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## Qui Tam 2018: Strong Debut for a New Conference

As they say, the first time's the charm.

Actually, they don't say that—but after the rousing success of the Federal Bar Association's first-ever conference dedicated to *qui tam* law, maybe they should.

In late February more than 100 practitioners paid to attend *Qui Tam* 2018, a two-day gathering in Washington, D.C., that was convened by the FBA's *Qui Tam* Section under the leadership of chair John R. Thomas Jr.

Originally planned as a modest event, the conference drew so much interest that it was moved to a larger location. To serve as keynote speakers, the U.S. Department of Justice (DOJ) sent heavy hitters Stephen Cox, deputy associate attorney general—who was introduced at the event by FBA President Kip T. Bollin—and Jessie Liu, U.S. attorney for the District of Columbia.

Attendees heard from a stellar lineup of False Claims Act (FCA) attorneys, starting with an overview of the venerable but still-evolving federal law from John T. Boese and James B. Helmer Jr., both of whom have authored hefty treatises on the subject.

Successive panels then walked through the steps of an FCA case, with highlights that included a one-of-a-kind discussion with three prosecutors from neighboring districts—Affirmative Civil Enforcement Coordinators Doris Coles-Huff (D.D.C.), Thomas Corcoran (D. Md.), and Gerard Mene (E.D. Va.).

The conference benefited from its timing: In the weeks prior, the DOJ issued two separate documents with the potential to upend FCA practice—the so-called Granston Memo, which offered a framework for prosecutors to consider dismissing *qui tam* cases; and the Brand Memo, which seemed to narrow the DOJ's civil enforcement goals.

As a result, *Qui Tam* 2018 drew not just attorneys and prosecutors but a flock of reporters who dissected Cox's remarks—subsequently published on the DOJ website—for signs of a new policy direction.

Also on everyone's mind: The emergence of new case law under *United Health Services v. U.S. ex rel. Escobar*, a 2016 decision of the U.S. Supreme Court that embraced the “false certification” theory of FCA liability but, according to some, also tightened the standard for claims to be actionable.

Based on the conference's success, the *Qui Tam* Section already is looking forward to *Qui Tam* 2019. In the meantime, recognition is due to the 2018 planning committee: Thomas; R. Scott Oswald, vice chair of the section; Jay P. Holland, a board member of the section; and Janel Quinn, an associate at Oswald's firm. Thanks, too, to the FBA's Laura Mulhern and Caitlin Rider for their strong logistical support—and to all the panelists, attendees, and sponsors. ☺