

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 2015

- a. The number of cases the Attorney General filed 1.
- b. The number of cases private individuals filed 46, 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 1 Federal 4
 - (2) The State program or agency involved in each case: Medicaid 4 Other 1
 - (3) Number of cases filed by private individuals who had previously filed a False Claims Act case: 0

c. The amount recovered under the NJFCA in settlement;

Damages	\$ <u>3,223,701.80</u>
Penalties	\$ <u>795,977.86</u>
Litigation Costs	\$ <u>0</u>

(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 & Interest</u>
OtisMed-Stryker	1/8/2015	\$ 24,691.38	0	\$ 0	\$ 24,691.38	\$ 12,285.18	\$ 12,406.20
Daiichi-Sankyo	3/13/15	\$ 353,661.92	18	\$ 31,808.76	\$ 321,853.16	\$ 159,631.05	\$ 162,222.11
U.S. ex rel Fulk v. UPS	5/4/2015	\$ 740,000.00	17	\$ 125,800.00	\$ 614,200.00	\$ 614,200.00	\$ 0
U.S. ex rel D'Agostino v. Allied Dental (non-Medicaid)	6/26/2015	\$ 91,540.00	28	\$ 25,631.20	\$ 65,909.00	\$ 10,255.00	\$ 55,653.80
Inspire Pharm.	7/1/15	\$ 38,441.22	20	\$ 7,022.35	\$ 31,418.87	\$ 17,561.26	\$ 13,857.61
U.S. ex rel D'Agostino v. Allied Dental (Medicaid)	7/13/2015	\$ 69,550.00	28	\$ 19,474.00	\$ 50,076.00	\$ 50,076.00	\$ 0
Kester v. Accredo (Novartis)	7/27/15	\$ 313,713.41	30	\$ 93,642.71	\$ 220,070.70	\$ 100,145.68	\$ 119,925.02
Streck v. Allergan (Biogen)	7/28/15	\$ 15,555.01	25	\$ 3,312.52	\$ 12,242.39	\$ 12,242.39	\$ 0
McCray v. Ped. Svc. of America	7/30/15	\$ 8,677.33	16	\$ 1,133.41	\$ 7,543.92	\$ 3,624.25	\$ 3,919.67
U.S. ex rel Perez v. Stericycle	10/1/2015	\$ 355,076.00	25	\$ 88,769.00	\$ 266,307.00	\$ 266,307.00	\$ 0
Ryan v. Nuvasive	10/8/2015	\$ 6,478.76	17½	\$ 1,089.01	\$ 5,389.75	\$ 2,655.91	\$ 2,733.84
McCoyd v. Abbott (Pharmerica)	10/19/15	\$ 21,228.41	15	\$ 642.90	\$ 20,585.51	\$ 10,151.90	\$ 10,433.61
Streck v. Cephalon	10/21/2015	\$ 136,080.86	25	\$ 25,319.26	\$ 110,761.60	\$ 108,828.21	\$ 1,933.39
N.J. ex rel Hayling v. CMS	10/26/2015	\$ 500,000.00	80	\$ 400,000.00	\$ 100,000.00	\$ 100,000.00	\$ 0
U.S. ex rel Washington v. Educ. Mgmt. Corp.*	11/1/2015	\$ 71,429.00	0	\$ 0	\$ 71,429.00	\$ 71,429.00	\$ 0
Streck v. Allergan	11/9/2015	\$ 1,163,840.33	25	\$ 244,654.75	\$ 919,185.58	\$ 911,292.97	\$ 7,892.61
U.S. ex rel Vazziri v. Accutest Labs	12/1/2015	\$ 2,000,000.00	20	\$ 296,984.00	\$ 1,703,016.00	\$ 783,016.00	\$ 920,000.00
Totals		<u>\$ 5,909,963.63</u>		<u>\$1,365,283.87</u>	<u>\$4,544,679.86</u>	<u>\$ 3,233,701.80</u>	<u>\$ 1,310,977.86</u>

(2) The separate amounts of funds recovered for:

Damages	\$ 3,268,727.40**
Penalties	<u>\$ 1,332,142.30**</u>
Litigation Costs	<u>\$ 0</u>
Total recovered:	\$ 4,600,869.70

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

Percentage of the recovery:	<u>varied per action and per covered conduct period; see</u>
	<u>Relator % in the chart in (1)</u>
Amount:	<u>\$1,365,283.87</u>

*Payments in U.S. ex rel Washington v. Educ. Mgmt. Corp. are being made in installments.

**Amounts recovered reflect cases paid in full plus the amounts of installment payments received on a prior year case (Maxim), as well as non-NJFCA recoveries in settlements of cases brought under the NJFCA.