

Federal Court Issues Discovery Ruling in False Claims Act Case Involving McKesson

TX, UNITED STATES, July 17, 2026 /EINPresswire.com/ -- A federal court has issued a ruling in a False Claims Act lawsuit involving McKesson Corporation. According to court filings, the ruling concerns whether discovery may extend to certain communications involving the company's in-house and outside legal counsel.

The matter is captioned United States of America, et al., ex rel. Omni Healthcare Inc. v. McKesson Corporation, et al., Case No. 1:12-cv-06440-NG-ST, pending in the U.S. District Court for the Eastern District of New York.

The lawsuit, originally filed under the False Claims Act in 2012, alleges that McKesson engaged in a scheme involving the harvesting of overfill from oncology medications; the repackaging, adulterating, and misbranding of medications under allegedly non-sterile conditions; and the submission of false claims to federal healthcare programs.

According to court filings, the ruling followed arguments that McKesson had placed its legal advice and good-faith beliefs at issue in the litigation, resulting in a finding that could permit discovery into communications previously protected by attorney-client privilege. Court records indicate the case has been fully briefed for summary judgment.

Court filings note that a separate federal matter involving AmerisourceBergen resulted in a guilty plea to criminal violations related to a pre-filled syringe program and an agreement to pay approximately \$885 million in criminal and civil penalties. The current lawsuit alleges that McKesson engaged in comparable conduct. McKesson has not been found liable for the allegations in this case and disputes them.

The complaint further alleges that McKesson continued certain practices despite warnings from manufacturers, misrepresented aspects of its operations to federal investigators, and distributed repackaged FDA-approved medications. The lawsuit alleges that these practices posed potential risks to immunocompromised cancer patients and resulted in false claims submitted to federal healthcare programs.

According to court filings, the federal government declined to intervene in the case, after which the relator continued litigating the matter independently. Court filings state that the relator has pursued the litigation for more than a decade.

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