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## Of Counsel Interview ...

### **Litigator Handles Whistleblower Cases, Represents the “Little Guy”—and Wins**

In most law firms, especially small and mid-sized ones, the lawyers need to take on a few different roles to make the partnership work. You can't just shut your door and stick to the nuts and bolts of whatever legal matter is in front of you.

At 38-attorney Joseph, Greenwald & Laake, based in Greenbelt, MD, partner Veronica Nannis seems to do it all, as if she's some kind of 21st century Renaissance woman. “Veronica's a combination of traffic cop, ethics advisor, sounding board, editor, litigator and den mother, all rolled into one,” says Timothy Maloney, a partner and someone Nannis identifies as her mentor. “She performs a lot of roles at our firm, and she does them all seemingly effortlessly.”

But it's the litigator role that the outside world sees most often, including opposing counsel, who probably wish they'd see someone else fighting against them. After all, Nannis has an impressive track record

of taking on difficult cases, making creative arguments and working to achieve justice for her clients. In short, she wins a lot.

For more than 10 years, Nannis has represented clients in civil matters involving civil rights, employment law, and commercial disputes. She's also a leader in the firm's qui tam practice, representing whistleblowers who report misuse of government health care funds under the federal False Claims Act—an area of particular focus for her these days.

Her partners recognize and appreciate that Nannis can be tenacious in court but always reasoned and in control. “The most important thing that Veronica brings to her practice is that she has excellent judgment—about people, litigation issues, about what will fly with the court, or what will fly with the client,” Maloney says. “She has what I

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call litigation common sense, developed as result of spending a number of years on very sophisticated litigation for very savvy clients.”

Recently *Of Counsel* spoke with Nannis about her career, her commitment in representing the Davids against the Goliaths, some of her most noteworthy cases, the traits she likes to see when she helps hire young attorneys, and other topics. What follows is that excerpted interview.

**Of Counsel:** Veronica, what was it that led you down your career path? Why did you become a lawyer?

**Veronica Nannis:** I didn’t know I wanted to be a lawyer at first. I had a degree in psychology and was working in that field for about a year. I was planning to go get my Master’s and maybe my PsyD or PhD. But then I just so happened to be talking to the uncle of my future husband, who worked for the government as a psychologist and his wife did as well. He strongly encouraged me to take a look at law school, which I’d never considered before. So I started thinking about it and was lucky enough to get a scholarship to Catholic University for both its Master’s program in psychology and its JD program. While I was giving law school a try I was still focused on psychology.

But then I just loved law school. I continued to get my Master’s, but my first year I was drawn intellectually more to the law side. I enjoyed it more. I was one of those people who felt I could make more of a difference from the legal side as opposed to working one-on-one with a patient. I’m happy I got my Master’s in psychology but once I got a taste of the law, I was immediately drawn to it.

**OC:** What was it that your husband’s uncle saw in you that made him press you to explore law school?

**VN:** We had been talking about the frustrations that I was feeling at the time in working with patients, like trying to get coverage or various issues with Medicare and insurance companies. So I was venting about the hurdles patients were facing. He said, “You’re a natural advocate. You should consider law school and work from the other side and delve into the issues and help more than one patient at a time. You might be able to be more of an agent of change.”

**OC:** So you got your dual degree and graduated with honors in 2002. Where did you go after you graduated?

**VN:** I was with this law firm before I graduated. I did an internship here and was hired in my second year of law school to be a law clerk serving the civil litigation department. I’ve stayed ever since.

## Responsibility and Teamwork

**OC:** What do you like about the litigation practice at Joseph, Greenwald & Laake?

**VN:** When I first joined the firm we didn’t have a whistleblower practice. But we did have a robust civil litigation department. I stayed and I still stay mainly for two reasons: One, the work that we do and the responsibility we get, especially our younger folks, is really unparalleled. So we get a lot of responsibility and that’s what I wanted. I got it and I felt like I was making change from day one. I was given that opportunity.

Secondly, it’s about the team—it’s truly a team environment here. This practice can be solitary and very competitive, but from the top down we have a different mindset here. Hearing from colleagues [at other firms] and friends, I know that’s not the case everywhere. So I know this is a unique place to work.

