

## **JOEL D. HESCH, ESQ.**

*Author, Former Department of Justice Fraud Division Attorney, Law School Professor*

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**Website:** [www.HowToReportFraud.com](http://www.HowToReportFraud.com)

### **LAW SCHOOL TEACHING:**

*Assistant Professor of Law, Liberty University (2006 to present)*

Courses: Civil Procedure I and II, Negotiations, Pre-Trial Practice, Conflict of Laws, Legal Skills I through IV

Achievements: Coach, Negotiation Teams (Three Time Champion of ABA Regional Competition: 2007, 2008, 2009; National ABA Rankings: 5<sup>th</sup> and 17<sup>th</sup> in 2007, and 10<sup>th</sup> and 16<sup>th</sup> in 2008; National Champion of Environmental Law Competition: 2007)

### **DEPARTMENT OF JUSTICE EXPERIENCE:**

Trial Attorney (1990-2006)  
U.S. Department of Justice  
Civil Division, Fraud Section  
Washington, D.C.

#### DOJ Activities:

- Worked on fraud cases recovering \$1 billion
- Led fraud investigations affecting 20 different federal agencies
- Appointed to “DOJ Pharmaceutical Fraud Team”
- Won False Claims Act jury trial on behalf of the United States
- Appointed by DOJ to testify of behalf of DOJ regarding the False Claims Act’s “Public Disclosure Bar” and “Original Source Exception”
- Appeared before many different federal district courts

#### DOJ Awards:

- Special Commendation for Outstanding Service, 2003
- Meritorious Award, 1997
- Special Achievement Award for Superior Performance, 1993 & 2000

### **LEGAL EDUCATION:**

J.D., 1988, The Catholic University of America, Washington, D.C.

Class Rank: 5<sup>th</sup>

Journal: Contemporary Health Law & Policy, Member, 1987-1988

### **BOOKS AUTHORED:**

*Whistleblowing: A Guide to Government Reward Programs (How to collect million dollar rewards for reporting fraud)* (Second Ed. November 2009)

*Reward: Collecting Millions for Reporting Tax Evasion (A Guide to the IRS Whistleblower Reward Program)* (March 15, 2009)

## **LEGAL BRIEF BEFORE U.S. SUPREME COURT:**

*Amicus Curiae Brief by Professor Joel D. Hesch*, dated January 22, 2008, filed in *Allison Engine Comp., et al. v. U.S. ex rel. Sanders and Thacker*, No. 07-214. The brief supports a whistleblower alleging a subcontractor violated the False Claims Act by supplying defective engines to a prime contractor building a \$1 billion Navy ship. See [http://www.howtoreportfraud.com/cms-images/07-214bsacProfessorHesch\(2\).pdf](http://www.howtoreportfraud.com/cms-images/07-214bsacProfessorHesch(2).pdf)

## **LEGAL PUBLICATIONS:**

*Understanding the “Original Source Exception” to the False Claims Act’s “Public Disclosure Bar” in light of the Supreme Court’s Ruling in Rockwell v. United States*, 7 DePaul Bus. & Com. L.J. 1 (Fall 2008) (cited in a party brief before the 9<sup>th</sup> Circuit Court of Appeals in *U.S. v. Planned Parenthood*, and an amicus brief before the U.S. Supreme Court in *Graham County v. U.S.* docket No. 08-304.)

*Restating the “Original Source Exception” to the False Claims Act’s “Public Disclosure Bar,”* Liberty Univ. Law Review (Inaugural Edition 2006), Vol. 1:111 (cited five times in briefs before the U.S. Supreme Court in *Rockwell v. United States*, 127 S. Ct. 1397 (2007)).

## **EXPERT SOURCE CITED IN MAJOR MEDIA ARTICLES:**

**The following Forbes Magazine article cites to Joel Hesch as a leading expert:**

*Tax Informants are on the Loose*, **Forbes Magazine**, December 14, 2009 (devoting 2 full paragraphs in the lead Forbes Magazine story to predictions, statistics, and tips by Joel Hesch, as a national expert on fraud against the government and income tax evasion), an online version of the magazine article is located at:  
<http://www.forbes.com/forbes/2009/1214/investment-guide-10-ubs-irs-spondello-tax-informants-on-loose.html>

## **MAJOR MEDIA ARTICLES AUTHORED BY JOEL HESCH:**

**The following article by Joel Hesch was published by The Washington Times:**

*‘Or’ a trillion-dollar word: A burgeoning deficit could hide in one detail*, The Washington Times (Sunday Edition, August 16, 2009)

## **EXPERT SOURCE CITED IN OTHER MEDIA ARTICLES:**

*Before you deposit that check from Canada, make sure it's legit*, American-Statesman (July 27, 2008), located at <http://www.statesman.com/life/content/life/stories/other/07/27/0727guide.html>

