New Jersey Lawyer*

February 25, 2008

**Delaware Affirms High Standard In Director Suits**

*Compliance Week*

January 1, 2007

**Presentations**

---

**Price-Gouging Enforcement in the Era of COVID-19 - Strategies for Responding When the Authorities Come Knocking**

*ALFA International - Business Litigation Practice Group*

July 22, 2020

# Sills Cummis & Gross P.C.

## **Business Litigation Roundtable: Current Issues in Business Litigation**

*Discovery and Discovery Disputes in the Modern/Tech World*

*New Jersey Institute for Continuing Legal Education*

December 5, 2018

## **Trial Advocacy**

*Columbia University*

April 24, 2017

## **41st Annual United States District Court Judicial Conference**

*Presidential Briefing: Cyber Security and Data Privacy Issues Facing In-House and Outside Counsel*

*The Association of the Federal Bar of New Jersey*

March 23, 2017

## **Business Litigation: The Year in Review**

*Contract Arbitration: to compel arbitration; to confirm or vacate an award*

*New Jersey Institute for Continuing Legal Education*

December 6, 2016

## **Business Litigation: The Year in Review**

*Federal and New Jersey RICO: Developments in 2015 and Beyond*

*New Jersey Institute for Continuing Legal Education*

December 11, 2015

## **The All-New 2014 Business Law & Corporate Counsel Symposium**

*Conducting Corporate Internal Investigations*

*New Jersey Institute for Continuing Legal Education*

April 4, 2014

## **38th Annual Judicial Conference**

*Appellate Practice and Procedure*

*Association of the Federal Bar of New Jersey*

March 20, 2014

## **ALFA International's International Law Practice Group Conference**

*Capital Markets: Where is the Money Flowing? (Newman); Anti Corruption Legislation Worldwide: A*

*Threat to or a Savior of International Business (Olinsky)*

*ALFA International's International Law Practice Group*

October 20, 2013

## **When the Spotlight Turns Inward: Legal, Business and Ethical Issues in Internal Investigations - 2013 Business Litigation Practice Group Seminar**

*Internal Investigations: A Cauldron for Inadvertent Error, Embarrassing Exposure and Early Termination*

*ALFA International's Business Litigation Practice Group*

# Sills Cummis & Gross P.C.

September 19, 2013

## **Current Issues in Securities Fraud, Health Care Fraud and Corporate Investigations and Prosecutions**

*Surviving Government Investigations and Prosecutions*

*ABA Criminal Justice Section, White Collar Crime Committee, Mid-Atlantic Region*

March 9, 2011

## **Hospital Strategies for 2011 and Beyond: A Symposium on Healthcare Reform and Current Enforcement Activities**

*New Jersey Hospital Association*

September 29, 2010

## **Principles of Cross-Examination in Federal Court: Testimony from the Masters**

*The Association of the Federal Bar of New Jersey*

November 19, 2009

## **Fraud and Abuse and Whistleblower Symposium: Hospitals under Siege - What's New and How to Reduce Exposure**

*New Jersey Hospital Association*

April 15, 2008

## **Preparing for Government Investigations of Healthcare Facilities and Their Employees**

*New Jersey Hospital Association*

March 15, 2007

## **NJCCA Fourth Annual Full Day Conference**

*The In-House Attorney as a Party, Witness, Deponent, Investigator and Counselor*

*New Jersey Corporate Counsel Association*

September 26, 2006

## **Large IT System Failures from Terrorism or Otherwise**

February 11, 2003

## **Publications**

---

### **Too Blunt An Instrument: The Void For Vagueness Doctrine Applied To Criminal Price Gouging Under The Defense Production Act**

July 20, 2020

### **Is It a Contract Breach? Is It a Fraud?**

*New Jersey Lawyer Magazine*

April 1, 2018

### **Comparing Standards for Dismissal Under Fed. R. Civ. P. 12(b)(6) and N.J. Court Rule 4:6-2(e)**

# Sills Cummis & Gross P.C.

*New Jersey Lawyer Magazine*  
August 1, 2015

## **Is the Supreme Court Poised to Limit the False Claims Act?**

*Journal of Health Care Compliance*  
May 28, 2015

## **Obamacare Upheld: The Effect on Health Care Enforcement**

*BNA's Health Care Fraud Report*  
July 25, 2012

## **Court Dismisses RICO and Allows False Claims Act Retaliatory Discharge Count to Proceed without Substantive Pleading of Fraud**

*American Health Lawyers Association Practice Group Email Alert*  
March 22, 2012

## **U.S. ex rel. Jamison v. McKesson Corp et al., 2011 U.S. Dist. LEXIS 32851 (N.D. Miss. Mar. 28, 2011)**

*American Health Lawyers Association Practice Group Email Alert*  
April 27, 2011

