



## Pablo J. Davis

Of Counsel  
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Pablo's practice focuses on False Claims Act (FCA) litigation and on investigations in response to government subpoenas and Civil Investigative Demands, as well as general commercial litigation. In addition, he counsels on the Foreign Corrupt Practices Act (FCPA) and performs anticorruption due diligence. Pablo brings an international and multilingual background (including native fluency in Spanish) to his practice and is an experienced legal interpreter and translator.

Prior to joining Dinsmore, Pablo served as law clerk to Judge Bernice B. Donald of the United States Court of Appeals for the Sixth Circuit. He also worked as a law clerk to Rodney G. Moore, then-general counsel of the Shelby County (Tennessee) Board of Education and as a judicial intern with Judge R. David Proctor of the United States District Court for the Northern District of Alabama. He has extensive higher education experience as faculty and administrator, including service with the University of Virginia as an assistant dean of students. Pablo's legal scholarship includes an analytical overview of the USDOJ's Kleptocracy Initiative, a prosecutorial program deploying civil asset forfeiture in international corruption cases; a federal and state constitutional law analysis of a case involving a "spiritual treatment" exemption from a parental abuse and neglect statute; and a study of the Freedmen's Bureau courts during Reconstruction, co-authored with Judge Bernice B. Donald.

Pablo received his J.D. cum laude from the University of Memphis Cecil C. Humphreys School of Law. As symposium editor for their law review, he produced the 2017 symposium, *The Fragile Fortress: Judicial Independence in the 21st Century*, with the participation of four federal judges, a former attorney general of the United States, the chief justice of a foreign supreme court, and several legal scholars of distinction.

### Services

- Litigation
- False Claims Act
- International Trade and Regulatory Compliance
- Government Investigations

### Education

- University of Memphis Cecil C. Humphreys School of Law (J.D., *cum laude*)
- Johns Hopkins University (Ph.D.)
  - History
- Johns Hopkins University (M.A.)
  - History
- Columbia University (M.A.)
  - History
- University of Maryland (B.A., *cum laude*)
  - History

## **Bar Admissions**

- Tennessee
- Ohio

## **Court Admissions**

- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Western District of Tennessee
- U.S. District Court for the Southern District of Ohio

## **Affiliations/Memberships**

- American Bar Association
- Cincinnati Bar Association
- Federal Bar Association

## **Languages**

- Spanish
- French
- Portuguese

## **Publications**

September 19, 2024

**Recent Trio of Eighth Amendment Challenges to FCA Judgments Includes Two Successes; Lack of Uniformity Across Courts Remains**

June 27, 2024

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**First Circuit Poised to Consider Anti-Kickback Statute's Causation Element in FCA Cases, Take a Position on Circuit Split**

August 31, 2023

**5th Circuit Trims FCA Award as DOJ's Delayed Intervention Runs into Statute of Limitations; Knocks Seal Provision Misuse**

August 14, 2023

**Proposed FCA Changes Would Muddy Materiality Defense and Create Retaliation Remedy for Former Employees**

July 7, 2023

**Supreme Court Sends Two FCA Cases Back to Circuits After Major Scierter Decision in Schutte**

June 30, 2023

**Supreme Court Backs DOJ's FCA Dismissal Power; Dissent Questions Relator's Role in Declined Cases**

February 23, 2023

**The DOJ's Revised FCPA and Corporate Enforcement Policy Enhances Potential Benefits for Self-Disclosure, Cooperation, Remediation**

December 30, 2022

**FCA in the Courts: Late-2022 Developments**

October 5, 2022

**On Even Split, En Banc Fourth Circuit Affirms FCA Dismissal Based on 'Objectively Reasonable Interpretation' Defense**

September 8, 2022

**DOJ to Join Oral Argument in En Banc Rehearing of Fourth Circuit Case on 'Objectively Reasonable' Defense**

June 29, 2022

**Cases Highlight Ongoing Uncertainty, Complexities of Rule 9(b) in FCA Context**

March 17, 2022

**Fourth Circuit Joins Other Circuits Recognizing Safeco 'Objectively Reasonable Interpretation' Standard as FCA Defense**

