

Scott D. Levy

Scott Levy focuses his practice on energy litigation, accounting malpractice litigation, real estate litigation, and litigation under the *qui tam* provisions of the federal False Claims Act

Scott practices upstream, midstream, and LNG oil and gas law, including title, transactional, and litigation work. His petroleum landman work includes title due diligence for over \$15 billion in acquisitions or divestitures of producing oil fields. Scott's transactional practice includes leases; joint operating agreements; unit and pooling agreements; rights-of-way; purchase and sale agreements; conveyances and assignments; farm-ins/farm-outs; production sharing agreements for field-wide units in the Permian Basin, Louisiana, Oklahoma, and North Dakota.

Scott spent his early career with a Wall St. securities litigation firm, where he specialized in accounting malpractice law, including a 100-day jury trial in Knoxville, Tennessee representing the Federal Deposit Insurance Corporation against the national auditing firm Ernst & Young over their clean unqualified audit opinions rendered before the Butcher chain of Tennessee banks collapsed. Scott has continued to practice accounting malpractice in litigation on behalf of the federal government for the failure to disclose and report fraud as required by U.S. Government Auditing Standards.

Scott spent half his career on *qui tam* litigation representing whistleblowers who reported massive fraud in the Higher Education Act government-insured student loan and Pell grant programs, working extensively with the civil and criminal divisions of U.S. Department of Justice, and numerous state attorneys general.

He has been a Criminal Justice Act panel attorney in Southern District of Texas doing federal trial and appellate criminal practice.

Representative Experience

- Accounting malpractice 100-day jury trial in *Federal Deposit Insurance Corporation v. Ernst & Whinney*, U.S. District Court, E.D. Tennessee over the audit failures of the failed banks' real estate portfolios.
- Representing clients in False Claims Act *qui tam* litigation on behalf of U.S. Department of Education for fraud and illegal recruiting against the for-profit education

industry. *United States ex rel. Lee v. Corinthian Colleges*, 655 F.3d 984 (9th Cir. 2011); *United States v. ITT Educational Services, Inc.*, 284 F. Supp. 2d 487 (S.D. Tex. 2003). Cases discussed in *The New York Times* articles *Corinthian Colleges Used Incentives, Documents Show*, June 22, 2016, and *A Whistle Was Blown on ITT; 17 Years Later, It Collapsed*, Oct. 21, 2016.

- Obtained partial reversal of sentencing in \$22 million Medicare fraud action under federal sentencing guidelines. *United States v. Miles*, 360 F.3d 472 (5th Cir. 2004).
- Consumer real estate fraud. *Stringer v. Perales*, 2003 Tex. App. LEXIS 3175 (Tex.Civ.App. - 1st Dist. [Houston] 2003), *pet.den.*

Practice Areas

- Energy Litigation
- Accounting Malpractice Litigation

Education

- J.D., Tulane Law School, New Orleans, LA
- B.A., Columbia University, New York

Court Admissions

- Texas
- Louisiana
- United States Supreme Court
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court, Central District of California

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Attorneys at Law

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