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Joseph Greenwald & Laake principal Brian Markovitz recently shared his perspective about a U.S. District Judge's ruling in a whistleblower case filed against Medtronic Inc. with Bloomberg Law's *Pharmaceutical Law & Industry*.

One of the key issues before the judge was whether to toss out the lawsuit under a doctrine known as the public disclosure bar, which prevents a whistleblower case from going forward if the information that he or she provides is already publicly known. In this case, the judge declined to dismiss the lawsuit on that basis, finding that the whistleblower provided considerable new information in addition to what was already known.

Markovitz is in agreement with this ruling. From his perspective, the whistleblower in the Medtronic case "was able to show she was an original source because she got policies, dates, and names." Markovitz also says that the ruling is "definitely a win" for whistleblowers because, in his view, the judge was saying that a defendant facing broad allegations cannot just use the public disclosure bar to get additional allegations by new plaintiffs dismissed. "If the court follows this, cases are going to move forward," Markovitz says. "That means a lot more money being returned for the taxpayers."

To read the article in its entirety, please click on the Bloomberg Law logo below.

Brian Markovitz is a principal in JGL's Labor and Employment and Civil Litigation practice groups, and focuses on helping victims who have suffered severe injustices in the workplace. He represents individuals in complex employment litigation and appellate matters involving wrongful termination, retaliation by employers in response to reporting fraud or misconduct and discrimination on the basis on race, gender, age and sexual orientation.



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