Daniel Polatsek

Partner

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Daniel Polatsek is the co-chair of Ice Miller's White Collar Defense & Investigations Group. Over the last two decades, Dan has represented companies and individuals in white collar criminal investigations, trials, complex civil litigation and administrative enforcement matters.

Dan counsels clients in high-stakes matters across a range of industries, including health care companies, insurance companies, financial institutions, pharmaceutical companies, academic institutions and non-profit organizations. He has also represented numerous individuals, ranging from senior executives and board members to general counsel and other business professionals. Dan has defended corporate and individual clients in cases involving financial fraud, commercial bribery, health care fraud, securities fraud, public corruption, tax fraud, violations of the Food Drug Cosmetic Act and other alleged business crimes. He also frequently counsels uncharged companies and individuals through the grand jury investigation process. In civil litigation, Dan defends clients where claims of intentional misconduct are suspected or alleged, such as civil RICO (Racketeer Influenced and Corrupt Organizations Act), common-law fraud or intentional fraudulent transfer.

Dan also leads internal investigations related to sensitive matters of corporate governance and related crisis management issues including investigations involving alleged violations of the Foreign Corrupt Practices Act (FCPA), public corruption, conflict of interest schemes, whistle blower claims and other instances in which unlawful conduct has been alleged or is suspected.

Dan's trial experience includes two multimillion-dollar civil RICO trials for a nationally recognized research and development company, a multimillion-dollar fraud trial for a top private equity broker and a trial on behalf of a merchant bank involving the misappropriation of confidential business information.

Prior to entering private practice, Dan served as the judicial law clerk to Justice McBride of the Illinois Court of Appeals for the First District.

Education

- Tulane University (B.A.)
- University of Illinois College of Law (J.D.)

Services & Industries

- Distressed Investments
- Financial Technology
- Litigation
- Supply Chain & Logistics
- White Collar Defense & Investigations

Admissions

- Illinois
- United States District Court - Central District of Illinois
- United States District Court - Northern District of Illinois
- United States Court of Appeals - Seventh Circuit

Awards & Honors

- *The Best Lawyers in America®* for Criminal Defense: White Collar Law, 2024-2027
- *Legal 500 U.S. City Elite Rankings* in Chicago for White Collar Crime, 2026
- Leading Lawyers℠, Commercial Litigation, 2024-2026
- *Legal 500,* 2018
- *U.S. News & World Report,* 2016

Key Matters

Select White Collar Criminal Defense Representations

- Counsel to senior executive of Fortune 500 company in parallel investigations by the Department of Justice and Securities Exchange Commission involving alleged felony violations of federal securities laws related to certain sales practices.
- Counsel to Registered Investment Advisor ("RIA") in parallel investigations by the Department of Justice and Securities Exchange Commission resulting from the large scale embezzlement of a senior employee.
- Counsel to senior compliance officer of cryptocurrency platform in parallel investigations by the Department of Justice and Commodity Futures Trading Commission for potential violations of securities laws.
- Counsel to president of construction company in federal grand jury investigation involving allegations of public corruption and violations of federal bribery laws.
- Counsel to senior executive of healthcare company in federal grand jury investigation involving alleged violations of the Food Drug and Cosmetic Act.
- Counsel to senior executive of a publicly traded company involving alleged violations of insider trading.
- Counsel to real estate developer in federal grand jury investigation involving alleged violations of felony violations of the Internal Revenue Code.
- Counsel to general counsel of manufacturing company in federal grand jury investigation involving alleged felony violations of the Internal Revenue Code.
- Counsel to Chief Executive Officer of captive insurance company in federal grand jury investigation involving the violations of Medicaid and Medicare Insurance.
- Counsel to company in the commodities industry in federal grand jury investigation involving alleged felony violations of the Internal Revenue Code.

Select Internal Investigations

- Counsel to Fortune 500 energy company in internal investigation involving potential violations of GAAP and revenue recognition.

