

Associate, Boston

Litigation



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Education

J.D., New York Law School, 2013
(*magna cum laude*; Articles Editor, *New York Law School Law Review*)

B.B.A., City University of New York, 2007

Bar Admissions

Massachusetts

New York

Authorships

"Supreme Court Holds That Violations of the False Claims Act's Seal Requirements Do Not Require Automatic Dismissal," Skadden, Arps, Slate, Meagher & Flom LLP, December 7, 2016

"In *Escobar*, Supreme Court Upholds False Claims Act's Implied Certification Theory," Skadden, Arps, Slate, Meagher & Flom LLP, June 17, 2016

"Risk Of Future Misconduct Will Guide HHS Investigations," *Law360*, April 26, 2016

"New HHS OIG Criteria to Guide Resolution of Health Care Investigations," Skadden, Arps, Slate, Meagher & Flom LLP, April 21, 2016

Rene DuBois represents health care, financial services, insurance and other companies in a wide range of complex civil litigation and government investigations. Mr. DuBois has successfully defended various health care companies in civil False Claims Act investigations and litigation by the U.S. Department of Justice and *qui tam* relators. Mr. DuBois also has successfully defended clients in putative class action matters in state and federal trial and appellate courts around the United States involving insurance and securities matters.

Representative matters include:

- an insurance company in False Claims Act suits alleging that the company failed to reimburse the federal government for payments made to Medicare beneficiaries in accordance with the Medicare Secondary Payer Statute; all claims were dismissed and affirmed on appeal by the Second Circuit;
- a pharmaceutical company and certain of its officers and directors in a putative securities class action and a related derivative suit following the FDA's disclosure of safety events relating to an approved drug;
- a pharmaceutical company and certain of its officers and directors in a putative securities class action following the withdrawal of a new drug application to the FDA;
- a medical device manufacturer in a False Claims Act suit alleging violations of the federal Anti-Kickback Statute;
- a medical device manufacturer in a False Claims Act suit predicated on alleged violations of the federal Anti-Kickback Statute and durable medical equipment supplier telemarketing regulations;
- an insurance company in a series of purported class action lawsuits alleging that the company breached its contractual duties to variable annuity and variable life insurance policyholders by implementing a volatility management strategy in certain portfolios;
- a management consultant company in the dismissal of a False Claims Act suit involving the Medicare program;
- an insurance company in a purported class action alleging various state law claims based on purported violations of the New Jersey Fair Automobile Insurance Reform Act and Medicare Secondary Payer Statute; and
- an insurance company in a series of purported class action lawsuits alleging that the company failed to reimburse Medicare Advantage organizations under the Medicare Secondary Payer Statute.

Mr. DuBois has an active *pro bono* practice, which has included advising a non-governmental organization representing low-income citizens, seniors and other members of underserved communities on Social Security Administration issues, and representing a Massachusetts state prisoner in civil rights litigation in federal court.

While in law school, Mr. DuBois was a judicial intern for the Hon. George B. Daniels in the U.S. District Court for the Southern District of New York and a member of the Latin American Law Students Association. Mr. DuBois is an active member of the Massachusetts Association of Hispanic Attorneys and Hispanic National Bar Association.