

CLIENT ALERT

Unanimous Supreme Court Cabins Wartime Suspension of Limitations Act

May 27, 2015

The Supreme Court on Tuesday handed down *KBR v. U.S. ex rel. Carter*, in which it unanimously reversed the Fourth Circuit's interpretation of the Wartime Suspension of Limitations Act, whose text, structure, and history all show it to be limited to criminal offenses—it does not toll the statute of limitations on civil FCA cases. The Court also unanimously affirmed the Fourth Circuit's interpretation of the FCA's first-to-file bar, and thus resolved a split with the D.C. Circuit, by holding that a *qui tam* complaint that has been dismissed is no longer "pending" within the meaning of the bar and, therefore, will not preclude future, related actions.

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

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