- Counsel to Fortune 500 hospitality company in internal investigation involving alleged violations of internal code of conduct by senior executives.
- Counsel to Fortune Global 500 company in internal investigation involving allegations of unlawful accounting practices.
- Counsel to a project management company in internal investigation involving alleged violations of federal bribery, public corruption, and the alleged misappropriation of hundreds of millions of dollars to state funded programs.
- Counsel to publicly traded company in internal investigation involving allegations of unlawful anticompetitive conduct related to certain sales practices.
- Counsel to a pharmaceutical company in an internal investigation involving a fraud scheme allegedly perpetrated by one of its senior executives.
- Counsel to publicly traded company in internal investigation involving allegations of unlawful anticompetitive conduct related to certain vendor relationships.
- Counsel to public university to investigate allegations of systemic discrimination among administration and faculty.
- Counsel to publicly traded company in internal investigation involving a multimillion-dollar fraudulent billing scheme through the use of a third-party payment administrator.
- Counsel to insurance brokerage firm in internal investigation involving a multimillion-dollar conflict of interest scheme.
- Counsel to nationally recognized research and development company in internal investigation involving a multimillion-dollar conflict of interest scheme perpetrated by several employees.
- Counsel to a post-secondary educational institution in internal investigation involving potentially improper use of Title IV funding.
- Counsel to publicly traded company in internal investigation involving allegations of anticompetitive conduct between senior executives of the company and certain third-party vendors.

Select Civil Litigation Representations

- Counsel to Liquidating Trustee in civil Racketeer Influenced Corrupt Act (RICO) and fraudulent transfer action seeking recovery from the millions stolen from companies targeted in payroll processing fraud that is one of the largest and longest-running check kiting case in United States history.
- Counsel to Liquidating Trustee seeking recovery of hundreds of millions stolen from thousands of investors through numerous actions asserting claims of civil RICO, fraudulent transfer and securities fraud among other claims along with other adversarial proceedings against real estate development company, its principals and coconspirators arising from their participation and orchestration of illegal Ponzi scheme.
- Counsel to former senior government official of Attorney General’s Office of the United Kingdom related to a civil RICO action brought in the United States.
- Counsel to private wealth advisory firm in multimillion-dollar litigation involving claims of fraud and breach of contract and overlapping regulatory issues with the Financial Industry Regulation Authority (FINRA).
- Counsel to Robert R. McCormick Foundation in the alleged multibillion-dollar fraudulent transfer action arising out of the Tribune Company’s leveraged buyout transaction.
- Counsel to Chicago Transit Retirement Health Care Trust in class action involving the constitutionality of mandatory contributions to health care benefits.

Select Trials & Arbitration

- *Gas Technology Inst., et al. v. Amirali Rehmat, et al.* No. 05 C 2712 (N.D. Ill.). Counsel to plaintiff in three-week federal jury trial involving claims of civil RICO, fraud and civil conspiracy. Jury verdict in favor of plaintiff on all counts resulting in a multimillion-dollar recovery for our client.

- *Cement-Lock, LLC and Richard Mell v. Gas Technology Inst., et al.*No. 05 C 0018 (N.D. Ill.). Counsel to defendants, a research and development company and three senior executives in eight-week federal jury trial involving claims of fraud, civil RICO, RICO conspiracy and breach of fiduciary duty. At the conclusion of trial, the trial court dismissed or vacated the civil RICO and fraud claims in favor of all defendants and the jury dismissed the rest of the remaining claims.
- *Galinsky v. Advanced Equities, Inc., Dwight Badger and Keith Daubenspeck,*Case No. 10-00048 (2010). Counsel to plaintiff in four-week arbitration before the Financial Industry Regulation Authority (FINRA) involving claims of fraudulent inducement, breach of contract and unjust enrichment. Panel award in favor of plaintiff resulting in a multimillion-dollar award for the client.