## **Decision on Motion for Partial Summary Judgment in U.S. ex rel. Veltz v. Allegany Rehabilitation Associates Inc.**

*American Health Lawyers Association Practice Group Email Alert*  
April 22, 2011

## **RICO Meets the False Claims Act: False Billing Allegations against Hospital Fail to Sustain Physician's RICO Suit**

*Bloomberg Law Reports - White Collar Crime*  
February 1, 2011

## **Successfully Challenging Federal and State RICO Claims**

*New Jersey Law Journal*  
November 22, 2010

## **The Physician Payments Sunshine Act**

*Compliance Today*  
October 1, 2010

## **NJ's Next Wave of Health Care Enforcement (and preparing for it now)**

*New Jersey Lawyer*  
June 2, 2008

## **Defending Qui Tam Suits under New Jersey's New False Claims Act**

*The Metropolitan Corporate Counsel*  
March 4, 2008

# Sills Cummis & Gross P.C.

## **Government and Internal Investigations: Special Issues for Healthcare Providers**

*New Jersey Lawyer Magazine*

February 26, 2007

## **Pharmaceutical Compliance Audit Granted Protection: Application of the Self-Critical Analysis Privilege to Compliance Reports**

*New Jersey Law Journal*

January 29, 2007

## **The Real Message of Stein: Corporate Cooperation Does Not Require Capitulation**

*The Metropolitan Corporate Counsel*

October 1, 2006

## **Trademark Confusion Is Not Just About Misdispensed Prescriptions**

*New Jersey Law Journal*

September 6, 2004

## **E-Discovery: A Guide for Corporate Counsel - Sills Cummis' Contribution to the Discussion on Electronic Discovery - Part II**

*The Metropolitan Corporate Counsel*

August 1, 2004

## **E-Discovery: A Guide for Corporate Counsel - Sills Cummis' Contribution to the Discussion on Electronic Discovery - Part I**

*The Metropolitan Corporate Counsel*

July 1, 2004

## **Client Alerts**

---

## **Sellers Beware - The COVID-19 Pandemic Has Opened the "Price Gouging" Pandora's Box**

*Business Crimes/White Collar Criminal Defense*

May 12, 2020

## **Rankings and Recognition**

---

Selected for inclusion in:

- *Chambers USA: America's Leading Lawyers for Business*®\* 2010-2021, New Jersey Litigation: White-Collar Crime & Government Investigations
- *Benchmark Litigation: America's Leading Litigation Firms and Attorneys*®\* 2016-2022
- *The Best Lawyers in America*®\* 2007-2022, Commercial Litigation; Litigation - Regulatory

# Sills Cummis & Gross P.C.

Enforcement (SEC, Telecom, Energy); Criminal Defense: White-Collar

- *The Best Lawyers in America*®\* Newark “Lawyer of Year” 2015 and 2022, Litigation – Regulatory Enforcement (SEC, Telecom, Energy)
- *New Jersey Super Lawyers*®\* 2006-2022, Business Litigation; Criminal Defense: White Collar; Health Care
- *New Jersey Super Lawyers*®\* “Top 100 Super Lawyers” 2017-2018
- *New York Metro Super Lawyers*®\* 2006, 2020-2021, Business Litigation; Criminal Defense: White Collar; Health Care
- *Martindale-Hubbell*®\* AV rating

Received Professional Lawyer of the Year Award, as selected by the Association of the Federal Bar of New Jersey and the New Jersey Commission on Professionalism in the Law, in 2019.

\* See [Award Methodology](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

## Affiliations

---

### **Professional Affiliations**

*Past President*, The Association of the Federal Bar of New Jersey

*Trustee*, The Historical Society of the United States District Court for the District of New Jersey

*Trustee*, Harvard Law School Association of New Jersey

*Trustee*, Yale Club of Central New Jersey

*Trustee and Vice President*, U.S. Attorney’s Alumni Association of New Jersey

*Fellow*, American Bar Foundation

*Member*, Association of Criminal Defense Lawyers of New Jersey

*Member*, Section on Litigation, American Bar Association

*Member*, Section of Criminal Justice, American Bar Association

*Member*, New Jersey State Bar Association

*Member*, American Health Lawyers Association

— *Member*, Fraud and Abuse Practice Group, Enforcement Committee

### **Community Affiliations**



# Sills Cummis & Gross P.C.

Member, Essex Chain Gang Cycling Club

---

## **Education**

J.D., Harvard Law School, *cum laude*

B.A., Yale University, *summa cum laude*, *Phi Beta Kappa*

## **Bar Admissions**

New Jersey

New York

District of Columbia