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**Temple, Georgia Whistleblower Settles Case**

**Against Defense Subcontractor**

Whistleblower James Brown of Temple, Georgia, has settled his False Claims Act retaliation lawsuit against Alabama defense subcontractor Robbins, LLC. According to Brown’s lawsuit, in 2009 Robbins used an out-of-date ingredient, Elastomag 170, when it mixed a rubber compound to be used in making sonar nose cones for U.S. Naval frigates. Robbins then altered the lot number on the documentation to make it appear that the ingredient was still good. “Mr. Brown told them, you can tell or I will, but somebody is going to let the Government know. And they fired him,” said Brown’s whistleblower attorney, Lee Tarte Wallace.

According to the lawsuit, Goodrich has a $33,000,000 contract to make sonar composite domes and sonar dome rubber windows that are to be mounted on the keels of FFG-7 U.S. Naval frigates, DD-963 and DDG-51 class destroyers, and CG-47 class cruisers. These cones house and protect the ultrasensitive sonar equipment on the surface combat vessels. Goodrich hired Robbins to prepare two rubber compounds that would form the outermost layers of the sonar nose cone.

“Those outer layers are critical,” Wallace said. The outside layer contains a chemical, tributyltin oxide, which prevents the buildup of barnacles and other organisms. If the outer coating cracks or erodes, it can create turbulence that “produces noise of such intensity that it severely interferes with the operation of the sonar system.” Cizek, Development of Improved Protective Coatings for Sonar Domes, Naval Engineers Journal 593, 593-4 (Aug. 1967). “The lives of U.S. sailors are depending on that sonar working right,” Wallace said.

The suit alleges that when Robbins realized it had used expired material, it considered mixing a new batch or requesting a waiver from Goodrich, but concluded the first idea was too expensive and the second too embarrassing.

Brown says he vehemently objected to shipping the compound to Goodrich without disclosing that it had been made with an expired ingredient. The lawsuit says that Robbins shipped the compounds while Brown was on vacation, altering the paperwork to make it appear that the Elastomag had been manufactured in 2008, not 2007. According to the manufacturer’s website, Elastomag has a shelf life of one year.

Brown also was represented by Lance LoRusso of Atlanta, Georgia. Brown’s lawyers said the amount of the settlement was confidential.

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