



# Whistleblower Lawsuits

**A GUIDE**

**MORGAN & MORGAN®**



# Examples of Whistleblower Cases

Fraud can occur in any one of our nation's federally funded programs and erode its integrity, making the individuals who report the fraud nothing short of heroes. At Morgan & Morgan, we stand with these brave few and handle many different types of whistleblower cases.

## THE FOLLOWING ARE A FEW EXAMPLES OF COMMON WHISTLEBLOWER CASES:

### Cases We Handle:

- **HEALTH CARE FRAUD**
  - MEDICARE/MEDICAID FRAUD
  - NURSING HOME AND HOSPICE FRAUD
  - DURABLE MEDICAL EQUIPMENT (DME) FRAUD
  - STARK AND AKS
- **PHARMACEUTICAL AND FDA FRAUD**
- **DEPARTMENT OF DEFENSE FRAUD**
- **SMALL BUSINESS ADMINISTRATION**
  - SET ASIDE (8(A), SDVOSB...ETC.)
  - CARES ACT (PPP AND OTHER COVID-19 RELATED FRAUD)
- **EDUCATION GRANT FRAUD**
- **ENVIRONMENTAL FRAUD**
- **ANY OTHER GOVERNMENT PROCUREMENT FRAUD**

# Meet Our Intake Whistleblower Team



## **Clark Bolton, Attorney**

Having served as a former whistleblower himself, Clark Bolton brings a fresh perspective to the courtroom. Other attorneys can only guess what it's like to be in a whistleblower's shoes, but Mr. Bolton understands that position and uses this knowledge to guide clients towards the best possible outcome in their case. His skill set is distinctive, and his decades of experience as an investigator and Certified Fraud Examiner (CFE) make him a critical asset for any client who has evidence of fraud.

## **David Reign, Senior Investigator**

Before joining our team, Mr. Reign served as an FBI agent who tackled cases of corruption and fraud. He also served as Deputy Chief on the Enron task force, where he and his team prosecuted several executives of the infamously unethical company. His previous experience has molded him into a talented investigator that can see cases from a different perspective than most, giving our clients an undeniable advantage in the courtroom.



## **Lynn M. Billings, Investigator**

A talented investigator, Ms. Billings, also served as an FBI Special Agent before joining Morgan & Morgan. She's also been a member of the Association of Certified Fraud Investigators since 2013, demonstrating that her expertise in whistleblower cases is the real deal. Ms. Billings has a skill set that most others wish they could have, and she's proven to be a reliable asset to the clients who depend on her.



# Why Choose Morgan & Morgan?

When you discover evidence of fraudulent activity, you'll want to team up with a firm that you can trust will handle your case correctly. You could settle for another law firm, or you could choose a firm that gets results, Morgan & Morgan.

Our Whistleblower Group is staffed with expert attorneys, FBI investigators, and former whistleblowers, giving us a unique advantage when advocating for the rights that protect you. We prioritize your privacy and confidentiality, and if an unjust organization attempts to retaliate against you, we can fight back to ensure that you and your family are safe from harm. Other firms simply don't have the resources that we do, so there's always a chance that they'll settle the case for less than full value or must end the litigation entirely. Rather than gamble with important evidence of fraudulent activity, team up with Morgan & Morgan and give yourself the best chance at bringing the fraudster to justice.



# Frequently Asked Questions

## What Are Whistleblowers' Rights and Protections?

You might fear that the organization you're helping to expose will retaliate against you for coming forward. However, the Federal False Claims Act (FCA) may protect you from the unethical organization that attempts to discriminate or retaliate against you for your brave actions. If they retaliate against you for internally reporting fraud in good faith, and you meet the criteria for a whistleblower under the FCA, then you have the right to file a lawsuit against them and seek compensation for the hardship you endured. Whistleblower lawsuits are required by law to be initially filed under seal, which means that all records of your involvement are kept confidential from the public and safely guarded by the court system for a period, usually lasting years on average. Eventually, the case will be unsealed, and your identity will be part of the official court record, but you're still protected from harm under the FCA. Although you might be reluctant to file your whistleblower lawsuit, we can assure you that our team takes every necessary precaution to protect our clients' interests.

## How Do I Know if I Have a Whistleblower Case?

Any evidence of fraudulent activity within our

nation's federal and state-funded programs is grounds for a whistleblower case. Here are a few examples of government fraud:

- Charging for goods and services that weren't provided
- Submitting false cost or pricing data to the government to attain an artificially inflated contract price
- Incorrectly claiming a product was made in the U.S.
- Exposing military personnel to hazardous materials through improper disposal practices or unlawful pollution
- Use of substandard building materials
- Billing for items that weren't used to perform the government contract
- Billing for costs that aren't covered by government programs, such as marketing and lobbying costs

## How Long Does a Whistleblower Case Last?

The average whistleblower case takes between four to six years before it's successfully resolved. However, every case is different, and yours might take longer to settle if there's an abundance of information to sort through.

# Frequently Asked Questions

## **What Should I Expect When Joining a Whistleblower Lawsuit?**

Once you've brought your evidence to a trusted attorney, they will begin investigating the situation to determine if you have a case. This will include evaluating your evidence, reviewing all other pertinent information, and investigating the company or companies suspected of fraud. Once this is completed and it's determined that your allegations and corroborating evidence are credible, your attorney will draft and file a lawsuit under seal, making sure to take all the necessary precautions to keep you safe.

If your evidence does turn into a whistleblower lawsuit, it's very important to not discuss the details of your case with anyone other than your attorney. The FCA restricts you from talking about your case openly, and if you do, the court can impose sanctions, including preventing you from sharing the financial reward in a successfully settled case.

## **What Type of Evidence Do Whistleblowers Need?**

The nature of your evidence depends on which industry the fraud is occurring within. Documentary evidence, such as financial statements, contracts, or emails, are most

common, but any evidence that clearly demonstrates the who/what/where/and how of the fraud scheme is relevant and important. Any additional information regarding the fraudster's awareness that the crime is/was occurring is also applicable and should be given to your attorney for review.

More information or more evidence isn't always better. In fact, the more information a whistleblower gives to their attorney can lead to problems and often does. Whistleblowers are permitted to take documents from any employer so long as the document is relevant to the fraud. Suppose a whistleblower takes non-relevant information, such as sensitive trade secrets or other important business documentation that's not relevant to the fraud. In that case, the whistleblower may face civil or even criminal theft charges. Thus, it's highly recommended for any potential whistleblower to first consult with an experienced whistleblower attorney before collecting evidence. Fortunately for you, the Morgan & Morgan Intake Whistleblower staff are highly skilled in evidence collection, and we're here to help guide you through the process.



## Contact Morgan & Morgan's Whistleblower Lawyers

Morgan & Morgan's Whistleblower group is dedicated to helping individuals with evidence of fraud expose unethical organizations and remain fully protected under the law. While the fraudster may believe they can bully you into silence, our whistleblower attorneys have the necessary resources, experience, and knowledge to ensure that your evidence is used to preserve justice. If you find yourself in a position where you have evidence of government fraud, you can trust that Morgan & Morgan will keep you safe and use your information to fight for the greater good. Contact us today to get started.

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