

**FOR IMMEDIATE RELEASE**

**Whistleblower case unsealed in Kentucky against Social Security disability lawyer, former administrative law judge**

*Pikeville, Kentucky – February 19, 2013* – A federal judge unsealed on February 19, 2013, two whistleblowers' complaint against a Kentucky lawyer and a former administrative law judge alleging that they arranged sham appeals of claims for Social Security Disability Insurance.

The complaint, brought under the federal False Claims Act, states that the former judge, David B. Daugherty of Charleston, West Virginia, funneled the lawyer's cases to his court. Daugherty then held sham proceedings, finding all cases in favor of the claimants. The lawyer, Eric C. Conn, of Stanville, Kentucky, received fees from the government for the cases.

The complaint was filed in October 2011, but remained under seal until today.

Whistleblowers Jennifer L. Griffith, a former Social Security Administration employee, and Sarah Carver, a current employee, both at the agency's Huntington, West Virginia hearing office. Griffith's responsibilities included managing the docket of disability cases.

Griffith discovered in 2006 that Daugherty was reassigning to his own docket high numbers of Conn's disability cases. Daugherty scheduled up to 20 hearings on the same day, at ten-minute intervals.

Other administrative law judges hearing similar cases were scheduling only six to eight cases a day, each lasting 30 to 60 minutes, according to Ben Vernia, the Washington, D.C., lawyer representing Griffith and Carver. Most judges such as Daugherty hear 200-250 cases each year, filed by claimants who say their disability benefits were unfairly denied, and side with claimants an average of 60 percent to 68 percent of the time, Vernia said. Daugherty, however, had a much greater caseload, reviewing 1,284 cases in 2010. He granted disability benefits in all but four cases, an approval rate of 99.7 percent, Vernia said.

In 2012, Social Security's trustees projected that the agency's Disability Insurance program's high costs would result in exhaustion of its trust fund in 2016 – two years earlier than the trustees had estimated in 2011.

"We cannot let the safety net of the Social Security Disability Insurance program be frayed by fraudulent claims," Vernia said. "Whistleblowers like Jennifer Griffith and Sarah Carver experience great hardship to bring wrongdoing to light and see justice done."

The Vernia Law Firm of Washington, D.C., and Lexington, Kentucky attorneys Mark S. Wohlander, of the Wohlander Law Office, and Brian Ritchie of Wallingford Law, PSC, represent Griffith and Carver.

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