

Mary Toscano Carpenito

PARTNER

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As a former federal prosecutor I am, at my core, a trial lawyer. I know how to build a case and how to defend it aggressively, and I can quickly ascertain what is important to a judge in order to advance my argument effectively. That said, litigation often extracts a significant emotional and financial toll on a client. I believe my clients appreciate the empathy, sincerity and 'humanity' with which I handle their matters, while remaining a fierce advocate on their behalf.

Mary focuses her practice on white collar criminal defense, internal corporate investigations and complex civil litigation. Her work encompasses the defense of clients in criminal investigations, RICO actions, contract and business disputes, and allegations of legal malpractice. She is experienced in all aspects of litigation, including internal investigations on behalf of financial institutions and other corporate entities, pre-trial motions and plea negotiations, and trial and post-trial proceedings, and has tried numerous cases to verdict.

Prior to entering private practice, Mary gained extensive experience as an Assistant U.S. Attorney in the U.S. Attorney's Office for the District of New Jersey for over ten years. In her role as Deputy Chief of the Criminal Division, she managed all aspects of litigation from investigation through conviction, supervising the Office's violent crime, narcotics, organized crime and gang-related caseload and serving as the Office's Grand Jury coordinator. In addition, as Chief of the General Crimes Unit, her responsibilities included the oversight of a variety of cases, including those involving mail fraud, wire fraud, healthcare fraud and tax fraud.

Departments

Healthcare

Litigation

Practice Groups

Criminal Defense & Regulatory Compliance

Education

State University of New York at Buffalo School of Law, J.D. *cum laude*, 2005

Georgetown University, B.A. *magna cum laude*, 2002

Bar Admissions

New Jersey, 2018

New York, 2006

U.S. District Court, District of New Jersey, 2019

U.S. District Court, Southern District of New York, 2021

U.S. Court of Appeals, D.C. Circuit, 2008

U.S. Court of Appeals, First Circuit, 2007

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Mary's background also includes her tenure as a trial attorney in the U.S. Department of Justice, Criminal Division, where her work encompassed the investigation and prosecution of complex international narcotics, money laundering and narco-terrorism cases.

Results may vary depending on your particular facts and legal circumstances.

HONORS & AWARDS

- Selected for inclusion in 2025 by *NJBiz* on a list called "Leaders in Law"
- Listed in *Chambers USA* (a publication of Chambers and Partners) in the Litigation: White-Collar Crime & Government Investigations practice area (2023 - present)
- Listed in *The Best Lawyers in America*® (a trademark of Woodward/White, Inc.) in the Commercial Litigation and Criminal Defense: White-Collar practice areas (2023 - present)
- Selected for inclusion by the *New Jersey Law Journal* on the publication's 2022 list of "Women Lawyers of the Year," which recognizes female attorneys making an impact at a law firm, in-house legal department, government agency or public interest organization in New Jersey
- U.S. Healthcare Compliance Certificate Program, Seton Hall Law School Center for Health & Pharmaceutical Law (2022)
- Recipient of a U.S. Department of Justice Attorney General's Award for Excellence in Management (2020)
- Recognized by proclamation by Mayor Ras Baraka for Outstanding Achievements in Violent Crime Reduction in the City of Newark (2019)
- Recipient of the Honorable Patty Shwartz Leadership Award (2018)
- Recipient of a Law Enforcement Partnership Award from the Newark Police Department (2018)

Please visit our Award Methodology page for a description of the standard or methodology on which these accolades are based. Attorney Advertising: No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

REPRESENTATIVE MATTERS

Results may vary depending on your particular facts and legal circumstances.

