

PRACTICES:

- Compliance and Investigations
- Government Contracts
 - Claims and Terminations
 - Compliance and Investigations
 - Procurement Fraud
- Litigation
 - Appellate
 - Fraud and Criminal Investigations

INDUSTRIES:

- Aerospace and Defense



Mark R. Troy

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Experience

Mark R. Troy has engaged in government contract-related litigation and counseling since he joined the firm in 1987. He is one of the most experienced lawyers in the country in defending procurement fraud actions brought by the federal government and by so-called *qui tam* whistleblowers under the civil False Claims Act.

In 1992, Mr. Troy successfully defended General Dynamics in one of the first modern *qui tam* cases to go to trial, and in 2002, he was lead counsel for Lockheed Martin in a successful *qui tam* jury trial. He has won pre-trial dismissals in dozens of other landmark cases involving mischarging, defective pricing, Cost Accounting Standards non-compliance, false testing, product defects, kickbacks and campaign contributions, Medicare fraud and violations of environmental laws.

Mr. Troy has developed guidelines for companies to follow when they first learn of a potential whistleblower action, including: how to investigate the matter thoroughly and avoid government prosecution, and how to avoid retaliation claims while still protecting the company's rights regarding the whistleblower.

Mr. Troy has represented industry organizations such as the U.S. Chamber of Commerce, Aerospace Industries Association and American Hospital Association. He is a frequent lecturer at national symposiums on procurement fraud and has published articles for *The Procurement Lawyer*, *Los Angeles Lawyer*, ABA Federal Procurement Institute, Georgetown University's Federal Enforcement Seminars, the Washington Legal Foundation, and the Judge Advocate General's School.

Notable Engagements

U.S. ex rel. Riley v. St. Lukes, 252 F.3d 749 (5th Cir. 2001) (amicus on constitutionality)

U.S. ex rel. Schumer v. Hughes Aircraft, 63 F.3d 1512 (9th Cir. 1995) (summary judgment; government knowledge defense)

U.S. ex rel. Lindenthal v. GD, 61 F.3d 1402 (9th Cir. 1995) (upholding trial court judgment; award of costs)

U.S. ex rel. Lujan v. Hughes Aircraft, 243 F.3d 1181 (9th Cir. 2001) ("first to file" defense)

U.S. ex rel. Smith v. Boeing & Ducommun, 2006 WL 542851 (D. Kan. 2006) (lack of particularity)

U.S. ex rel. Stone v. Rockwell, U.S. Supreme Court pending (amicus on original source issue)

+ Publications:

- "One False Move," *Daily Journal*, July 31, 2009

+ Seminars And Presentations:

- Presenter, "Changes to the False Claims Act and How They Impact Government Contractors," Washington Legal Foundation, June 24, 2009.

+ Professional Activities:

- American Bar Association (Section of Public Contract Law)
- National Contract Management Association
- Judge Pro Tem, Los Angeles County Superior Court

Education

- J.D., Loyola Law School, 1985
- B.A., University of California at Los Angeles, 1982

Admitted

- California
- U.S. Supreme Court
- U.S. Court of Federal Claims
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Federal Circuit