June 18, 2021

**FCA Allegation That Surgeons Let Residents and PAs Obtain Patient Consent for Procedures Fails Materiality Test**

May 6, 2021

**District Court Finds DOJ 'Falls Short' of Showing Good Cause for Late FCA Intervention**

March 4, 2021

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**Supreme Court Declines to Address FCA Falsity Standard, Denying Cert in Cases from Third and Ninth Circuits**

January 29, 2021

**Eleventh Circuit Panel Revives FCA Mortgage Fraud Case, Reversing Materiality-Based Summary Judgment Dismissal**

January 21, 2021

**DOJ Stats Show Dip in Fraud Recoveries in '20, but Signs Point to Impending Rise in False Claims Act Litigation**

November 24, 2020

**Defense Department Interim Rule Requiring Contractors to Self-Assess Cybersecurity Compliance Creates Potential FCA Risk**

November 3, 2020

**In Morehouse, Eleventh Circuit Underscores Threshold Test for FCA Retaliation Claims**

Dinsmore on FCA

September 30, 2020

**District Court in Eleventh Circuit Holds Relator Cannot Overcome First-to-File Bar by Amending Complaint**

Dinsmore on FCA

August 21, 2020

**Continued Uncertainty Clouds DOJ's Dismissal Power Under False Claims Act**

Dinsmore on FCA

June 30, 2020

**Fourth Circuit Holds Qualified Immunity Cannot Shield Government Employees from False Claims Act Liability**

Dinsmore on FCA

May 28, 2020

**Court Tosses Patent Attorney's Qui Tam Based on Patent Appeal Board Decision, Calls it Quintessential 'Parasitic Lawsuit'**

Dinsmore on FCA

May 14, 2020

**1st Circuit Revives 13-Year-Old Qui Tam Suit Against Nursing-Home Pharmacy Chain, Finds Relator Was 'Original Source'**

Dinsmore on FCA

April 17, 2020

**Supreme Court Denies Cert in Schneider, Leaving Circuit Split on Extent of DOJ Power to Dismiss FCA Cases**

Dinsmore on FCA

February 11, 2020

**2nd Circuit Holds Fed Banks Are Government Entities For FCA Purposes, Revives Qui Tam Suit Against Wells Fargo**

Dinsmore on FCA

January 29, 2020

**DOJ False Claims Act Stats Show Growth in Recoveries in 2019, Continued High Level of Qui Tam Actions Filed**

HealthBEAT

December 5, 2019

**9th Circuit Skeptical of Government Interlocutory Appeal of Unprecedented Denial of Motion to Dismiss Qui Tam Case**

Dinsmore on FCA

October 17, 2019

**Feinwachs Holds FCA Relator's Emails to Counsel, Even Though on Employer's Server, Protected as Work Product**

Dinsmore on FCA

October 17, 2019

**IBM Wins Dismissal of FCA Qui Tam Suit Alleging It Used Faked Audit to Pressure IRS to Renew Software License**

Dinsmore on FCA

September 30, 2019

**D.C. Circuit Revives Veterinarian's FCA Retaliation Suit Over Laboratory Animal Conditions**

Dinsmore on FCA

September 18, 2019

**Third Circuit Holds FCA Qui Tam Plaintiffs Not Entitled to Automatic Hearing on Government Motion to Dismiss**

Dinsmore on FCA

August 20, 2019

**First False Claims Act Settlement Over Flawed Cybersecurity Could Be a Harbinger of the Future**

Dinsmore on FCA

May 20, 2019

**Supreme Court Recognizes Longer Statute of Limitations for Qui Tam Plaintiffs in False Claims Act Cases**

Dinsmore on FCA

May 10, 2019

**New DOJ Corporate Compliance Guidance Gives Corporations Insight into Evaluating Their Programs**

Dinsmore on FCA

January 24, 2019

**"To This Tribunal the Freedman Has Turned": The Freedmen's Bureau's Judicial Powers and the Origins of the Fourteenth Amendment**

Louisiana Law Review