

New York State Bar Association: Litigating New York State False Claims Act Cases

NOVEMBER 19, 2012

The New York State False Claims Act (“NYFCA”), one of the most robust of its kind in the country, empowers the Attorney General, local governments, and private whistleblowers to bring a civil lawsuit - on behalf of the government - against any person or entity that defrauds the government. Defendants are potentially liable for three times the financial loss from the fraud as well as civil penalties. Private whistleblowers who bring successful suits under the NYFCA can receive up to 30% of the recovery, in addition to their attorney’s fees and expenses. Notably, the NYFCA applies not only to Medicaid and other types of fraud where government dollars are involved, but also to tax fraud, which the federal False Claims Act and many other state false claims acts specifically exclude.

Program attendees will learn about: the history of the NYFCA, its specific provisions and recent amendments; the New York State Attorney General’s Office and how it uses the NYFCA; how to defend a client effectively in a False Claims Act case in New York State; and best practices and ethical considerations when pursuing and defending cases under the NYFCA.

WilmerHale counsel Robin L. Baker will be a featured speaker at this event,

speaking on panels about “Defending a False Claims Act Case” and “Ethical Considerations.”

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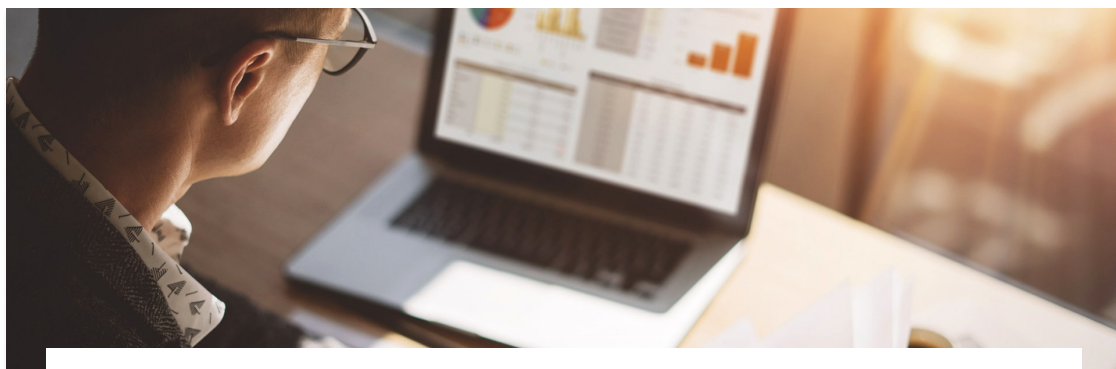
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