



## → Jack Burns

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Jack Burns is an associate in the Business Trial Practice Group in the firm's San Diego office.

### Areas of Practice

Jack focuses on complex litigation. He has extensive litigation and appellate experience involving a wide range of issues, including False Claims Act litigation, regulatory litigation, healthcare litigation, and insurance litigation. Jack has helped clients win several multi-million dollar judgments and settlements, and he has obtained dismissal of numerous lawsuits against his clients.

Before joining Sheppard Mullin, Jack served as a law clerk for Judge Procter R. Hug, Jr. of the Ninth Circuit Court of Appeals and for Chief Judge Larry A. Burns of the United States District Court for the Southern District of California. Jack was also of counsel at another major law firm.

### Honors

Ones to Watch – Litigation, *Best Lawyers*, 2021

### Experience

#### False Claims Act Litigation

Obtained dismissal of a *qui tam* False Claims Act case alleging that loan servicer defrauded the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

Obtained summary judgment dismissing a *qui tam* False Claims Act case alleging that for-profit educational institution defrauded the Department of Education.

Obtained favorable “ability to pay” settlement of False Claims Act case against provider of psychotherapy services after extensive negotiations with the Department of Justice.

Assisted judges during clerkships with cases alleging violations of the False Claims Act, including cases involving genetic testing and ship building.

Favorably resolved several investigations by state and federal authorities regarding alleged False Claims Act violations.

#### Commercial Litigation

Prevailed in multi-million dollar challenge to agency rule that delayed the effective date of a Medicare payment adjustment intended to compensate the nation's leading cancer centers for the increased costs they incur in treating patients.

Prevailed in multi-million dollar challenge to agency decision that lowered Medicare disproportionate share hospital adjustment by improperly excluding patients receiving Medicaid benefits under demonstration project from calculation of adjustment.

Favorably settled multi-million dollar lawsuit challenging agency decision that improperly reduced Medicare payments to hospital due to technical problems with state eligibility database.

Obtained summary judgment dismissing state and federal antitrust claims alleging unfair competition practices by defendants in the pharmaceutical industry.

Favorably settled putative Fair and Accurate Credit Transactions Act class action after challenging the proposed class representative's ability to represent the proposed class.

## Practices

Litigation

## Industries

Construction

Healthcare

Insurance

## Education

J.D., University of Nevada, Las Vegas, 2011, *magna cum laude*

B.S., University of Colorado, Boulder, 2005

## Clerkships

Law Clerk for the Honorable Larry A. Burns, United States District Court for the Southern District of California, 2015-16

Law Clerk for the Honorable Procter R. Hug, Jr., Ninth Circuit Court of Appeals, 2011-12

## Admissions

California

Nevada

District of Columbia