



## False Claims Act

Bracewell provides unparalleled counsel to companies and individuals in matters related to the False Claims Act (FCA). With a team that includes seasoned defense attorneys, former federal prosecutors and retired federal judges, we bring an insider's knowledge to FCA litigation and investigations that makes us a trusted advocate highly adept in securing favorable outcomes for clients.

We have extensive experience advising companies and individuals in regulated industries, as well as in matters involving public procurement and federally funded programs. Our lawyers advise clients at every stage of FCA cases, including:

- initial government inquiries
- parallel criminal, civil and administrative proceedings
- internal investigations
- trials and appeals

With the US Department of Justice ramping up enforcement efforts through initiatives like the Procurement Collusion Strike Force and the Civil Cyber-Fraud Initiative, our team is uniquely positioned to advise clients on their disclosure obligations.

Bracewell's proven track record — coupled with our technical acumen, strategic approach and industry-specific knowledge — makes us the go-to firm for companies and individuals on FCA matters.

### **Areas of Focus**

[Government Enforcement & Investigations](#)

[Government Contracts](#)

[Healthcare & Life Sciences](#)

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## Key Contacts



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## Experience

We advise companies and individuals on a host of FCA matters, including trials, government investigations and internal investigations.

### False Claims Act Litigation

#### Healthcare contractor

- in a jury trial in Illinois alleging state and federal False Claims Act violations related to recruiting practices. The case was settled on appeal

#### Pharmaceutical company

- defended a pharmaceutical company against a \$2 billion *qui tam* case filed in federal district court

#### Food distributor

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- defended a food distributor in a *qui tam* case in the District of Columbia alleging overcharging Medicare and Medicaid patients on a hospital food-service contracts at Johns Hopkins hospital. The court granted the client's motion to dismiss

## Security contractor

- represented a Navy security contractor in *qui tam* case alleging false certifications related to training and guard pay. The court granted the client's motion to dismiss

## Car manufacturer

- represented a car manufacturer in a *qui tam* case in Alabama alleging intentional defective pricing by Chrysler's electronics subsidiary on a military contract. The case was settled prior to trial

## Software company

- represented an executive in a *qui tam* suit in Virginia related to overcharging for software on GSA schedule contract. The case was settled prior to trial

## Pipeline company

- represented a pipeline company in a *qui tam* case in the Northern District of California alleging false certifications related to pipelines delivering jet fuel to military bases in the United States. The court granted the client's motion to dismiss

## Government Investigations

### Government outsourcing contractor

- defended contractor in a grand jury investigation into alleged antitrust violations related to state human services contracts. DOJ prosecutors closed the investigation without any charges being filed against the company or any individuals

### Pharmaceutical company

- defended company against a grand jury investigation for alleged submission of improper claims for CMS reimbursement of off-label pharmaceutical sales. No charges were ever filed

### Air Force contractor

- defended company in a multi-year grand jury investigation into alleged collusive bidding on an Air Force professional services contract. DOJ

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prosecutors closed the investigation without any charges being filed against the company or any individuals

## **Freight-forwarding contractor**

- represented company indicted on price fixing conspiracy charges related to US military personnel household items. Bracewell negotiated a settlement of criminal charges and in parallel civil False Claims Act case. We also negotiated an administrative settlement agreement with the Army to avoid debarment related to criminal plea

## **Manufacturer**

- represented one of several bulletproof vest manufacturers in industry-wide criminal and False Claims Act investigation into Zylon vests sold to federal and local law enforcement agencies. The case was settled prior to complaint being filed

## **Public university**

- represented a major state university system in an Office of Inspector General investigation related to allegations of mischarging on federal grants. The OIG closed its investigation without taking any action

## **Manufacturer**

- successfully represented a subcontractor on a Department of Energy project in a DOJ investigation into defective materials

## **Fire system supplier**

- represented a supplier in Kuwait in a Defense Criminal Investigative Service investigation into allegations of improprieties on Air Force supply fire suppression systems contracts

## **Physician**

- successfully represented an orthopedic surgeon in a federal false claims act investigation involving an agreement with a device manufacturer. The US Attorney's Office closed its investigation without any action against the physician

## **Hospital System**

- defended hospital system in state false claims investigation regarding physician agreement with private equity backed physician group

## **Hospital system**

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- defended multiple hospitals within the same system in federal and state false claim investigation involving performance of alleged unnecessary surgical procedures

## Shipping classification organization

- represented organization in a False Claims Act investigation in connection with a \$100 million government contract issued by the Coast Guard to lengthen its existing fleet of 110-foot patrol boats to 123 feet and to make other modifications

## Provider group

- represented an ophthalmology provider group in resolving a federal false claim investigation involving allegations of improper referral arrangements for optometrists involving candidates for cataract surgery. The matter was successfully resolved without any admission of liability

## Provider group

- represented a regional outpatient rehabilitation practice in investigating and self-reporting potential billing and overpayment violations under state Medicaid rules. The matter was successfully resolved through the self-reporting process without any additional overpayment collection

## Internal Investigations

### IT services firm

- conducted an internal investigation on a classified contract related to a whistleblower's claims concerning falsified time charging, resulting in the government electing not to pursue any charges

### Pharmaceutical companies

- conducted internal investigation of two companies for alleged complicity in generating off-label prescriptions for their products

### Technology firm

- conducted an internal investigation and advised on mandatory disclosure requirements related to a subcontractor's misconduct on a classified Army contract

### Aerospace manufacturer

- conducted an internal investigation on behalf of the board of directors related to a whistleblower complaint alleging mischarging on government contracts and subcontracts

### Healthcare companies

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- conducted multiple internal investigations for large public healthcare companies into potential false claims involving allegations of improper upcoding, violations of Anti-Kickback Statute and Stark Law violations

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## Recognition

### Chambers USA

- New York Litigation: White-Collar Crime and Government Investigations
- Texas Healthcare
- Texas Litigation: White-Collar Crime & Government Investigations

### Legal 500 US

- Dispute Resolution: Corporate Investigations
- White-Collar Criminal Defense: Advice to Individuals

### U.S. News – Best Lawyers

- National Criminal Defense: White Collar (Tier 1)
- National Health Care Law
- Dallas Health Care Litigation
- Houston Criminal Defense: White Collar
- Houston Health Care Law
- New York Criminal Defense: White-Collar (Tier 1)
- Washington, DC Criminal Defense: General Practice
- Washington, DC Criminal Defense: White-Collar