
NAVIGATING COMPLIANCE DURING A PANDEMIC

CARES ACT, PAYCHECK PROTECTION PLAN (PPP) AND COVID-19



Businesses and individuals face legal and reputational challenges that can be difficult to manage on their own. We are here to help.

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United States federal, state and local governments have responded to the **COVID-19** global pandemic with a wide range of economic stimulus programs, including loans and grants, tax credits and other incentives. As businesses and individuals avail themselves of these stimulus programs, they face legal and reputational challenges that can be difficult to manage on their own. We are here to help. Our multi-disciplinary team has assisted public and private companies, boards of directors and members of management, high net worth and self-employed individuals, and various other entities and individuals to assess eligibility and maintain compliance with government programs, manage audit risk and respond to the ever changing guidance and regulations, and respond to government enforcement actions.

Corporate and Transactional

We advise businesses and individuals on all aspects of the Coronavirus Aid, Relief and Economic Security Act (the CARES Act), Paycheck Protection Program (PPP), Economic Injury Disaster Loan Program, and similar COVID-19-related state and local financial assistance stimulus programs. We represent lenders, borrowers, stockholders, regulated entities, boards and management and other law firms, as well as acquirors and other business partners, on eligibility, compliance and risk management in connection with these programs.

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Government Enforcement and Litigation

Government grant programs are drawing a high level of scrutiny from enforcement authorities, investors and buyers, congressional committees and the media. PPP loan recipients and regulated entities, such as health care providers that may have received CARES Act payments without asking, face heightened risk of investigation and civil or criminal enforcement actions. Our team includes former government lawyers who have held significant positions in the U.S. Department of Justice and the Department of Homeland Security; congressional staffs; and Army intelligence and the CIA. We know how to guide our clients through sensitive internal investigations, and to defend against government enforcement actions and civil litigation—especially involving complex regulatory frameworks and novel legal theories. We take pride in our ability to resolve matters before they become public. But when it becomes necessary, we are vigorous courtroom advocates, with the collective experience of hundreds of jury trials, as both federal prosecutors and defense counsel. More information about our White Collar practice group can be found [here](#).

Labor and Employment

Whether or not a client is a borrower under a COVID-19-related stimulus program, businesses and individuals must navigate recent changes to paid leave, unemployment, and other workforce related matters.

We advise employers on COVID-19-related workforce reductions and other changes, as well as family leave and other requirements of the Families First Coronavirus Response Act, the CARES Act, and other COVID-19-related laws and regulations.

Health and Safety

We advise and continue to assist clients track and comply with the myriad federal, state and local safe-work practices that have been implemented (and modified) during the COVID-19 pandemic. We also work with clients navigating environmental and health & safety enforcement discretion policies when routine compliance obligations cannot be satisfied as a result of COVID-19 responses.

Tax

In addition to changes in labor and employment laws, COVID-19-related legislation in the United States created a number of tax credits and other incentives for businesses and individuals as part of a broad stimulus program. We advise businesses and individuals on US federal, state and local tax matters in connection with a wide variety of transactions, including business formations, joint ventures, mergers and acquisitions, and provides guidance on the impact that the CARES Act and other COVID-19-related laws and regulations can have on the tax structuring of these transactions and how clients can best take advantage of these changes in their tax planning going forward.