



## DAVID A. BOCIAN

### PARTNER

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#### FOCUS AREAS

Whistleblower

Securities Fraud

#### EDUCATION

Princeton University

A.B 1992, *cum laude*

University of Virginia School of Law

J.D. 1998

#### ADMISSIONS

New Jersey

New York

Pennsylvania

District of Columbia

USDC, District of New Jersey

USDC, Southern District of New York

USDC, Eastern District of Pennsylvania

David Bocian, a former federal prosecutor, leads KTMC's Whistleblower and False Claims Act Litigation group. David's practice is dedicated to representing whistleblowers in cases brought under federal and state qui tam statutes, and through financial fraud whistleblower programs, such as the SEC, CFTC and IRS. He has had the privilege of representing many types of whistleblowers, including health care professionals, financial analysts, physicians, sales and marketing employees, attorneys and compliance professionals. David additionally litigates complex securities fraud matters as a member of KTMC's Securities practice.

David has spent most of his legal career litigating fraud cases. For more than a decade, David served as an Assistant U.S. Attorney in the District of New Jersey, where he was appointed Senior Litigation Counsel and managed the Trenton U.S. Attorney's Office. His work as a prosecutor included overseeing complex investigations involving government corruption and federal program fraud; commercial and public sector kickbacks; government contractor fraud; tax fraud; and, other white collar and financial crimes. David tried numerous cases before federal juries and received awards for his work from the Department of Justice, as well as commendations from many law enforcement agencies, including the FBI and the IRS.

David has extensive experience in the health care and life sciences fields as well. He has the distinction of being one of the few whistleblower attorneys in the United States to have been employed in the health care industry, having been responsible for

implementing a system-wide compliance program for a complex health system. David serves as an adjunct professor of law at Rutgers Law School, where he has taught Health Care Fraud and Abuse, and Fighting Foreign Bribery: Anticorruption Enforcement and Compliance.

### Current Cases

- Catalent, Inc.

This securities fraud class action brings claims against Catalent, Inc. (“Catalent” or the “Company”), an outsourced drug manufacturer for pharmaceutical and biotech companies, and certain of its former senior executives (together, “Defendants”). The case arises out of Defendants’ alleged material misrepresentations and omissions regarding the Company’s key production facilities and revenue in the face of declining demand for COVID-19 vaccine products.

According to Plaintiffs, Catalent initially benefitted from the COVID-19 pandemic, which increased demand for Catalent’s services and catapulted the Company to record high revenues. However, as demand for COVID-19 vaccines waned as a critical mass of Americans were vaccinated, so too did demand for Catalent’s services, leaving the Company with diminishing revenues, a bloated headcount, excess production capacity at its newly expanded facilities, and increasing safety and quality control issues at key production facilities in Bloomington, Indiana; Brussels, Belgium; and Harmans, Maryland.

Rather than admit this truth, however, Defendants made a set of false and misleading statements during the Class Period touting: (i) the good condition and well-maintained nature of Catalent’s key production facilities (the “Quality Control Statements”); (ii) the Company’s compliance with Generally Accepted Accounting Principles (the “GAAP Compliance Statements”); and (iii) non-COVID related demand for the Company’s products and services (the “Non-Vaccine Demand Statements”).

On September 15, 2023, Plaintiffs filed a 187-page complaint on behalf of a putative class of investors alleging that Defendants violated Sections 10(b) and 20(a) of the Securities Exchange Act of 1934. On November 15, 2023, Defendants moved to dismiss the complaint, which Plaintiffs opposed on January 12, 2024. Briefing on the motion was completed on February 15, 2024.

On December 29, 2025, U.S. District Judge Zahid Quraishi entered an order preliminarily approving a settlement for \$78 million in *In re City of Warwick Ret. Sys. v. Catalent, Inc. et al.*, a securities fraud suit pending in New Jersey federal court.

After overcoming Defendants’ motion to dismiss the claims, plaintiffs conducted extensive discovery and were in the midst of class certification proceedings at the time of settlement. The

parties' settlement is subject to final approval by the Court.

Plaintiffs moved for preliminary approval of the \$78 million Settlement on December 23, 2025. The Court granted preliminary approval of the Settlement on December 29, 2025 and scheduled a Settlement Hearing for June 10, 2026.

- Mylan N.V.

This securities fraud class action involves claims against Mylan (n/k/a Viatris Inc.), the world's second largest generic drug manufacturer, and its CEO Heather Bresch, President Rajiv Malik, and CFO Kenneth Parks. The case arises out of Defendants' scheme and misrepresentations regarding rampant abuses of federal quality control regulations, including at Mylan's flagship Morgantown, West Virginia manufacturing plant. As is alleged in the complaint, Defendants' scheme involved directing employees to circumvent data safety and quality regulations, including through manipulating drug testing results to achieve passing scores and corrupting testing data to create the false appearance of compliance. Defendants carried out this scheme to boost Mylan's manufacturing productivity, and thus profits, while assuring the investing public that its manufacturing methods complied with FDA standards.