- Successfully defended a client in an arbitration hearing against allegations of legal malpractice, resulting in all claims being dismissed and no award being issued
- Representation of an individual charged with money laundering and tax fraud related to a \$722 million fraudulent cryptocurrency scheme
- Successfully defended a company that operates a post-acute network of skilled nursing and assisted living facilities in federal court, securing an order to dismiss a complaint alleging \$10 million in

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damages for a range of due process and emotional distress claims

- Representation of a physician charged in a \$3.4 million federal healthcare fraud prosecution
- Representation of a defendant in a mail and wire fraud investigation involving allegations of \$9 million in fraudulent business practices
- Representation of an insurance corporation against a *qui tam* complaint alleging violations of the False Claim Act (both federal and state) and New Jersey's Abandoned Property Act. Investigation involved data and document review, witness interviews, a review of compliance procedures and coordination with the Attorney General's office

UNIQUELY NJ

- Essex County Bar Association: Vice President (2025-2026), Treasurer, Secretary; Criminal Bench Bar Committee; Criminal Law Committee; Former Trustee
- Association of the Federal Bar of New Jersey: Trustee; Vice-Chair, Outreach Committee; ReEntry Committee; Barry Scholarship Committee
- New Jersey State Bar Association; Federal Practice and Procedure Section
- New Jersey Women Lawyers Association
- Association of Criminal Defense Lawyers of New Jersey
- Women's White Collar Defense Association, New Jersey Chapter
- Newark Police Foundation; Board member
- Daniel Anderl Judicial Protection Project; Secretary

MORE ACTIVITIES & EXPERIENCE

- Mary served as an appellate court attorney in the Appellate Division of the New York State Supreme Court (2005-2007)
- *Buffalo Law Review*; Managing Editor (2004-2005), Associate Member (2003-2004)
- Proficient in spoken and written Spanish

PRESENTATIONS & SPEAKING ENGAGEMENTS

Presenter, Business Essentials and Strategies for Lawyers – The Insiders' Knowledge that Will Help You Win Your Case

Sponsor: *New Jersey Institute for Continuing Legal Education*, March 16, 2026

Mary Toscano Carpenito (Cont.)

Presenter, Forensics on the Front Line: Unmasking Fraud in Civil and Criminal Litigation

Sponsor: *Essex County Bar Foundation*, December 18, 2025

Moderator, 48th Annual Judicial Conference

Sponsor: *Association of the Federal Bar of New Jersey*, March 12, 2025

Co-Presenter, The Challenge of Crisis Lawyering, Part II: When DOJ or other Regulators Come Knocking – What to Do (and What NOT to Do)

Sponsor: *Association of Corporate Counsel New Jersey*, October 10, 2024

Panelist, 6th Annual Corporate Counsel Symposium

Sponsor: *Essex County Bar Association and New Jersey Hospital Association*, October 8, 2024

Speaker, Financial Fraud

Sponsor: *New Jersey Institute for Continuing Legal Education and the New Jersey Society of CPAs*, May 22, 2024

Panelist, Fraud in the Bankruptcy Courts

Sponsor: *Association of the Federal Bar of New Jersey*, May 3, 2024

Speaker, 5th Annual Corporate Counsel Symposium

Sponsor: *Essex County Bar Association*, November 28, 2023

Presenter, The Challenges of Crisis Lawyering: Ethical and Practical Considerations for Handling Emergency Situations

Sponsor: *Association of Corporate Counsel New Jersey*, September 14, 2023

Panelist, Hot Tips in White Collar Defense and Government Investigations

Sponsor: *New Jersey State Bar Association 2023 Annual Meeting & Convention*, May 18, 2023

Panelist, Nuts and Bolts of Criminal Law

Sponsor: *Essex County Bar Association*, November 22, 2022

Panelist, Understanding and Assessing ESG-Related Exposure and Avoiding Potential Pitfalls

Sponsor: *Essex County Bar Association*, November 16, 2022

Panelist, IRS Criminal Investigation - Traditional Criminal Tax

Sponsor: *Agostino & Associates*, June 2022

Panelist, DOJ and HHS: Perspectives on the Enforcement Priorities in Healthcare from the Defense Bar and In-House Counsel on the First Year of the Biden Administration

Sponsor: *New Jersey State Bar Association*, May 18, 2022

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Panelist, Remote and Hybrid Trials and Grand Jury Sessions in the Wake of COVID-19

Sponsor: *C. Willard Heckel Inn of Court*, October 29, 2020

Panelist, Boardwalk Seminar 2020 Ethics and Professionalism for Criminal Attorneys

