

McKool Launches Whistleblower Practice With 4 New Attys

By **Bibeka Shrestha**

Law360, New York (January 31, 2012, 9:49 PM ET) -- McKool Smith PC has snagged four Day Pitney LLP attorneys — including two partners with experience in False Claims Act litigation, white collar defense and antitrust matters — to launch a new whistleblower litigation practice, the firm announced Tuesday.

Former Day Pitney partners Brent Rushforth and Stuart Rennert are now principals in McKool's Washington office, while Doreen Klein and David Schiefelbein have joined McKool's New York office as senior counsel and associate, respectively.

Rushforth and Rennert bring to McKool about 15 years of experience in qui tam FCA actions to boost the firm's new practice, which will focus on representing individuals and companies that blow the whistle on fraud committed against the government.

"Brent Rushforth and Stuart Rennert are remarkable attorneys with an impressive track record in qui tam matters, and decades of experience handling commercial litigation and government investigations," Mike McKool, the firm's co-founder and chairman, said.

"Their talents and expertise will be extremely valuable to our clients as we launch our whistleblower litigation practice, and continue to expand our white collar and commercial litigation capabilities," McKool said.

According to Rushforth, McKool provides an ideal platform for building a whistleblower litigation practice.

"The firm is formidable on both the plaintiff and defense side, and has a history of litigating against financial institutions," he said.

Rushforth is a former deputy general counsel of the U.S. Department of Defense and former chairman of the Center for Law in the Public Interest. Most recently, he was a partner in Day Pitney's antitrust and white collar defense and international investigations practice group.

The attorney has extensive litigation experience in qui tam litigation, as well as in antitrust and unfair competition, intellectual property and trade regulation matters.

Rushforth said he has worked on a FCA case targeting HCA Inc. over Medicare fraud, which resulted in a more than \$800 million settlement, as well as a FCA suit accusing Northrop Grumman Corp. of committing serious fraud, which led to a settlement worth hundreds of millions of dollars.

His experience with FCA suits involving the health care and defense industries will provide a boost to McKool's new whistleblower litigation practice.

"Those areas are fertile areas for fraud to be committed," Rushforth said, adding the group is already working on two large and complex cases. "We're hiring some folks in Washington, and we're also reaching out to many, many lawyers within McKool Smith to help us litigate these cases."

The new practice also benefits from the addition of Rennert, who has represented whistleblowers and governmental entities in high stakes FCA litigation for more than a decade, and successfully tried such cases to verdict.

The attorney previously served for three years at the U.S. Department of Justice, where he helped lead a team of lawyers in the government's civil Racketeer Influenced and Corrupt Organizations Act enforcement action against the cigarette industry.

He also led a team of attorneys prosecuting a massive health care qui tam litigation against a large acute care hospital chain, which led to more than a \$600 million recovery on behalf of the U.S., while the relators received an unprecedented \$100 million share of the recovery. The Justice Department has honored Rennert with its special commendation award.

--Editing by Andrew Park.

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