

## CLIENT ALERT

### Supreme Court Hears Argument on Implied Certification Theory

April 20, 2016

On April 19, 2016, the Supreme Court heard oral argument in *U.S. v. Universal Health Servs., Inc.*, which concerns (1) whether the implied certification theory of legal falsity under the FCA is ever viable; and (2) if it is, whether a contractor's reimbursement claim can be legally false under that theory if the contractor fails to comply with a statute, regulation, or contractual provision that is not an explicit condition of payment. In a post on the [Whistleblower Watch Blog](#), C&M attorneys share first impressions from yesterday's argument and examine the significance of the case for government contractors who could face potential FCA exposure for failure to comply with myriad contract provisions or regulations.

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

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