**OC:** Clearly, with your skills, you could do a lot of different types of litigation, but you've chosen to focus on whistleblowers and civil rights matters and employment law and health care fraud. What was it that attracted you to these areas?

**VN:** I guess it's a sense of naturally siding with the little guy, representing the victim.

**OC:** I thought you were going to say something like that.

**VN:** They all tend to be similar. Whether it's civil rights or whistleblowers or almost any of the work I've done in employment law, I've been on the plaintiff's side, the victim's side. I end up representing the whistleblowers themselves but because I focus on the health care arena there tends to be quite a number of cases that involve patient harm as well. So it all ties into something I'm passionate about.

**OC:** You've handled so many cases, and many of them are in the health care field. Have you seen an increase in the cases you handle with the advent of health care reform?

**VN:** That's interesting. Well, fraud's been around forever. The act that we bring these cases under is called Lincoln's Law [also known as the False Claims Act] for a reason. It's been around for more than 150 years [since President Lincoln signed it in 1863]. But it hasn't been enforced as much nor had as many advocates on the whistleblowers' side as we have now. There's no question that that's gone up in the last 20 years, and even the last 10. With the advent of the new law ...

**OC:** Sorry for interrupting, but you're talking specifically about the Affordable Care Act, right?

**VN:** Yes, that's right. Anytime the government is going to issue a new set of rules and regulations, there's obviously going to be people out there trying to game the system. So in that regard we can surmise a correlation. It was certainly there before but with

the new rules in the Affordable Care Act there might be some new and different types of fraud. So we can say there's a correlation there.

## Standout Cases

**OC:** You've handled and been successful in a lot of very complex, difficult cases. What are one or two that come to mind as being particularly important or satisfying? I don't want to prompt you, but the case involving Wells Fargo and the \$16 million settlement to the class members is quite interesting and recent.

**VN:** Yes, and that's still going on. That's probably top of mind because it's continuing. There are, there were, 10 different big banks. Wells was the first to settle with us, but there are others that we have preliminarily settled with and others that have not settled yet. That was a classic but very brazen kickback scheme between the now-defunct title insurance company and some of the major banks. So, that one ranks up there for me.

The other one that sticks out and is prominent for me is the civil rights case that we tried in 2011 for the Espina family.

**OC:** That was *Espina v. Prince George's County* case, right? [In this litigation, Nannis and the firm's legal team represented the family of an innocent man who was beaten and killed by an off-duty police officer in the man's apartment. They won an \$11.5 million verdict for the estate, spouse, and son of the victim.]

**VN:** Yes, at that time we had the highest jury verdict ever returned, but it was reduced immediately by the trial court down to the statutory cap for the county. We took that up on appeal on constitutional grounds and unfortunately lost. But within two months of losing, my partner, our client, and I were testifying in Annapolis, and we were able, in a short session of the legislature, to get the cap doubled, which hadn't been touched since

1987. We also got the statutory notice period lengthened from 180 days to 365 days.

So that was one that was certainly a roller coaster in terms of wins and losses. But it was satisfying, ultimately, to be able to effect change that way, so that all of the civil rights cases that come after that—and we certainly have our fair share in Maryland—all of those victims are able now to have a longer notice period before their claims are cut off and have double the statutory cap that Mrs. Espina and her family had.

**OC:** That won you and your colleagues the 2011 Maryland Association for Justice Trial Lawyers of the Year award. Nicely done. To shift gears here a little. How do you market your practice? I see that you write a lot. Do you do other things to generate interest and, ideally, clients?

**VN:** I've begun to do that more in the last year or so. I'm behind the curve in terms of really targeting on the micro level. But one of the things I start with is looking at who are my normal clients and who are my best clients. Who do I want to try to attract? For the health care work, which I'm focusing more and more of my practice on, I really concentrate on two or three of my clients who I have now or had in the recent past. I look at who they are and what kind of responsibility do they have, and how could I get eyeballs on similar types of folks.

