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John E. Floyd

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Biography

John Floyd was recently described by a client as “probably the leading authority on racketeering in the U.S.” He has a great depth of knowledge and experience in this complex area. Peers say he is “extremely bright, knowledgeable, and also very practical on how to get the best results for the client.”

John authored the preeminent book on state Racketeer Influenced and Corrupt Organizations (RICO) statutes, *RICO State By State: A Guide to Litigation Under the State Racketeering Statutes* (American Bar Association, Section of Antitrust Law, 2011 and 1998). He has also written numerous book chapters and articles on federal and state RICO.

The challenges of successfully pursuing and defending RICO cases are considerable. John has handled these cases in federal and state courts on behalf of plaintiffs, defendants, and as a special prosecutor in cases that have attracted national attention. He recognizes and understands the challenges and opportunities that these cases present.

A former Georgia Attorney General once said of John, “When you have a complex RICO question, you get John Floyd’s book and try to figure it out. If you can’t figure it out, you call John.” He has also been described as an “endless education” and “incredibly knowledgeable,” while “nobody outworks him.”

John is a frequent lecturer and has served as chair of Georgia’s ICLE RICO Seminar since its

inception. John is often asked to speak to prosecutors and law enforcement organizations on RICO, gang prosecutions, and white collar crime topics.

John also has extensive experience with cases under the False Claims Act. This has included cases on behalf of both relators and defendants, including a case that generated civil and criminal recoveries totaling $600 million.

In addition to his RICO and False Claims Act work, John conducts internal investigations for institutional clients and represents plaintiffs and defendants at the trial and appellate levels in cases involving business torts and professional liability.

John is a Senior Fellow in the Litigation Counsel of America, which is an invitation-only trial lawyer honorary society and represents less than one-half of one percent of American lawyers. Fellows are selected based upon excellence and accomplishments in litigation trial work and superior ethical reputation.

Representative Matters

- Represented whistleblowers in False Claims Act action against pharmaceutical company Allergan, Inc. for illegal off-label marketing of Botox for unapproved uses.
- Resulted in a $600 million global civil/criminal settlement, the largest in the history of the Northern District of Georgia.
- Represented a whistleblower in settling a case against a medical billing entity, resulting in a multi-million dollar recovery by the United States.
- Represented a whistleblower in settling a case against a nursing home, resulting in a state-of-the-art corporate Integrity Agreement being imposed on the defendant.
- Successfully represented a defendant in an eight-year battle against a whistleblower who attempted to amend the complaint at least four separate times. Defeated every attempted amendment and won the case in the 11th Circuit, generating a new standard that has since been followed in several other circuits.

- Conducted several sensitive investigations on behalf of educational institutions.

- Represented a defendant in winning summary judgment on behalf of a major law firm using a novel legal theory and without taking any depositions.

PLAINTIFFS

- Successfully represented a county school district in an investigation of fraud and waste in the construction and renovation of school buildings that resulted in recoveries and savings of several million dollars.
- Represented a putative class in a federal and Georgia RICO action involving the employment of illegal workers.

DEFENDANTS

- Represented a publicly traded corporation and its subsidiary in an investigation concerning alleged receipt of stolen property.
- Represented a defendant accused of participating in a major theft ring; the case was settled at a relatively low amount, re-establishing a business relationship between the defendant and the plaintiff company, and insulating the defendant from a pending criminal investigation.
- Represented defendants in a dispute over the management of a large limited liability company. Over the course of multiple appeals, succeeded in removing a special master, voiding the appointment of a receiver, winning summary judgment for the defendants, and obtaining a ruling requiring the reimbursement of all receiver's fees paid by defendants.

AS SPECIAL PROSECUTOR

- Helped prosecute administrators and educators involved in cheating on standardized tests in the Atlanta School System. The case resulted in 21 guilty pleas, 11 convictions (including 11 Georgia RICO conspiracy convictions), and one acquittal.
- Helped convict the former sheriff of DeKalb County, Georgia, who ordered the murder of his elected successor; successfully defended the conviction in the Georgia Supreme Court.
- Helped convict two faculty members at The Medical College of Georgia who stole over $10 million in research funds; recovered over 99 percent of the stolen funds.
- Assisted in the prosecutions of dozens of gang members on RICO conspiracy charges.

Professional Activities

- Special Assistant District Attorney, Atlanta, Augusta, Brunswick, Cobb, Dougherty, Rome, Fulton and Stone Mountain Judicial Districts (various times)
- Special Assistant Attorney General, State of Georgia, 1997-2000
- Fulton County Board of Ethics, Member, 1998-2004
- Civil RICO Report Editorial Advisory Board, Member
- Atlanta Bar Association, Litigation Section, Member
- State Bar of Georgia, ADR, Bankruptcy, General Practice, and Trial Sections, Member
- American Bar Association, Member

- Lawyers Club of Atlanta, Member
- Lumpkin American Inn of Court, Master

Honors & Awards

- Legal 500, Atlanta City Elite, 2026
- The Daily Report and Law.com, Lifetime Achievement Award, 2026
- Georgia Super Lawyer, 2004 - 2026
- Best Lawyers, 2006 - 2027
- Litigation Counsel of America, Senior Fellow
- Chambers USA, 2013 - present
- Office of the Fulton County District Attorney, Ahmed Oabarran Public Service Award, 2014
- Georgia Gang Investigators Association, President’s Award, 2009
- National District Attorneys Association, Heavy Hitter’s Award, 2003
- District Attorneys’ Association of Georgia, Distinguished Service Award, 2002

Credentials

Education

- Emory University School of Law, J.D., 1983
    - Notes and Comments Editor, Emory Law Journal
- Brown University, A.B., 1980, Honors in History

Previous Experience

- Law Clerk, Judge William C. O’Kelley, U.S. District Court for the Northern District of Georgia, 1983-1985

Admissions

- State Bar of Georgia
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Supreme Court
- U.S. District Court for the Northern District of Georgia

Thought Leadership

- American Bar Association’s 12th Annual Southeastern White Collar Crime Institute, “Current Trends in White Collar Crime at the State and Local Levels,” Panelist, 2026
- Fulton County District Attorney’s Office RICO Training, 2025
- Georgia Gang Investigators Association Annual Meeting, Chaired panel on expert witnesses, 2025
- Litigation Counsel of America Spring Meeting, *What You Need to Know About State RICO*, 2025
- Georgia Gang Investigators Association Annual Meeting, RICO, *Make The Connections*, Make the Case, 2023
- Litigation Counsel of America Complex Commercial Litigation Institute, *Demystifying RICO*, 2021
- Georgia Gang Investigators Association Winter Meeting, *Enterprise Theory of Investigation*, 2021
- Fulton County District Attorney’s Office RICO Training, 2021
- Prosecuting Attorneys’ Council of Georgia Annual Meeting, *Understanding the RICO Toolbox and Its Potential Application to Opioid Prosecutions*, 2020
- Georgia ICLE Seminar, *Health Care Fraud: What To Do When the Law Comes Knocking and What Are the Knocks About,* 2020
- Georgia ICLE RICO Seminar, The Other Side of the Coin: State RICO Statutes, 2018, (Chair)