

# The Legal Process and Recovery

We understand that the legal process may seem confusing and even more complex as it relates to qui tam. You should know that if we take your case, we will serve as your advocate within the legal system. If you think you have knowledge of qui tam activity, please call the **DALLAS FALSE CLAIMS ACT ATTORNEYS AND DALLAS QUI TAM ATTORNEYS** at the Law Offices of James R. Tucker, P.C., for a free consultation at 214-505-0097 or contact us.

This first phone call begins the evaluation process to understand your claim and if it falls within the (a) federal guidelines of the False Claims Act, or (b) the Texas Medicaid Fraud Prevention Act.

**What kind of information will we ask for?** We will ask for basic information about you, your company and your knowledge of fraud, including:

- Contact information
- The type of fraud you are reporting
- How long the fraud occurred
- Documentation of fraud
- Your role in uncovering the fraud

The initial phone call may be lengthy, but this is required to help you and evaluate your case. Keep in mind that you have the right to end the legal evaluation at any time, without any cost or fee to you.

## Determining if Your Case Will Proceed to a Lawsuit

If we decide that your case has elements that could justify a lawsuit, we will proceed to the next step in the evaluation process. This may require you to provide more information if it appears that a formal complaint will be filed.

## Cases Filed Under Seal

If a complaint is filed, the US Government attorney investigates the allegation for 60 days, and the State Government for 180 days. If the US attorney and/or Attorney General believes fraud occurred, he or she takes over the case, in conjunction with the whistleblower's lawyers, and either settle the case or pursue a lawsuit against the fraudulent company or person.

The whistleblower (you) still maintains the right to a piece of this settlement, between 15 and 25 percent of the recovery, even though the US government has taken over the legal case. Typically, the government pursues approximately 20 percent of cases it receives.

If the government does not pursue the case, the whistleblower has the option of pursuing a settlement or lawsuit against the company or person on his or her own (often with an attorney). In these cases, the whistleblower may receive up to 30 percent of the lawsuit recovery.