I need to think about them. What associations do they belong to? What annual meetings are they going to? What publications are they reading? I notice that my colleagues [at other firms] don't really seem to be marketing down to that micro level. There aren't many lawyers advertising [their practices in these various venues]. So in the last year, I have started targeting the audience I want to be in front of. I want to have them see our names and know who we are.

My clients usually struggle with whether or not to report and how to report and they need to protect themselves as well. So as they

think about these things and they keep seeing our names, I hope that when they're having one of these crisis moments they will remember us. This is a growth area. I'm not seeing a lot of lawyers, or any lawyers, in some of these publications. So this is a slightly different way to think about it as opposed to just blasting out to the world: "Joseph, Greenwald & Laake." I'm coming at marketing in a different way now.

**OC:** So you are targeting people you think need your help but also trying to attract the types of cases you find intellectually stimulating. Is that a fair characterization?

**VN:** Yes, exactly.

## Hiring the Energetic

**OC:** You mentioned that you serve on the hiring committee. What do you look for in a young candidate for your firm? Of course you want someone who is smart, with good writing and communication skills, and seems like he or she can collaborate. Is there any other trait that's perhaps different?

**VN:** All things being equal, with all the things you mentioned, I look for somebody who wants to immediately get their hands dirty, and immediately jump in with significant responsibility. Because we don't have a big firm and a lot of layers of hierarchy, we count on our younger and junior law clerks and associates to take a lot of responsibility and become an integral part of the team right away. So we want someone who's chomping at the bit to get substantive experience and do good work. There's a quality that you can sometimes see during an interview. They're very eager, really ambitious, and you get a sense that they are incredibly energetic. I would lean toward hiring somebody who's more energetic and ambitious than I would to even the more polished candidate.

**OC:** Thank you, that's a good answer. To what extent do you run into subtle or maybe not-so-subtle gender discrimination within

the legal profession? Of course, I don't mean at your law firm but in the profession in general.

**VN:** I think probably all women run into subtle or not-so-subtle gender discrimination across the board, whether it's in the legal profession or not. For me personally, I've seen it less now than I have in the past. And, that might just be a function of me getting older and more experienced. Or it could be a function of the changing times, or maybe a little bit of both. Starting out, there were certainly times when I and others were frequently mistaken for administrative assistants, almost on a weekly basis.

**OC:** "Could you get me a cup of coffee, honey?"

**VN:** Yes, exactly. It certainly wasn't just in the legal profession. Part of it could be that I was young and female, and it was at a time when there weren't as many of us around as there are now. I certainly have stories and I know my peers do as well.

**OC:** I'm sure there were plenty of times when you were discriminated against and/or stereotyped.

**VN:** Yes, but you know what? I always liked being underestimated. [laughter] It's a good place to be coming from when you're litigating.

**OC:** When you litigate cases do you often go up against lawyers from big, deep-pocketed law firms? And when you beat a megafirm in court do you get a little extra satisfaction?

**VN:** We are a small, suburban firm, but more and more we're going up against attorneys at major firms with national and

international offices. Some of it is because of the work we do with the class actions in the civil rights cases. It seems we're either going up against the government, with its resources, or a major firm that seems to have all the resources in the world.

It's certainly satisfying to all of us when we're able to not only hold our own but come away with victories, with solid resolutions in those cases.

**OC:** Veronica, how do you see your background in psychology, the knowledge that you gained in that field, manifest in your legal practice?

**VN:** I think I see it in two ways. One, that background has helped give me the ability to communicate with people, to listen and understand people. In some ways, I think that's a lost art. But it was emphasized very much in my education and then the work that I did in the psychology field before I became a lawyer: psychology is based very much on listening and communication. This easily translates to working with clients of all different backgrounds with all types of different needs. That's also important when I speak to a jury and a judge.

Another way I see it is on the analytical side—in the way that we as psychologists were educated and trained and the way we read studies, think about the facts, look for the data to back up the facts, and then add the analysis. Whether I'm speaking to a judge in oral argument or to a jury in laying out an argument it sometimes resembles the way that I would analyze a study. It's a way of approaching problems that I think translates from psychology to law. ■

—Steven T. Taylor