

CLIENT ALERT

C&M Obtains Total Offset of Treble Damages

Feb.21.2014

In *U.S. ex rel. Purcell v. MWI Corp.* (D.D.C. Feb. 10, 2014), which C&M defended, the district court zeroed out a \$22.5 million treble damages jury award against the defendant, finding that the \$108 million in payments to the government by the third-party borrower of the loans at issue were offsetting compensatory payments. The court rejected the government's alternative arguments that no offset be applied or that any offset be limited to the jury's \$7.5 million single damages award as without any legal support and contrary to the fact that the government had already been "made completely whole" and "gotten what it paid for" by the payments already received, concluding that only penalties were appropriate.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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