

Thomas M. Greene

GREENELLP

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Thomas M. Greene has practiced complex civil litigation for more than thirty years. Since first representing a False Claims Act whistleblower in 1992, Mr. Greene has specialized in representing qui tam whistleblowers. Although his first False Claims Act case involved the defense industry, Mr. Greene has devoted the majority of his time to health care and pharmaceutical cases. In a seminal lawsuit against Parke-Davis and Pfizer, a qui tam whistleblower case that involved off-label marketing of the drug Neurontin, Mr. Greene established for the first time that off-label promotion of prescription drugs was fraud that could result in liability to the government under the False Claims Act. Mr. Greene has also actively investigated whistleblower claims in other industries, including fraud on public utilities, import companies dodging customs duties, and fraudulently obtained government research grants.

Mr. Greene's pharmaceutical litigation experiences have been chronicled in various publications, including the New York Times, Wall Street Journal, USA Today, the Boston Globe, the British Medical Journal, The Lancet, the American Lawyer and [Trial magazine](#). His work exposing illegal drug marketing by the pharmaceutical industry has been featured in the book *Our Daily Meds* by former New York Times reporter Melody Petersen, and he has also been featured on national radio and television shows, including National Public Radio, Canadian Broadcasting Company, and NBC's *Dateline*. Mr. Greene also recently published an article in *Trial* entitled "[A New Weapon in Pharma Cases](#)" about the use of the Racketeer Influenced & Corrupt Organizations Act against pharmaceutical companies.

Mr. Greene speaks frequently at national conferences about the False Claims Act and representing qui tam whistleblowers. As Chair and Moderator, Mr. Greene recently led a two-day program entitled *Recent Developments in False Claims Act Litigation*, which focused on the significant changes to the False Claims Act statute of the last four years. Mr. Greene has also been invited to speak about off-label promotion at Johns Hopkins University, Harvard Law School, Boston College, and Northwestern Law School.

Mr. Greene's work in uncovering fraudulent marketing of the epilepsy drug Neurontin has blazed a trail for other cases. Originally filed under the False Claims Act in 1996, *Franklin v. Parke-Davis* was resolved in 2004 for a total \$430 million in civil fines and criminal penalties. Since then, nearly \$14 billion has been recovered by Greene and other attorneys in [other False Claims Act cases under his novel theory](#). After the 2004 False Claims Act settlement, Pfizer's marketing of Neurontin became the subject of many other cases, organized in a Multi-District Litigation with Greene at the helm as Chairman of the Plaintiffs' Steering Committee. He tried a "bellwether" case on behalf of Kaiser Foundation Health Plan in 2010 to a [\\$142 million jury verdict](#) under RICO and a \$102 million judgment under the California Unfair Competition Law, again paving the way for future pharmaceutical litigation.

Thomas M. Greene has represented whistleblowers in qui tam suits all over the country, from California to New York. With two decades of experience, Greene is one of the preeminent False Claims Act lawyers in the nation.

Presentations and Seminars:

Panelist, ABA Antitrust Law Section, Health Care and Pharmaceuticals Committee

January 11, 2013, Washington, DC

[*Off-Label Promotion of Pharmaceuticals: Application of the False Claims Act and Consumer Protection Act to Promotional Strategies*](#)

Guest Lecturer, Boston College Carroll School of Management

November 10, 2011, Chestnut Hill, MA

Law of Marketing

Chair and Moderator, Suffolk University Law School Advanced Legal Studies

March 24 and 31, 2011, Boston, MA

[*"Recent Developments in False Claims Act Litigation"*](#)

Seminar, Johns Hopkins University School of Public Health, Center for Clinical Trials

February 9, 2011, Baltimore, MD

[*"How Industry Distorted the Scientific Evidence and Turned 'Snake Oil' Into a \\$10 Billion Blockbuster: Lessons for Public Health"*](#)

Panelist, American Association of Justice Winter Meeting, Sunrise at Litigation

February 8, 2011, Miami, FL

[*"How to Win a RICO Case Against a Pharmaceutical Giant for Fraudulent Off-Label Promotion"*](#)

Winner, "Most Compelling Argument," Sixth Annual Battle of the Lawyers

Nov 4, 2010, Boston MA

"Massachusetts Lawyers Weekly"

Panelist, Northwestern Law Judicial Symposium

May 3 - 5, 2009, Chicago, IL

"The Pharmaceutical Industry: Economics, Regulation and Legal Issues"

Panelist, Annual Whistleblower Law Symposium

March 4, 2009, Atlanta, GA, State Bar of Georgia

"Recent Developments in Qui Tam Cases Under the False Claims Act – The Relator's Perspective"

Moderator, Eighth Annual Taxpayers Against Fraud Education Fund Conference & Awards Dinner

September 7 – 10, 2008, Washington, DC

"Fraud-Fighting Pioneers: Moving the FCA in New Directions"

Panelist, The Seventh Annual Pharmaceutical Compliance Congress and Best Practices Forum

November 8 – 10, 2006, Washington, DC

"Qui Tam Update Panel"

Panelist, Health Care Fraud Enforcement in the Pharmaceutical Sector

September 25, 2006, Cambridge, MA, Harvard Law School Ethics, Law & Biotechnology Society

Moderator, Sixth Annual Taxpayers Against Fraud Education Fund Conference & Awards Dinner

September 10 – 13, 2006, Washington, DC

"Fraud-Fighting Pioneers: Moving the FCA in New Directions"

Panelist, The Second Annual FDA Regulatory and Compliance Symposium

August 22 – 25, 2006, Cambridge, MA

"Lessons from Whistle-Blower Cases"

Panelist, The 6th Annual National Institute on Civil False Claims Act and Qui Tam Enforcement

June 14 – 16, 2006, Washington, DC

"FCA Enforcement Against Pharmaceutical Companies and Medicare/Medicaid Providers"

Participant, The Sedona Conference – Complex Litigation VII: Litigating Mass Torts

April 7 – 8, 2005, Sedona, AZ

Panelist, The International Pharmaceutical Compliance Summit on Medical Affairs, Clinical Trials, Safety and Publication

March 30 – April 1, 2005, Philadelphia, PA

"Qui Tam Update Panel"

Keynote Speaker, The 2nd Annual Pharmaceutical Marketing Compliance Congress

January 31 – February 1, 2005, Washington, DC

"The Growing Role of Whistleblowers"

Panelist, The Fifth Annual Pharmaceutical Regulatory and Compliance Congress

November 14 – 17, 2004, Washington, DC

"Qui Tam Update Panel"

Panelist, Fourth Annual Conference for Qui Tam Relators' Counsel

October 14 and 15, 2004, Washington, DC

"The Federal Food, Drug and Cosmetic Act and Its Application to Qui Tam: Pharmaceutical and Medical Device Cases"

Faculty, National Pharma Audioconference: Lessons of the Pfizer Settlement for Off-Label Promotion – Compliance Issues and Practices

June 23, 2004