Sponsor: *New Jersey Association for Justice*, August 5, 2020

Panelist, Violent Crimes in Aid of Racketeering

Sponsor: *United States Department of Justice*, August 2020

Panelist, Ethics & Professionalism for Criminal Attorneys

Sponsor: *New Jersey Association for Justice*, August, 2020

Panelist, Trial Issues

Sponsor: *United States Department of Justice*, August 2020

Panelist, Compassionate Release and Other Criminal Proceedings in the Age of COVID-19

Sponsor: *Essex County Bar Association*, June 1, 2020

Panelist, Racketeer Influenced and Corrupt Organizations (RICO) Seminar

Sponsor: *United States Department of Justice*, August 1, 2019

Panelist, The First Step Act: Its Impact on the Law in New Jersey and Nationwide

Sponsor: *New Jersey State Bar Association*, May 2019

Panelist, Witness and Cooperator Issues

Sponsor: *United States Department of Justice*, May 2019

Panelist, Managing Complex Cases

Sponsor: *United States Department of Justice*, May 2018

Panelist, Select Issues in Digital Evidence, Social Media and Discovery

Sponsor: *C. Willard Heckel Inn of Court*, May 2018

Panelist, Retrieval of Digital Evidence - a Technical Education for the Non-Technical Attorney

Sponsor: *Association of Criminal Defense Lawyers of New Jersey*, October 2016

Panelist, Electronic Evidence

Sponsor: *New Jersey Association for Justice*, May 2016

Panelist, Pre-Arrest and Pre-Indictment Strategies for Prosecutors and the Defense

Sponsor: *New Jersey Association for Justice*, April 2015

Panelist, Advocacy in State and Federal Sentencing

Sponsor: *New Jersey Association for Justice*, May 2014

PUBLICATIONS & ALERTS

Co-Author, Circuit Split Leaves Anti-Kickback Statute Standard Ripe for Guidance from the Supreme Court
Garden State FOCUS, Summer 2025

Co-Author, DOJ Announces New M&A Safe Harbor Policy to Provide Further Clarity – But is it Enough?
Greenbaum, Rowe, Smith & Davis LLP Client Alert, October 17, 2023

Author, Third Circuit Finds That Plain Language of Section 340B Does Not Require Drug Makers to Provide
Discounted Drugs to Unlimited Contract Pharmacies
Garden State Focus, Summer 2023

Quoted, 'We're All Going to Get There': Litigators See Turnaround in Federal Courts
New Jersey Law Journal, January 30, 2023

Interviewed, Mary Toscano on 'Starting Over' as a Defense Attorney
New Jersey Law Journal, November 7, 2022

Mentioned, The O'Toole Chronicles: Honoring Daniel Anderl And Protecting Our Judges
New Jersey Globe, August 23, 2022

NEWS

2026 Edition of *Best Lawyers* Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers
Recognized on "Ones to Watch" List
August 21, 2025

2025 *Chambers USA* Guide Ranks Greenbaum, Rowe, Smith & Davis in Key Practice Areas and Recognizes
18 Attorneys as Leading Individuals
June 5, 2025

Mary E. Toscano and Joseph A. Natale Recognized by NJBIZ as 2025 "Leaders in Law" Honorees
February 10, 2025

2025 Edition of *Best Lawyers* Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers
Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition
August 15, 2024

2024 *Chambers USA* Guide Ranks Greenbaum, Rowe, Smith & Davis in Key Practice Areas and Recognizes
20 Attorneys as Leading Individuals
June 6, 2024

Mary E. Toscano Installed as Treasurer of Essex County Bar Association
May 8, 2024

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2024 Edition of *Best Lawyers* Recognizes 59 Attorneys in 38 Practice Areas: Twelve Greenbaum Lawyers Recognized on “Ones to Watch” List; Five Selected for “Lawyer of the Year” Recognition
August 17, 2023

2023 Chambers USA Guide Ranks Greenbaum, Rowe, Smith & Davis in Key Practice Areas and Recognizes 22 Attorneys as Leading Individuals

June 9, 2023

Greenbaum, Rowe, Smith & Davis Welcomes Mary E. Toscano as Partner and Co-Chair of Criminal Defense & Regulatory Compliance Practice Group

March 13, 2023