

PARTNER

# Jon S. Barooshian

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## OVERVIEW

Jon Barooshian is a highly-respected trial lawyer and former state prosecutor who defends businesses and individuals throughout New England and the U.S. Clients, private and publicly-held alike, seek Jon's help when they're facing high-risk, high-exposure, high-profile cases, often involving...

- Investigations by government agencies and related civil or criminal litigation
- Civil and criminal tax controversies
- Money laundering, securities fraud and theft allegations
- Forfeiture and
- Internal investigations and related criminal and civil litigation

While a lot of Jon's cases come from smaller family businesses, he also represents publicly-traded companies, such as banks and financial institutions of all sizes, including ones with national operations. Jon has also served as national coordinating counsel for clients who become embroiled in mass tort litigation and class actions.

Jon has over 20 years of experience representing individuals, nonprofit organizations and businesses of all sizes during investigations by federal and state agencies. When necessary, he defends these clients in administrative proceedings and at trial in state and federal courts. He regularly represents clients in civil and criminal tax fraud investigations, FBAR (Report of Foreign Bank and Financial Accounts) and offshore bank account proceedings, voluntary disclosure proceedings and state and federal tax collection proceedings. In addition, Jon helps clients with responses to inquiries from government agencies and investigates possible unintended violations on behalf of clients who are concerned about their compliance.

Clients embroiled in trials and investigations benefit from Jon's previous prosecutorial experience as a Massachusetts Assistant District Attorney. His unique understanding of strategies used by prosecutors and investigators allows him to adopt a confident, proactive approach to each client's defense and the resolution of claims.

## Besides work

"I try to play golf," Jon says. "Missed shot? Who cares. It's a break from work." He takes life at the beach more seriously.

## In the news

- *Law360* quotes Jon Barooshian in “[Pot Attys Hope Mass. Top Court Curbs Local Regulatory Clout](#)” (subscription required)

## EXPERIENCE

### An invoicing investigation uncovers widespread fraud

Jon was hired by a Massachusetts manufacturer when the HR director of the company realized that invoices were being padded. “This was typical of a lot of cases I’ve handled,” Jon said. “I investigated who was involved and determined how we were going to prove it.” As Jon proceeded to investigate the client’s allegation of fraudulent invoice and expense practices, he began to unravel a widespread scheme involving several employees. “My report to the client could have served as an indictment. It resulted in several employees being terminated with cause and saved my client hundreds of thousands of dollars annually.”

### An internal investigation neutralizes federal accusations against a New England business

When the part owner of a business in New England was suspected of money laundering, the federal government, as Jon put it, “went after him hard” with a forfeiture petition. Jon took the time to figure out how his client’s business made money and then sat him down in front of the U.S. Attorney, FBI and the IRS. “He explained how his business worked, and everybody’s jaw dropped.” The matter was resolved favorably for Jon’s client.

## OTHER EXPERIENCE

### Tax controversy

- National digital marketing company in a tax controversy involving sales tax audit and employee classification issues. Identified the appropriate structure to minimize tax burden.
- Family-owned construction company in a tax evasion claim related to payments to non-citizen workers. Mitigated financial restitution and sentencing.
- Resolved a \$2 million Department of Revenue “responsible person” claim on behalf of a restaurant manager for 1.5 percent of total owed.

### Criminal defense

- Negotiated resolution of parallel white-collar criminal and civil proceedings on behalf of husband and wife business owners indicted for evading taxes on more than \$1 million in revenue. “My clients were the only targets of the investigation that focused on seven individuals to avoid incarceration,” Jon noted.
- Major regional construction company in connection with parallel criminal and civil investigations into alleged OSHA violations.

### Investigations in stealing, money laundering and fraud

- Investigated and disclosed financial malfeasance by corporate client CFO to IRS and state tax authorities and minimized trust fund penalty assessments. Jon successfully brought claims against CFO and recovered his client’s costs.
- In response to a civil action by the Attorney General, Jon represented a major global financial services company in connection with an investigation by state regulatory agencies into the client’s alleged complicity into health care fraud.
- Non-profit higher education institution in investigations by state authorities – triggered by Attorney General civil investigative demand – into expense abuse.
- Major regional healthcare company in an internal investigation of corporate bribery and subsequent prosecution of alleged offenders.

- Avoided indictment for a client accused of laundering more than \$500,000 of illicit proceeds involving forfeiture allegations. “My client avoided complete forfeiture of property used to facilitate the alleged crime.”

In addition, Jon has had significant experience as coordinating counsel, handling hundreds of thousands of cases nationwide. “I’ve also represented a lot of individuals when disaster strikes,” Jon noted, “whether it has involved tax proceedings, divorce, kids in trouble, an indictment, property in danger or some other looming crisis.”

## AFFILIATIONS

- Board Member, [Marlborough Regional Chamber of Commerce](#)
- Member, [Massachusetts Bar Association](#)
- Member, [Boston Bar Association](#) Adams Ball Steering Committee

## ARTICLES & TALKS

### ARTICLES

- “[Wayfair: For small online retailers, future uncertain](#),” Massachusetts Lawyers Weekly, July 16, 2018
- “[Beware of IRS Scrutiny of Non-Cash Charitable Contributions](#),” co-author, Massachusetts Society of CPAs, March 20, 2018
- “[So Your Client Just Received a Letter from the IRS: When to Start Worrying](#),” co-author, Massachusetts Society of CPAs, June 2017
- “[What the Panama Papers Should Teach Companies about Money Laundering](#),” Corporate Counsel, June 30, 2016

### TALKS

- “[How to Effectively Handle State and Federal Tax Controversy: Practical Tips and Strategies Explored](#),” The Knowledge Group webinar, October 7, 2020
- “[Business Accounting and Risk Mitigation During COVID-19](#),” Business Lawyers Network webinar, June 16, 2020
- Presented to executives of publicly-traded retailer on irrevocable trusts, selling a business or transferring a business to a child, and transferring wealth to future generations. May 28, 2020 and June 3, 2020.
- “The use of experts in business valuation and forensic investigation cases,” MSI Global Alliance 2020 Americas Regional Conference, Miami, Florida, January 26, 2020
- “[Time is Running Out to Maximize the Value of Opportunity Zones](#),” Marlborough and MetroWest Chambers of Commerce, Marlborough, Massachusetts, September 10, 2019 (Moderator)
- “Building a Successful Cannabis Entity,” [Business of Cannabis](#), *Worcester Business Journal*, Worcester, Massachusetts, June 11, 2019
- “[Tax Controversy Update: Innocent Spouse Relief and Responsible Party Assessments](#),” Bowditch & Dewey, Boston/Westborough, Massachusetts, June 2017
- “Minimizing Exposure to Criminal Prosecution for Tax Evasion and Attorney-Client Privilege,” Massachusetts Chapter of National Association of Tax Professionals, Taunton, Massachusetts, October 2010
- “Admissibility of Forensic Evidence,” Worcester Polytechnic Institute, Worcester, Massachusetts, August 2009

## BAR ADMISSIONS

- First Circuit Court of Appeals
- Massachusetts
- New Hampshire
- U.S. District Court for the District of Massachusetts
- U.S. District Court for the District of New Hampshire
- U.S. Tax Court

## EDUCATION

- LL.M., Taxation, Boston University School of Law
- J.D., Massachusetts School of Law
- B.B.A., University of Massachusetts at Amherst