

Nolan & Auerbach Attorneys Awarded “Lawyers of the Year” Award from Taxpayers Against Fraud

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FORT LAUDERDALE – WEDNESDAY, SEPTEMBER 21, 2011 – Last week, during an awards dinner in Washington, D.C., Nolan & Auerbach, P.A. attorneys Kenneth Nolan and Marcella Auerbach received the prestigious “Lawyers of the Year” Award from Taxpayers Against Fraud (TAF), the national public interest organization dedicated to combating fraud against the federal government.

“We received this award because of the courage and good judgment of our clients,” said Kenneth Nolan. “We merely gave a voice to the brave few who refused to turn a blind eye to fraudulent business practices.”

Mr. Nolan and Ms. Auerbach were recognized for their firm’s substantial False Claims Act recoveries from the past year, which included five multimillion-dollar settlements and three of the top five False Claims Act settlements of 2010. These cases were part of recoveries of more than \$1.3 billion in civil settlements and related criminal fines, and led to criminal pleas by three corporate defendants.¹

In addition, TAF commended Mr. Nolan and Ms. Auerbach for exposing an industry-wide scheme that has stolen billions of dollars from America’s health care programs. Specifically, TAF noted that the firm is engaged in a decade-old *qui tam* action, alleging that dozens of drug companies have illegally marketed thousands of unapproved drugs in the U.S. market. As a result of this lawsuit, the federal government has recovered nearly \$100 million. The government has intervened in some of the allegations, and the firm is moving forward with the civil prosecution of the remaining drug companies.²

¹ In the past year, Nolan & Auerbach, P.A. has represented the whistleblowers in the following successfully concluded *qui tam* cases: *United States et al., ex rel. Beilfuss et al. v. Allergan, Inc.*, No. 08-CV-1883 TWT (N.D. Ga.); *United States et al., ex rel. Austin et al. v. Novartis Pharmaceuticals Corporation*, No. 8:03-CV-1551-T-30-TGW (M.D. Fla.) and *United States et al. ex rel. Garrity v. Novartis Pharmaceuticals, Corp.* No. 08-CV-2588LDD (E.D. Pa); *United States et al., ex rel. Conrad et al. v. Forest Pharmaceuticals, Inc, et al.*, No. 02-CV-11738-NG (D. Mass.); *United States ex rel. Thompson v. Woodhaven Pharmacy Services, LLC d/b/a Remedi Seniorcare, Inc.*, No. WMN-09-0131 (D. Md.); and *United States ex rel. Donigian v. St. Jude Medical, Inc.*, No. 06-CA-11166-DPW (D. Mass.).

² *United States et al. ex rel. Conrad v. Actavis Mid-Atlantic, LLC et al.* Case No. 1:02-CV-11738 RWZ (D. Mass.)

“For our clients, the millions of dollars they were awarded was secondary at best; it was about improving the quality of care for patients,” said Marcella Auerbach. “Our clients are the real heroes, and I hope this award amplifies their courageous stories.”

Nationwide Practice

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