



**Is There A Whistleblower
In Your Midst?**

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Dennis Roossien (Dallas)

Daniel Sternthal (Houston)

- A. An Error or Perceived Error that Is Not Resolved**

- B. Value of Compliance Programs**

- C. Sincere Persons**

- D. Persons Already Engaged in Disputes**

- E. Persons Who Are Difficult to Educate**

A. Compliance Program Administrators

B. Senior Management / Other Employees

C. Government

1. Hotlines
2. Websites
3. Enforcement Agencies

D. Attorneys

1. Already Representing a Person in a Dispute with the Company
2. Qui Tam Counsel
3. Whistleblower Specialists and Bounties
4. Criminal Defense Counsel

A. Compliance Program – Open Lines of Potential Communication

B. Senior Management

1. Proactive Communication
2. Avoiding Retaliation / Confidentiality

C. Importance of Addressing Small Matters

D. Advice on Uncertain Questions

E. Self-Reporting

F. Use of Internal Auditors and Consultants

G. Follow-Up Education / Internal Communications

1. Open Handling of the Issue Without Breaching Confidentiality
2. Respect for All Inquiries
3. Particular Attention to Safe Harbor Situations that May Be Misunderstood

A. Company Investigation

B. Government Investigation

1. Relative Considerations of Government Personnel
2. FBI Health Care Fraud Unit
3. Process

C. Attorney Investigation

1. Generalists Handling Other Litigation
2. Qui Tam
3. Whistleblower Specialists
4. Criminal Defense Counsel

- A. Internal Indications**
- B. Government Inquiries**
- C. Threats in Otherwise Unrelated Disputes or Lawsuits**
- D. Civil Investigative Demand**
- E. Grand Jury Subpoena**
- F. Private Demand Letters or Correspondence**

- A. Another Note on Retaliation / Confidentiality**
- B. Self-Reporting**
- C. Correction**
- D. Affirmative Communication with Government or Private Attorney**
- E. Considerations for Ongoing Government Investigations**
 - 1. Law Enforcement Perspectives
 - 2. Capacities of Government Teams
- F. A Word on the Perspective of the Whistleblower at This Stage**

A. Indictments

B. Search Warrants

C. Civil Suits

1. Government
2. Private
3. Qui Tam Procedures

A. Initial Pleading

1. Grand Jury – Indictments
2. Civil Complaint

B. Motions to Dismiss / Answers

C. Discovery

D. Summary Judgment

E. Trial

F. Appeal

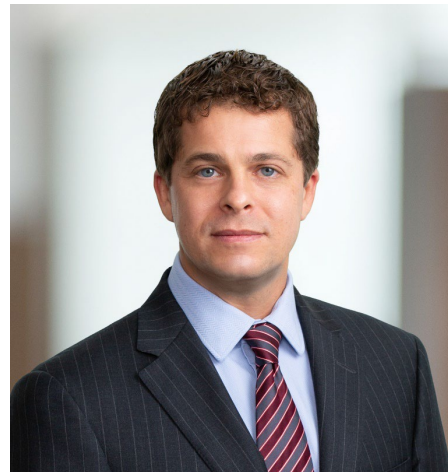


Dennis Roossien

Shareholder

[214.855.7535](tel:214.855.7535)

droossien@munsch.com



Daniel Sternthal

Shareholder

[713.222.4034](tel:713.222.4034)

dsternthal@munsch.com