



Todd & Weld LLP

Michael R. DiStefano

Partner

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A courtroom veteran and former prosecutor, Michael DiStefano resolves a wide range of sensitive criminal defense and government investigation matters with a diplomatic and effective approach.

Michael R. DiStefano concentrates his practice in the areas of government investigations and criminal defense, including defending clients at trial and in pre-indictment government investigations.-He advises clients under investigation in a variety of forums outside of court, including government civil investigative proceedings, college and university disciplinary matters, and professional licensing board hearings.-

Mr. DiStefano's notable case accomplishments include:

- Resolving Department of Justice investigation of public official with no criminal charges brought against client
- Obtaining a probationary sentence for a client charged with \$3.3 million tax fraud
- Obtaining dismissal of criminal charges against medical and financial professionals where convictions could have had negative consequences on professional licenses

Mr. DiStefano serves on the Criminal Justice Act Panel of the U.S. District Court in Massachusetts.

Prior to joining Todd & Weld, Mr. DiStefano was an Assistant Attorney General in the Office of the Attorney General of Massachusetts, where he prosecuted multi-jurisdictional criminal enterprises involving narcotics, firearms, and human trafficking.- He also conducted extensive white collar criminal investigations.

Before moving to the Office of Attorney General, Mr. DiStefano was an Assistant District Attorney in the Suffolk County District Attorney's Office, where he conducted more than 30 jury trials.- As a Gang Unit Prosecutor, he was responsible for all aspects of prosecution, including grand jury investigations, charging decisions,

suppression motions, pre-trial motions, plea bargaining, and search warrant review.-

Practice Areas

- Government Investigations and Criminal Defense

Representative Results

Government Investigations

- Represented national company in an investigation conducted by Health Care Division of the Massachusetts Attorney General's Office, which successfully resolved without any criminal charges or civil claims against company
- Resolved Department of Justice investigation of public official with no criminal charges brought against client
- Represented employees of company under federal grand jury investigation

Criminal Defense

- Obtained a probationary sentence for a client charged with \$3.3 million tax fraud
- Following an emergency remote hearing, persuaded a Massachusetts Superior Court judge to release a pre-trial detainee due to concerns over potential exposure to the COVID-19 virus
- Utilized forensic evidence to rebut allegations of criminal harassment resulting in prosecutor dismissing the criminal case
- Obtained probationary sentence for client charged with participating in international bribery scheme
- Resolved District Attorney's Office investigation of accounting professional with no criminal charges brought against client
- Member of defense team that achieved jury acquittal of business executive charged with arson and insurance fraud
- Resolved law enforcement investigation of higher education official with no criminal charges brought against client

College and University Investigations

- Conducted an internal investigation into allegations of financial fraud on behalf of the Board of Trustees of a university
- Represented a client in connection with an investigation of suspected misconduct within a university athletics department
- Successfully represented college student in parallel criminal and Title IX matters-
- Resolved investigation involving allegations of serious student misconduct with educational institution permitting client to graduate

Professional Misconduct and Licensure Issues

- Obtained dismissal of criminal charges against medical and financial professionals where convictions could have had negative consequences on professional licenses

Experience

- Todd & Weld LLP, 2014-Present
- Assistant Attorney General in the Office of the Massachusetts Attorney General, 2014
- Assistant District Attorney in the Office of the Suffolk County District Attorney, 2010-2014
- Judicial Law Clerk to The Honorable Gary Hicks, New Hampshire Supreme Court, Fall 2009
- Judicial Intern to The Honorable Robert Cordy, Massachusetts Supreme Judicial Court, Fall 2008
- Judicial Intern to The Honorable David Lowy, Essex Superior Court, January-August 2008
- Teacher, Advisor and Athletic Coach at Kingswood-Oxford School, West Hartford, CT, 2003-2006

Bar Admissions

- Massachusetts, 2009
- U.S. District Court, Massachusetts , 2014
- U.S. Court of Appeals, First Circuit , 2016

Education

- New England Law | Boston (J.D., *magna cum laude*, 2009) Cali Award for Excellence:-Evidence & Clinical Evidence, and Alternative Dispute Resolution; Comment and Note Editor,-*New England Journal on Criminal and Civil Confinement*
- Colby College (B.A. in Government, *cum laude*, 2003) National Political Science Honor Society (2003); Verizon Academic All American Award (2002)

Professional Activities

- Massachusetts Bar Association, Criminal Justice Section Council Member (2016-2017)
- Boston Bar Association
- Massachusetts Association of Criminal Defense Lawyers

Publications/Presentations

- Presenter, "Beyond Email: Fact Development in the Digital Age," Boston Bar Association (April 2022)
- "A Survey of Federal Proffer Agreements: The Shortcomings and Pitfalls in the Government's Promised Protections,"-*The Champion*-(Sept.-Oct. 2020)
- "Defining Substantial Burden under the Religious Land Use and Institutionalized Persons Act: The Third Circuit's Successful Clarification,-*New England Journal on Criminal and Civil Confinement*, Vol. 35 (2009)

Honors and Awards

- Named to *Best Lawyers in America: Ones to Watch*, Criminal Defense: White Collar, 2022 and 2023
- *Massachusetts Lawyers Weekly*, Excellence in the Law 2018, Up & Coming Lawyer

News & Insights

- Michael DiStefano elected to partnership at Todd & Weld LLP
- Eight Todd & Weld attorneys recognized in 2023 Best Lawyers: Ones to Watch in America
- Michael DiStefano to present at BBA program on new frontiers of e-discovery
- Eight Todd & Weld attorneys selected to Ones to Watch from Best Lawyers
- Article by Ingrid Martin, Michael DiStefano surveys latest trends in federal proffer agreements
- Michael DiStefano appointed to federal Criminal Justice Act Panel
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- Michael DiStefano featured as Up & Coming Lawyer in *Massachusetts Lawyers Weekly*
- Michael DiStefano chosen as an Up and Coming Lawyer
- Michael DiStefano quoted in Law360 article on successful resolution of criminal case

Results

- Max Stern, Michael DiStefano secure acquittal in arson trial