

Walton Quoted in *Government Contracts Law360* Story Titled “Attys Reflect On Escobar's FCA Impact 2 Years Later”

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Victor Walton, a partner in the Vorys Cincinnati office and a member of the litigation group, was quoted in a *Government Contracts Law360* story regarding the two year anniversary of the U.S. Supreme Court's ruling in *Universal Health Services v. Escobar*.

The story featured the following quote from Walton:

“Defendants have long argued that the FCA's draconian remedies should be invoked only where a defendant intends something deceptive in order to get or retain government money. Relators and the government have tried to stretch the statute to cover mistakes and negligence and ordinary breaches of contract. Escobar made it clear that the FCA is a fraud statute. Its materiality standard has given government agency employees enormous power over a relator's case, and has made getting discovery from the government imperative even in nonintervened cases. I expect courts to continue to struggle with the question of whether the government's continued payment of claims after a case is filed conclusively establishes the alleged fraud was immaterial, or is just evidence of immateriality.”

To read the entire story, visit the *Government Contracts Law360* [website](#). (Subscription required).