



Caitlin M. Bair

Partner

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Caitlin Bair, Managing Partner of O'Melveny's San Francisco office, is a highly skilled litigator who represents clients in the biologics, pharmaceutical, medical device, and managed care industries. She expertly counsels Fortune 500 companies and audit committees in internal investigations in response to high-stakes federal and state enforcement inquiries and derivative lawsuits.

Experience

- Defending an international biotechnology manufacturer in a *qui tam* False Claims Act investigation into kickback and off-label allegations (the U.S. Department of Justice declined to intervene and the *qui tam* plaintiff dismissed the case with prejudice)
- Defending medical device manufacturer against allegations of consumer protection act violations brought by state attorneys general
- Defending a national managed care organization in a *qui tam* False Claims Act investigation into compliance with Medicare Advantage regulations, including allegations related to inflated premiums resulting from inaccurate risk-adjustment submissions
- Defending major technology company against consumer fraud class actions involving smartphones
- Representing the audit committee of multinational energy company in internal investigation into shareholder False Claims Act allegations

Admissions

Bar Admissions

California
Indiana

Court Admissions

US Court of Appeals, Ninth Circuit
US District Court, Central and Northern Districts of California

Education

University of Michigan, J.D., *cum laude*; Articles Editor, *Michigan Law Review*; Finalist, Henry M. Campbell Moot Court Competition; Recipient, Irving Stenn, Jr., Award

Yale University, B.A., History, honors

Professional Activities

Clerkships

- Honorable Ronald M. Gould, US Court of Appeals, Ninth Circuit

Co-Author

- “Is Sorrell the Death Knell for FDA’s Off-Label Marketing Restrictions?” *Journal of Health & Life Sciences Law* (Feb. 2012)

Honors & Awards

- Recommended by *The Legal 500 US* for Healthcare: Health Insurers (2022)
- Named to the 40 & Under Hot List in Health Care & White Collar Crime by *Benchmark Litigation* (2018-2020)

Languages

- Spanish