

Attorney General's Report To The Legislature  
Concerning The New Jersey False Claims Act  
Pursuant To N.J.S.A. 2A:32C-18

Calendar Year 2012

- a. The number of cases the Attorney General filed 0.
- b. The number of cases private individuals filed 183, and for those no longer under seal:
- (1) The state or federal court in which those cases were filed and the number in each court: State 0 Federal 183
  - (2) The State program or agency involved in each case: Medicaid 183 Other 0
  - (3) Number of cases filed by private individuals who had previously filed a False Claims Act case: 6

c. The amount recovered under the NJFCA in settlement;

Damages \$ 19,903,181.04  
 Penalties \$ 15,738,250.65  
 Litigation Costs \$ 0

(1) The cases where the State received a recovery:

<u>Name</u>	<u>Settlement Rec. Date</u>	<u>NJ State Share (inc. relator fee)</u>	<u>Rel%</u>	<u>Relator Fee</u>	<u>State Share Net</u>	<u>NJ Restitution</u>	<u>NJ Penalties &amp; Interest</u>
Maxim Healthcare Services**	1/19/2012	\$ 2,907,258.25	2	\$ 44,187.59	\$ 2,863,070.66	\$ 2,706,808.97	\$ 156,261.69
Merck Sharp Dohme-Vioxx	5/14/2012	\$ 6,212,678.10	0	-	\$ 6,212,678.10	\$ 2,103,910.80	\$ 4,108,767.30
KV Pharmaceutical**	5/16/2012	\$ 379,277.69	0	\$ -	\$ 379,277.69	\$ 342,614.70	\$ 36,662.99
Dava Pharmaceutical**	6/18/2012	\$ 53,458.35	0	\$ -	\$ 53,458.35	\$ 46,972.78	\$ 6,485.57
Medtronic	6/15/2012	\$ 25,308.81	17*	\$ 1,911.58	\$ 23,397.23	\$ 11,392.53	\$ 12,004.70
Morris E. Antebi, MD	7/30/2012	\$ 4,208.10	30	\$ 1,942.20	\$ 2,265.90	\$ 2,265.90	\$ -
McKesson GlaxoSmith Kline et al	8/10/2013	\$ 7,075,546.22	1*	\$ 74,860.59	\$ 7,000,685.63	\$ 6,931,277.90	\$ 69,407.73
Bioscrip Inc.	8/22/2012	\$22,605,568.92	1*	\$246,839.16	\$22,358,729.76	\$10,868,469.69	\$11,490,260.07
Abbott	9/26/2012	\$ 25,801.10	0	\$ -	\$ 25,801.10	\$ 12,786.57	\$ 13,01.53
Boehringer-Ingelheim	10/3/2012	\$ 7,511,048.81	2*	\$139,093.82	\$ 7,371,954.99	\$ 3,577,967.05	\$ 3,793,987.94
	11/13/2012	\$ 431,326.74	1*	\$ 4,407.56	\$ 426,919.18	\$ 210,590.66	\$ 216,328.52
<b>Totals</b>		<b>\$47,231,481.09</b>		<b>\$513,242.50</b>	<b>\$46,718,238.59</b>	<b>\$26,815,057.55</b>	<b>\$19,903,181.04</b>

\* Relator percent of covered conduct unknown. Amount shown is a calculated percentage of NJ Restitution.

\*\* Companies so indicated are paying in installments.

(2) The separate amounts of funds recovered for:

Damages	\$ <u>24,832,378.98</u>
Penalty	\$ <u>19,763,208.32</u>
Litigation Costs	\$ <u>0</u>

(3) The percentage of the recovery and the amount awarded to the private person who brought the action:

%age of recovery	<u>Varied per action; see (1) above for specific percentages</u>
Amount	\$ <u>513,242.50</u>

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Note: New Jersey has participated in 13 cases filed under the New Jersey False Claims Act, but under the terms of the settlements in nine of those cases the offending conduct occurred prior to the passage of the New Jersey False Claims Act so no share of the State of New Jersey's recovery was provided to the relator.