



Pablo J. Davis

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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

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

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 Scierer 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

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

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August 21, 2020

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

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June 30, 2020

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

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May 28, 2020

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

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May 14, 2020

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

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April 17, 2020

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

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February 11, 2020

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

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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

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October 17, 2019

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

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October 17, 2019

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

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September 30, 2019

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

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September 18, 2019

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

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August 20, 2019

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

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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