*Court narrows law aimed at contractor fraud*, Federal Times (June 15, 2008), located at <http://federaltimes.com/index.php?S=3578783>

*Court raises government's burden of proof in subcontractor fraud*, Federal Times (June 10, 2008), located at <http://federaltimes.com/index.php?S=3570539>

*Sanyo can't sell its Chinese-built cameras to Uncle Sam*, Jacob Goodwin, Government Security News Magazine (April 7, 2008), located at:  
<http://gsnmagazine.live.netconcepts.com/cms/features/news-analysis/654.html>  
<http://www.gsnmagazine.com/cms/lib/985.pdf>

*Lawmakers: Let federal employees share in damage awards*, Federal Times (March 3, 2008), located at: <http://federaltimes.com/index.php?S=3397791>

*U.K. Will Offer Up To £100,000 To Whistleblowers*, CompetitionLaw360 (March 3, 2008), located at: <http://competition.law360.com/Public/Default.aspx>

*Whistleblowing: Stop fraud, save taxes, and get paid!*, WorldNetDaily (October 24, 2007), located at: [http://wnd.com/news/article.asp?ARTICLE\\_ID=58272](http://wnd.com/news/article.asp?ARTICLE_ID=58272)

## **OTHER MEDIA ARTICLES AUTHORED BY JOEL HESCH:**

*The Four Greatest Risks of a Fraud or False Claims Act Suit against Pharmaceutical Companies*, Corporate Compliance Insights (October 28, 2009), located at <http://www.corporatecomplianceinsights.com/2009/adulterated-drugs-medicaid-rebate-fraud-false-claims-act-risk-pharma-companies>

*Merck's House of Cards Collapses on Its Pepcid "Nominal Price" Program*, Pharmaceutical Crossing (March 10, 2008), located at <http://www.pharmaceuticalcrossing.com/article/index.php?id=720049>

*Rewards and Risks of Reporting Your Pharmaceutical Employer for Fraud*, Pharmaceutical Crossing (October 15, 2007), located at <http://www.pharmaceuticalcrossing.com/article/index.php?id=720017>

## **WORLD NET DAILY COLUMN ARTICLES BY JOEL HESCH:**

**The following articles are located at WorldNetDaily.com:**

*Psychiatrists performing miracles?*, July 9, 2008

*Radiologists who take more than X-rays*, June 25, 2008

*Achtung! German firms cheat military*, June 18, 2008

*Dentists who prey on children*, June 11, 2008

*Stealing time, stealing money*, June 4, 2008

*Stealing millions from veterans' health care*, May 28, 2008

*Eye doctors seeing green*, May 21, 2008

*Is your pharmacy switching drugs?*, May 14, 2008

*Cheating the dying of hope*, May 7, 2008

*'Free' credit report scam*, April 30, 2008

*Stealing from needy kids*, April 23, 2008

*Red tape eliminated – fraud isn't*, April 16, 2008

*How to make April 15 rewarding*, April 9, 2008

*Making off with millions – in wheelchairs*, April 2, 2008

*Million-dollar potholes*, March 26, 2008

*New law helps rout out fraud*, March 19, 2008

*Not so saintly Medicare fraud*, March 12, 2008

*Do drug companies suppress bad results?*, March 5, 2008

*3rd-hand smoking: Bad for your wallet*, February 27, 2008

*Ambulances as vehicles for fraud*, February 20, 2008

*Pepcid gives taxpayers heartburn*, February 13, 2008

*French firm rips off Medicaid*, February 6, 2008

*'Big Dig' boondoggle*, January 30, 2008

*Did defective helmets endanger lives?*, January 23, 2008

*The IRS wants to pay you a billion dollars*, January 16, 2008

*Killing consumers for the almighty dollar*, January 9, 2008

*Fraud-busting rewards top \$2 billion*, January 2, 2008

*Mother lode of lies: Turning sand into gold*, December 26, 2007

*Drugging the elderly into silence*, December 19, 2007

*Sweetheart deals to oil companies*, December 12, 2007

*Better than winning the lottery*, December 5, 2007

*Endangering cops' lives - for profit*, November 28, 2007

*Bank cheats government - and taxpayers*, November 21, 2007

*How health care fraud against kids was stopped*, November 14, 2007

*Why you pay \$1,000 a year of other people's taxes*, November 7, 2007

*Does your surgeon get kickbacks?*, October 31, 2007

*Want affordable health care? Start here*, October 24, 2007

## **TV APPEARANCES:**

Good Morning Virginia, Channel 13, Lynchburg, VA, October 2, 2007 (discussing *Whistleblowing* book)

## **MEMBERSHIPS:**

American Bar Association

State Bar of D.C., 1989 to present

State Bar of Maryland, 1988 to present

Admitted to the Supreme Court of the United States

Admitted to the United States Court of Federal Claims

Admitted to the United States Tax Court

Admitted to the Maryland District Court