

Jurisdiction and Venue

4. The Court has jurisdiction of this action pursuant to 28 U.S.C. § 1345 and 31 U.S.C. § 3729.

5. Venue is proper in the Eastern District of Pennsylvania pursuant to 31 U.S.C. § 1391(b) and 31 U.S.C. § 3732(a).

FACTUAL BACKGROUND

6. Defendant, Leona Lewis, was a 15-year competitive service government employee from January 1990 through August 2005. She was employed as a Management Assistant responsible for payroll, timekeeping, travel, and typing at the Naval Sea Systems Command ("NAVSEA") Warfare Center, Carderock Division, Steam Generators, Steam and Auxiliary Automation Systems Department, Philadelphia, PA.

7. On August 17, 2005, an investigation was initiated following receipt of information that defendant Lewis had claimed and was claiming excessive overtime payments.

8. Defendant Lewis forged the signatures of her supervisors, Edward Carrigan, William Markey, M. Douglas, B.

Savidge, J. Lyons, and A. Schoepflin on time cards submitted by Lewis.

9. These NAVSEA supervisors did not authorize overtime pay for defendant Lewis.

10. On August 22, 2005, following the review of payroll and time card documentation, defendant Lewis was advised of her civilian rights and interviewed by Naval Criminal Investigative Service (NCIS).

11. Defendant Lewis admitted to fraudulently obtaining overtime pay by generating and submitting corrected time cards bearing the forged signatures of supervisors extending over a 25-month period, from 2003 to 2005.

12. Defendant Lewis described that she would obtain a blank time card, write in the amount of overtime entries she desired, forge the signatures of her supervisors, and submit the time card to payroll for payment.

13. The unauthorized overtime payments were deposited directly into her Citizens Bank Checking Account along with her regular government pay.

14. Defendant Lewis was subsequently placed on paid administrative leave effective August 23, 2005.

15. Defendant Lewis was provided formal notice of removal and her employment was terminated on November 7, 2005.

16. Overtime records indicate that defendant Lewis was paid for overtime in the amounts of \$18,967.90 in 2003, \$26,786.11 in 2004, and \$11,347.84 in 2005 for a total of \$57,101.85.

17. Overtime pay cannot be claimed or paid for any date on which the claimant did not work such overtime.

18. From the period of August 2003 through August 2005, defendant Lewis claimed overtime for periods during which she did not work and forged her supervisors' signatures to authorize such payment.

19. Defendant was not eligible to receive overtime pay for such days.

20. Defendant knew that she was not eligible to receive overtime pay for such days.

21. Defendant Lewis has not repaid the government for the unauthorized overtime amounts.

COUNT ONE
(False Claims Act)

22. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 20 as if fully set forth herein.

23. Defendant knowingly presented or caused to be presented to the U.S. Department of the Navy false or fraudulent claims for payment or approval in violation of 31 U.S.C. § 3729(a)(1).

24. Upon information and belief, defendant knowingly made, used, or caused to be made or used, false records or statements to get false or fraudulent claims paid or approved on approximately 73 time cards during the 2003-2005 time period in violation of 31 U.S.C. § 3729(a)(2).

25. Upon information and belief, the claims, records, and statements were false and fraudulent in that defendant did not work overtime for those dates on the 73 time cards in which she claimed overtime pay.

26. Defendant violated the False Claims Act and as a result of the defendant's actions, the United States has suffered damages.

27. Under the False Claims Act, 31 U.S.C. § 3729(a), defendant is liable to the United States for three times the damages sustained by the United States, together with a civil penalty for each false claim which defendant presented, or caused to be presented, to the United States.

COUNT TWO
(Unjust Enrichment)

28. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

29. The conduct described in the foregoing paragraphs caused defendant to receive benefits from the United States to which she was not entitled.

30. Defendant has been unjustly enriched by her receipt of benefits from the United States and she is not entitled to retain the benefits.

WHEREFORE, plaintiff, the United States of America, demands judgment in its favor and against defendant as follows:

A. With respect to Count One, an amount equal to three times the actual damages sustained by the United

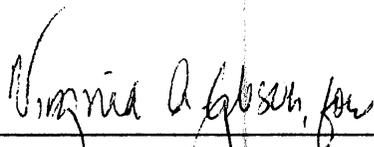
States, plus interest, together with a civil penalty for each false claim presented to the United States.

B. With respect to Count Two, restitution in an amount to be determined, plus interest.

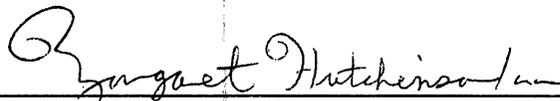
C. Such other and further relief as the Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

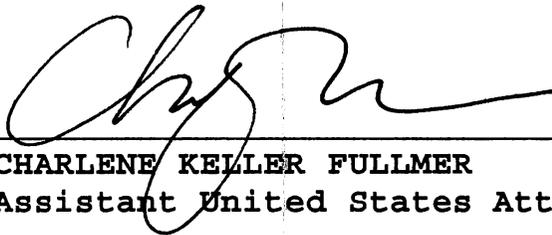
First Assistant U S. Attorney



MICHAEL L. LEVY
United States Attorney



MARGARET L. HUTCHINSON
Assistant United States Attorney
Chief, Civil Division



CHARLENE KELLER FULLMER
Assistant United States Attorney

Dated: December 31, 2009