



Randall M. Fox

PARTNER

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BIOGRAPHY

Randall M. Fox is a partner in our New York office who represents whistleblowers in False Claims Act and IRS, SEC, and CFTC matters about tax, healthcare, procurement, and investment frauds. He was named the Whistleblower Lawyer of the Year for 2021 by The Anti-Fraud Coalition.

Before representing whistleblowers, Mr. Fox served as a government lawyer handling cases filed by whistleblowers alleging frauds committed against public monies. He was the founding Bureau Chief of New York Attorney General's Taxpayer Protection Bureau and, before that, was part of the Attorney General's Medicaid Fraud Control Unit. At the government, he played a key role in several groundbreaking False Claims Act cases, including leading the state's investigation and intervention into a tax whistleblower case against cell phone giant Sprint Corporation, which later settled for \$330 million, and he filed the States' first government-initiated New York False Claims Act case, which recovered more than \$61 million for the New York Medicaid program from pharmaceuticals giant Merck, which was alleged to have falsely marketed its drug Vioxx.

In private practice, Mr. Fox has successfully represented whistleblowers in cases about a wide range of industries. He represented the whistleblower in New York's largest income tax *qui tam* case, which resulted in a \$105 million settlement with a hedge fund billionaire claimed to have disguised the New York source of his income. The whistleblower award was \$22.05 million.

Before his government service, Mr. Fox was a litigation partner at the law firm of LeBoeuf, Lamb, Greene & MacRae, LLP, where his practice focused on defending corporate clients in class actions, commercial disputes, and securities and consumer fraud actions.

Practice Areas

- [Consumer Fraud](#)

- [Whistleblower](#)
- [Antitrust](#)
- [Healthcare Fraud](#)

Education

- Williams College (B.A. 1988)
- New York University (J.D. 1991)

Admissions

- New York State Bar
- United States District Courts for the Southern, Eastern, Western, and Northern Districts of New York
- United States Courts of Appeals for the Second, Third, Eighth, and Ninth Circuits
- United States Tax Court

Awards & Recognition

2021 Whistleblower Lawyer of the Year, Anti-Fraud Coalition



Kirby McInerney LLP

EXPERIENCE

Some of Mr. Fox's experience includes:

- Represented the whistleblower in *New York ex rel Tooley LLC v. Sandell*, a New York False Claims Act *qui tam* case against a hedge fund owner for evading New York taxes on about \$475 million in deferred compensation. The case resulted in a \$105 million settlement with a 21% whistleblower award.
- Represented the whistleblower in the healthcare kickbacks case of *New York State ex rel. WB Bros LLC v. Toobian*, where the government intervened in the case and is pursuing criminal kickback charges against radiology businesses and their owner.
- Represented the whistleblower in *United States ex rel. Doe v. FPR Specialty Pharmacy*, a federal False Claims Act *qui tam* case against compounding pharmacy and its owners alleging kickbacks to doctors, independent sales representatives, and patients in the sale of pain creams. The case settled for all of the defendants' limited assets, with a 21% whistleblower award.
- Represented the whistleblower in *New York ex. rel. Raw Data Analytics, LLC v. J.P. Morgan Chase*, a case that established the broad scope of obligations subject to whistleblower claims under the New York False Claims Act.

- Represented the whistleblower in *New York ex rel. Choe v. Spa Castle, Inc.*, a New York False Claims Act case resulting in a civil settlement with a 23% whistleblower award and the criminal conviction of defendants for tax evasions that had been previously unknown to the government.