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Michael L. Waldman

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V-CARD

Education :

J.D., *cum laude*, Harvard Law School, 1986

B.A., *magna cum laude*, Harvard University, 1982

Phi Beta Kappa

Bar Admissions :

District of Columbia

Massachusetts

ABOUT

Michael Waldman is a trial and appellate litigator. Mike has extensive experience in civil, criminal, and debarment cases arising from federal fraud investigations. He also has handled numerous civil cases in the federal courts, including commercial, tax, bankruptcy, and appellate matters. He has

special expertise in representing defendants in False Claims Act and qui tam lawsuits. He also has represented companies and individuals in a wide variety of federal white-collar criminal and civil investigations by the United States Department of Justice, U.S. Attorneys' offices and various federal agencies. In addition, he has conducted a number of sensitive internal investigations for companies and provided advice on compliance matters. He has argued before the Supreme Court of the United States, as well as numerous United States Courts of Appeals, federal district courts, and state courts. Mike has won dismissals or obtained favorable settlements in a host of civil and criminal matters.

Before joining Robbins Russell, Mike was a litigation partner at Fried, Frank, Harris, Shriver & Jacobson LLP from 1995 to 2007. Before that, he served as a law clerk for the Honorable Robert Vance of the United States Court of Appeals for the Eleventh Circuit from 1986 to 1987.

Professional Activities, Publications, and Honors

Named repeatedly as a "Super Lawyer" in *Super Lawyers*, a Thompson Reuters publication recognizing outstanding lawyers.

Mike has lectured and written widely on the False Claims Act and *qui tam* litigation, including more than a dozen published articles:

FCA Questions That High Court May Address Next Term, Law360 (May 16, 2018) (co-authored with Ralph Mayrell)

Internal Investigations for Government Contractors, Internal Corporate Investigations, 4th ed. (ABA 2017)

AseraCare Puts 'False Claims' Back in the False Claims Act, BNA's Health Care Fraud Report (July 6, 2016) (co-authored with Eric White)

Just 'Because': A Higher Burden for Proving Retaliation Claims Under the False Claims Act, Federal Contracts Report (September 9, 2014) (co-authored with William Trunk)

A Practitioner's Guide to Government Contract Fraud Litigation, Government Contracts Law Client Strategies (Aspatore 2008)

Amending the Civil False Claims Act: An Alternative Proposal, Federal Contracts Report (February 19, 2008)

Satisfying Rule 9(b) in Pleading a False Claims Act Complaint: Sixth Circuit Gives New Guidance, The

Government Contractor, Vol. 49, No. 40 (October 31, 2007)

Preventive Medicine in Health Care Deals, Mergers & Acquisitions (May 2006) (co-authored with Beth McClain)

The Supreme Court and Statute of Limitations Issues Under the FCA, Federal Contracts Report (March 8, 2005)

Grand Jury: Ripe for Reform, Criminal Justice (Winter 2002)

Hands Across the Water: U.S. Prosecutors Are Going Overseas to Gather Evidence, Legal Times (September 20, 1999) (co-authored with Gejaa Gobena)

Commissions & Fees Paid to Overseas Agents: Cost Recovery & Related Rules, Government Contract Costs, Pricing & Accounting Report (August 1998) (co-authored with John W. Chierichella and Douglas E. Perry)

Recent Summary Judgment Victory for Aerojet Has Significant Implications for Defending FCA Cases, Government Contracts Litigation Reporter (July 4, 1996) (co-authored with Richard Sauber)

What's Wrong with the False Claims Act: A Case in Point, Contract Management (March 1995)

The False Claims Act Offers Perverse Incentives, The National Law Journal (October 17, 1994)

Unlimited Power: Rule 29(a) and the Unreviewability of Directed Verdicts of Acquittal, American University Law Review (December 1994) (co-authored with Richard Sauber)

Employee-Employer Relations in a Qui Tam World, Corporate Analyst (May 1992)

Qui tam monograph, ABA Section of Public Contract Law (contributor) (1994)

Damage Control: A Defendant's Approach to the Damage and Penalty Provisions of the Civil False Claims Act, Public Contract Law Journal (Winter 1992)

Footprints of a Just Man: The Case Law of Judge Robert S. Vance, Alabama Law Review (1991) (co-authored with J. Pearson, P. McCoy, D. Peeler, R. Kandel, M. Kane, J. Tichy and M. Valentini)

Consequential Damages and the False Claims Act, Defense Contract Litigation Reporter (June 14, 1991)

Challenges to Retroactive Application of the 1986 Amendments to the False Claims Act: Current Status, Public Contract Newsletter (Summer 1991) (co-authored with Richard Sauber)

Time to Blow the Whistle? The National Law Journal, March 25, 1991

Government Wiretaps: Opportunities for Defense Counsel, White-Collar Crime Reporter 1 (May 1990) (co-authored with Richard Sauber)

The 1986 Amendments to the False Claims Act: Retroactive or Prospective? 18 Public Contract Law Journal 469 (June 1989)

REPRESENTATIVE MATTERS

Represented The Official Committee of Unsecured Creditors in *In re TOUSA, Inc.*, a fraudulent conveyance action in which a team of Robbins Russell lawyers secured a judgment in excess of \$500 million.

Represented clients in numerous False Claims Act cases, including *Universal Health Services, Inc. v. U.S. ex rel. Escobar*, 136 S. Ct. 1989 (2016); *In re Health Management Associates, Inc., Qui Tam Litigation* (No. II); Misc. No. 14-339 (D.D.C.) (pending); *U.S. ex rel. King v. Blue Island Hospital Company LLC, et al.*, No. 1:14-cv-07708 D.E. 26 (N.D. Ill. April 4, 2018); *U.S. ex rel. Gage v. Davis S.R. Aviation, L.L.C.*, 623 F. App'x 622 (5th Cir. 2015); *U.S. ex rel. McCollum v. Jacobs Engineering Group*, 2014 WL 218441 (S.D. Miss. January 21, 2014); *U.S. ex rel. Hansen v. Deming Hospital Corp., et al.*, 992 F. Supp. 2d 1137 (D.N.M. 2013); *U.S. ex rel. Marquis v. Northrop Grumman Corp.*, 2013 WL 951095 (N.D. Ill. 2013); *U.S. ex rel. Gonter v. Hunt Valve Co.*, 510 F.3d 610 (6th Cir. 2007); *U.S. ex rel. Bledsoe v. Community Health Systems*, 501 F.3d 493 (6th Cir. 2007); and *U.S. v. Newport News Shipbuilding, Inc.*, 276 F. Supp. 2d 539 (E.D. Va. 2003).

Has made mandatory and voluntary disclosures to various federal agencies, including the Departments of Defense, Transportation, and Justice.

Served as regular FCPA counsel for a major communication and aviation electronics company with offices in 27 different countries.

Argued *Glover v. United States* in the U.S. Supreme Court, winning a 9-0 decision.