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QUI TAM INTAKE QUESTIONNAIRE

False Claims Act — Whistleblower Case Evaluation

CONFIDENTIAL — ATTORNEY–CLIENT PRIVILEGED — PREPARED IN ANTICIPATION OF LITIGATION

If you would like us to evaluate your potential case and consider representing you in a False Claims Act (qui tam) lawsuit, please complete this questionnaire as fully as possible and return it with any supporting documentation. Provide as much detail as you can; if you would rather write a narrative, please be sure it addresses every issue this questionnaire raises. Use additional pages if needed.

IMPORTANT — TIME IS CRITICAL

The statute of limitations for a False Claims Act lawsuit can be as short as six years. A private individual's opportunity to bring a qui tam action may be cut off if someone else publicizes the conduct, files a similar False Claims Act lawsuit, or otherwise spurs the government into action before you file. If you know of any impending event that might pre-empt your claim, tell us immediately.

If you have been fired, tell us immediately — you may have a much shorter period in which to file an employment claim.

By law, your communications with us during the evaluation process are privileged and confidential, and we will treat them accordingly.

A. YOUR CONTACT INFORMATION

1. Name

7. Job title

2. Address

City

State

ZIP

3. Mobile phone

Business phone (if OK to call there)

5. Fax

4. Best times to call

6. Email

Signal contact

8. Current employer

B. COMPANIES INVOLVED IN THE FRAUD

9. Company or companies involved in the fraud:

10. The city and state where each of these companies is headquartered:

C. VICTIMS OF THE FRAUD

Who can be a victim under these laws
Many states (but not all) have their own False Claims Acts, and some of them reach fraud against cities, counties, school districts, and other public entities. In addition, California law allows you to bring similar cases when private insurance companies have been defrauded.

11. Who has been defrauded? (List all government entities or California insurance companies.)

D. THE ALLEGED FRAUD

What the False Claims Act covers
The False Claims Act generally allows whistleblowers to bring qui tam lawsuits when the government has made payments based on false claims, paid claims based on false certifications, or has not been paid money owed to it. The law does not apply every time the government makes an unwise purchasing or management decision, and it does not apply to mere mistake or negligence. With this in mind, please describe how you believe the company violated the False Claims Act.

IMPORTANT — Sometimes Silence Is Golden
Depending on your position with the defendant, you may have information about what the company's lawyers have said. DON'T TELL US. It is fine for you to have any information you acquired in the normal course of your work, but it is not OK for us as lawyers to learn about those confidential communications. When we talk, we can have a general discussion about how to handle this.

12. What actions or activities do you believe were fraudulent?

13. List the name, job title, and role of all people engaged in the fraud:

14. How did you learn of the fraud?

15. When did the fraud begin?

When did it end? (or "ongoing")

16. If you became involved in the fraud at all, please describe how and when:

17. What documents exist that would help prove the case? Do you have any of those documents?

If you have documents you want us to consider at this stage, please send them via our secure, encrypted site:
https://spaces.hightail.com/uplink/mkleiman

E. DISCLOSURES, RETALIATION & PUBLIC RECORD

19. Have you discussed your allegations with anyone — your employer, a local, state, or federal government official, or someone in the media? For each discussion, or email, state the date, who you talked to or wrote to, the circumstances, and any response:

20. If you discussed your concerns with your employer, was there any change in your employer's practices afterward?

21. **Did anyone working for your employer threaten to retaliate against you, or was there any retaliation? If so, describe:**

22. **If you lost your job, have you filed — or are you considering filing — a wrongful termination lawsuit? Describe any action you have taken:**

23. **Have your allegations been the subject of any legal or legislative action (e.g., a wrongful termination action, products liability case, congressional hearing, or agency proceeding)? If so, describe:**

24. **Have the allegations been discussed at all in public and/or the media or social media? If so, describe and attach articles or links:**

25. **Did your company have a compliance program, hotline, or fraud training? Tell us about it — and why you think the fraud occurred in spite of it:**

F. ESTIMATED DAMAGES & PRIOR LITIGATION

26. **How much, in dollar terms, would you estimate the government has been damaged by the alleged wrongdoing? (Exclude any penalties.) Describe how you arrived at your estimate:**

27. **Have you ever been involved in a lawsuit against any person or company before? If yes, what was the case about?**

G. WITNESSES

18. Please list all witnesses who could support your charges. Complete one block per witness. If you have more witnesses than blocks, continue on a separate page.

Witness 1

Last name, First name

Contact info (phone, email, address)

Position in company

Areas of knowledge

Current or former employee?

Likely to divulge your inquiry to the defendant?

Witness 2

Last name, First name

Contact info (phone, email, address)

Position in company

Areas of knowledge

Current or former employee?

Likely to divulge your inquiry to the defendant?

Witness 3

Last name, First name

Contact info (phone, email, address)

Position in company

Areas of knowledge

Current or former employee?

Likely to divulge your inquiry to the defendant?

H. ACKNOWLEDGMENT & SIGNATURE

Please read before signing

By providing you these materials and reviewing the information you send, we have not agreed to represent you, nor have you agreed to retain us.

A False Claims Act lawsuit can, and usually does, take a number of years from start to finish. When we accept a case, we commit substantial consultant, research, and financial resources to bring it to a successful conclusion. Because of that commitment, we thoroughly analyze potential cases before accepting them, which may include investigating the facts and consulting experts. This review takes time, and we must also continue working on existing cases. You are welcome to contact us at any time about the status of our review.

If these time constraints do not fit your needs, you may wish to consult other counsel. Other firms may approach a potential False Claims Act case differently — for example, filing suit earlier with less substantiation than we require. As you search for counsel, remember that the statute of limitations can be as short as six years, and that public disclosure of the conduct, the filing of another False Claims Act lawsuit making the same charges, or government action on the matter before your lawsuit is filed may be grounds for dismissal. This could happen while your case is under review and before any decision to represent you is made.

If you would like us to review your potential case and you have completed this questionnaire, please acknowledge that you have read the above considerations and agree to them by signing and dating below.

Signature of prospective client

Date

Print name