Published In

- "Compliance Expectations Amid the COVID-19 Crisis," *Risk Management*, September 1, 2020
- “Strategic Considerations When Conducting an Internal Investigation,” *The Corporate Counselor,* January 2009
- “Pleading, Standing and Proximate Cause in Civil RICO,” *The Practical Litigator,* May 2007
- “Effectively Managing an Inadvertent Disclosure of Privileged Materials,” *The Practical Litigator,* November 2003
- “Enforcement of Foreign Media Judgements in the Aftermath of *Gutnick v. Dow Joes,” Communications Lawyer,*April 2003
- “Attorney-Client Privilege, Corporate Clients and the Control-Group Test,” *Illinois Bar Journal,* February 2003
- “Preserving the Attorney-Client Privilege: Ex Parte Interviews of Former Corporate Employees,” *For the Defense,* December 2002
- “The Reporter’s Privilege for the Seventh Circuit," *The Reporter’s Committee for the Freedom of the Press,* November 2002

Thought Leadership

August 12, 2026
Distressed Investments Opportunity Bulletin - Issue 37

June 23, 2026
Distressed Investments Opportunity Bulletin - Issue 36

April 23, 2026
Distressed Investments Opportunity Bulletin - Issue 35

March 6, 2026
Distressed Investments Opportunity Bulletin - Issue 34

January 27, 2026
Distressed Investments Opportunity Bulletin - Issue 33

May 23, 2025
The DOJ’s Evolving Policies: White-Collar Enforcement Under President Trump

April 12, 2024
SEC Obtains Judgment Against Executive for “Shadow Trading”

May 16, 2023

Supreme Court Narrows Mail and Wire Fraud Liability

January 20, 2023
DOJ Revises Corporate Enforcement Policy

June 2, 2022
Glencore's Certification and Guilty Plea Puts Spotlight on Individual Accountability and Cooperation Credit for Internal Investigations

June 7, 2021
Biden Administration Moves to Strengthen Measures to Combat International Corruption and Illicit Financing

September 9, 2020
Department of Justice Issues Guidance Regarding Inability to Pay in Civil Recovery Actions

July 10, 2020
DOJ and SEC Update FCPA Resource Guide for First Time Since 2012

June 5, 2020
Department of Justice Updates Its Corporate Compliance Program Evaluation Guidance

June 3, 2020
Rise in SEC Whistleblower Complaints Reinforces Importance of Corporate Compliance

May 21, 2020
DOJ, SEC & FBI Host Virtual Town Hall on Foreign Bribery and Health Care Fraud Enforcement

May 9, 2020
Borrower Beware

March 26, 2020
SEC Monitoring Insider Trading and Disclosure Issues in Light of COVID-19

Speaking Engagements

- "Conducting Remote Investigations: Practical Guidance and Best Practices" Corporate Counsel Business Journal, April 2020
- "Managing Compliance Risks in a Remote Workplace: Corporate Fraud and Internal Controls," Ice Miller Webinar, April 2020
- "How to Avoid a Sweeping Regulatory Investigation," Today's General Counsel, June, 2019
- “When a Crisis Hits: How to Gain Control of the Data, the Facts and Your Message," General Council Institute, March 2019
- "How Not to Mess Up a Litigation Hold," Today's General Counsel, October 2018
- “Five Ways to Better Control Discovery Spend,” ACC Legal Operations Conference, June 2017
- “Controlling Litigation Costs,” Bloomberg Law, February 23, 2017
- “What Happens When E-Discovery Meets Investigations,” Inside Counsel Magazine Webinar, March 2016
- “TAR 2.0 for Smart People: Moving Beyond E-Discovery Review,” LegalTech, February 2016.
- “Internal Investigations and the Attorney-Client Privilege,” Knowledge Congress, August 2014

- “Employee Malfeasance & Internal Investigations: A Roadmap for Chief Financial Officers,” Media Financial Management Association, May 2011
- “What HR Executives Needs to Know about Conducting an Internal Investigation,” ExecSense Webinar, October 2010
- “Managing Ethical Issues in Electronic Discovery,” Practicing Legal Ethics in the Electronic Law Office, June 2010
- “Managing Ethical Issues in Electronic Discovery,” Half Moon Seminars, LLC, June 2010
- “Discovering Occupational Fraud in the Workplace: It’s What You Do Next That Counts,” Media Financial Management Association, January 2010
- “Attorney-Client Privilege: Who, What, Where, Why, and When in Illinois,” Trade & Professional Association Law Committee Meeting, April 2009
- BCFM/BCCA 2007 Annual Conference
- “Managing Internal Investigations Involving Employee Fraud,” Media Financial Management Association National Conference, May 2007
- “Electronic Discovery in the Digital Age of Media,” Media Financial Management Association, April 2007