Defendants' misrepresentations and scheme came to light through a series of corrective disclosures, which, together, caused the price of Mylan's common stock to fall by over 50%. The complaint alleges that the relevant truth about Defendants' deceptive conduct began to come to light in June 2018 when Bloomberg publicly revealed the FDA's findings of Morgantown's noncompliant manufacturing practices. The complaint alleges that investors continued to learn the truth of Mylan's violative and deceptive manufacturing practices in subsequent disclosures in August 2018 and February and May 2019 that concerned the company's efforts to remediate the Morgantown facility.

In November 2020, Lead Plaintiff filed the 137-page complaint alleging Defendants' violations of the securities laws. In January 2021, Defendants moved to dismiss the complaint. Following the completion of briefing on Defendants' motion to dismiss and oral argument, on May 18, 2023, the Court issued an opinion and order denying the motion to dismiss in part. Defendants then moved for judgment on the pleadings arguing that Lead Plaintiff could not establish loss causation for claims sustained in the Court's opinion and order, which Lead Plaintiff opposed. The Court accepted Lead Plaintiff's arguments in a July 2025 ruling denying Defendants' motion.

On February 18, 2026, the Parties filed a motion seeking preliminary approval of a \$60 million settlement. On February 19, 2026, the Court preliminarily approved the Settlement, authorized the Notice to be disseminated to potential Settlement Class

Members, and scheduled the Settlement Hearing to consider whether to grant final approval to the Settlement for June 15, 2026.

**The deadline to file a claim to be eligible for a distribution from the Settlement is July 10, 2026. To learn more about the Settlement or submit a claim online, please visit the website for the Settlement [www.Mylan2026SecuritiesSettlement.com](http://www.Mylan2026SecuritiesSettlement.com). Questions should be directed to the claims administrator, JND Legal Administration at 1-866-910-1314 or [info@Mylan2026SecuritiesSettlement.com](mailto:info@Mylan2026SecuritiesSettlement.com). [Read Consolidated Class Action Complaint Here](#)**

### News

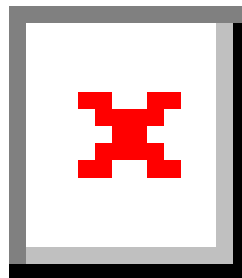
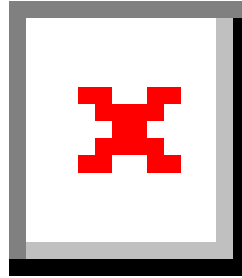
- June 16, 2026 - Telemedicine Company and Physician to Pay Over \$3.3 Million To Settle Whistleblower Lawsuit Alleging Fraudulent Billing
- May 26, 2026 - Court Approves \$250 Million Settlement in Rivian IPO Suit
- May 21, 2026 - KTMC Secures \$500 Million Settlement in Goldman Sachs Fraud Suit Involving 1MDB Malaysia Corruption Scandal
- March 31, 2026 - 12 KTMC Partners Named Among Lawdragon's 500 Leading Plaintiff Financial Lawyers
- January 5, 2026 - Kessler Topaz Recovers \$78 Million for Catalent Shareholders in Accounting Fraud Suit
- September 5, 2025 - Kessler Topaz Secures Class Certification in Goldman Sachs Fraud Suit Involving 1MDB Corruption Scandal
- April 9, 2024 - Kessler Topaz Achieves Class Certification Win in 1MDB Fraud Suit Against Goldman Sachs
- October 2, 2023 - Specialty Pharmacy Pays \$20 Million to Settle Whistleblower Lawsuit Alleging Kickbacks
- September 2, 2022 - Bayer to Pay \$40 Million To Settle Whistleblower Claims Alleging Fraud in Marketing Three Drugs
- February 4, 2019 - Specialty Pharmacy Pays \$17 Million To Settle Whistleblower Lawsuit Alleging Medicare Billing Fraud

### Speaking Engagements

Panel on data analysis in whistleblower litigation, American Conference Institute's Sunshine Act, Open Payments, and Aggregate Spend Compliance Conference, New York, October 20-22, 2014

### Awards/Rankings

- Lawdragon 500 Leading Plaintiff Financial Lawyer, 2019-2026
- United States Department of Justice, Director's Award for Superior Performance by an Assistant U.S. Attorney



### Memberships

- American Association for Justice, past Co-Chair, Qui Tam Litigation Group
- Association of the Federal Bar of New Jersey
- American Health Lawyers Association
- The Anti-Fraud Coalition (TAF)