



Charles C. Speth

PARTNER

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Charlie Speth is a litigator with more than 14 years of experience representing companies and individuals in complex civil litigation and government enforcement matters.

Mr. Speth has a broad range of commercial, government and regulatory litigation experience, having represented clients in the defense or prosecution of claims alleging violations of the False Claims Act, securities fraud, violations of the Controlled Substances Act, price fixing under the Sherman Act, false advertising under the Lanham Act, breach of contract, violations of consumer protection and unfair competition statutes, unjust enrichment, tortious interference, copyright violations, and trade secret misappropriation. Mr. Speth litigates in both federal and state court, and has conducted multiple civil trials resulting in favorable judgments.

Mr. Speth also represents both corporations and individuals in connection with investigations and enforcement matters conducted by the Department of Justice, the Securities and Exchange Commission, and state attorneys general.

Professional Activities

Mr. Speth is a member of the District of Columbia Bar Association and the Litigation and Business Law Sections of the American Bar Association.

Solutions

Commercial Litigation

False Claims Act

Federal Inspector General
Investigations

Government and Regulatory
Litigation

Litigation

Trials

Experience

FALSE CLAIMS ACT INVESTIGATIONS AND LITIGATION

- Represented a joint venture of government contractors in a False Claims Act and Anti-Kickback Act investigation and litigation by the Department of Justice related to subcontracting practices under a prime services contract with the Department of Energy; obtained dismissal of the government's Anti-Kickback Act claims.
- Represented a major pharmaceutical company in *qui tam* litigation brought by former sales representatives in S.D.W. Va. based on allegations of deceptive marketing to physicians; obtained dismissal of all claims on grounds of public disclosure bar and Rule 9(b) following discovery and an evidentiary hearing concerning the applicability of the public disclosure bar.
- Represented a major national bank in *qui tam* litigation brought in the S.D.N.Y. by a former loan officer seeking \$2 billion in damages based on allegations that the bank violated requirements for mortgages sold to Fannie Mae and Freddie Mac under the Home Affordable Refinance Program; obtained dismissal of all claims at the motion to dismiss stage.
- Represented an industry-leading commercial mortgage lender in a Department of Justice civil investigation concerning lending practices under the Housing and Urban Development Multi-Family Accelerated Processing program; no enforcement action was brought.
- Represented a major national insurance company in *qui tam* litigation in W.D.N.Y. alleging reverse false claims based upon alleged industry-wide failure to comply with Medicare Secondary Payer Act regulations; secured early dismissal through direct discussions with relator's counsel.
- Advised a leading defense contractor being investigated by the Department of Justice for potential violations of the False Claims Act based on allegedly ineffective supply chain oversight under a Department of Defense prime contract.
- Advised a healthcare service provider in connection with pre-complaint negotiations with the Department of Justice concerning alleged violations of the False Claims Act and Anti-Kickback Statute.

OTHER CRIMINAL AND CIVIL ENFORCEMENT INVESTIGATIONS

- Represented an individual in parallel Department of Justice and Securities and Exchange Commission investigations under the Foreign Corrupt Practices Act involving drilling operations in Venezuela; reached favorable settlement with SEC and no criminal enforcement.
- Represented a manufacturer of TFT-LCD panels in connection with criminal price fixing investigation, state attorneys general investigations and private multidistrict class actions.

COMMERCIAL AND GOVERNMENT CONTRACT AND BUSINESS DISPUTES

- Represented a defense contractor in action against the Air Force concerning the launch of military satellites under a FAR Part 12 commercial item contract; litigated three-week, 24-witness trial before Armed Service Board of Contract Appeals, which resulted in a \$240 million judgment in favor of our client.

- Represented the largest US credit union in civil action alleging breach of contract, breach of fiduciary duty, unfair trade practices and fraud claims against an insurer and a lending-services provider arising out of insurance coverage on mortgage defaults; obtained favorable settlements from both the insurer and lending service provider at summary judgment stage following discovery.
- Represented an international software and technology company in multiple, parallel federal and state civil lawsuits against the State of Oregon concerning Oregon's rollout of its Affordable Care Act health care exchange; obtained favorable settlement following discovery.
- Represented a major international retailer in action alleging misappropriation of trade secrets related to the design and manufacture of athletic shoes in China; obtained voluntary dismissal following discovery.
- Represented a commercial real estate information services provider in parallel state court action against a competitor concerning breach of settlement agreement, breach of websites' terms of use, tortious interference, and unfair competition, and federal court action alleging false advertising action under Section 43 of the Lanham Act based on competitor's marketing claims regarding its registered users.

CLASS ACTION DEFENSE

- Represented satellite radio provider in multiple consumer class actions brought in New Jersey and Alabama federal district courts following a radio service interruption related to satellite transmission; obtained dismissals of both class actions on motions to dismiss.
- Represented leading open-source software company in securities fraud class action related to revenue recognition on subscription software licenses; defeated plaintiff's initial motion for class certification.

OTHER GOVERNMENT AND REGULATORY LITIGATION

- Represented a US congressman in civil action alleging sexual harassment; obtained dismissal of all claims against congressman through motion to dismiss.
- Represented a major national bank in Administrative Procedure Act challenge to regulation issued by the Internal Revenue Service.

PRO BONO LITIGATION

- Represented the estate of deceased inmate who was attacked in federal prison in negligence action against Bureau of Prisons under the Federal Tort Claims Act.
- Represented an individual in separate murder prosecutions in Washington DC and Montgomery County, MD.

Credentials

EDUCATION

JD, Georgetown University
Law Center, 2005

magna cum laude

*Order of the Coif; Georgetown
Law Journal; Recipient,
Georgetown Club of
Metropolitan Washington, DC
Award*

BA, History, Yale University,
1999

ADMISSIONS

District of Columbia

CLERKSHIPS

The Hon. Julia Smith Gibbons,
US Court of Appeals for the
Sixth Circuit, 2005 - 2006