

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1033

UNITED STATES OF AMERICA ex rel. DRC, Incorporated, ex rel.
Robert J. Isakson; WILLIAM D. BALDWIN,

Plaintiffs - Appellees,

v.

SCOTT CUSTER, County of Fairfax, Virginia,

Defendant - Appellant,

and

CUSTER BATTLES, LLC; SECURE GLOBAL DISTRIBUTION, a resident
of Lebanon; MIDDLE EAST LEASING, a Cayman Islands entity;
CUSTER BATTLES LEVANT, a Lebanese entity; MICHAEL BATTLES,
State of Rhode Island; JOSEPH MORRIS; MOHAMMED ISSAM ABU
DARWISH, a citizen of Lebanon who resides in Lebanon and
Iraq; MURTAZA LAKHANI, a citizen of Pakistan who resides in
Canada and Iraq; LARU, LIMITED,

Defendants,

UNITED STATES OF AMERICA,

Party-in-Interest.

No. 10-1055

UNITED STATES OF AMERICA ex rel. DRC, Incorporated, ex rel.
Robert J. Isakson; WILLIAM D. BALDWIN,

Plaintiffs - Appellants,

v.

CUSTER BATTLES, LLC; MIDDLE EAST LEASING, a Cayman Islands entity; SECURE GLOBAL DISTRIBUTION, a resident of Lebanon; CUSTER BATTLES LEVANT, a Lebanese entity,

Defendants - Appellees,

and

MICHAEL BATTLES, State of Rhode Island; JOSEPH MORRIS; SCOTT CUSTER, County of Fairfax, Virginia; MOHAMMED ISSAM ABU DARWISH, a citizen of Lebanon who resides in Lebanon and Iraq; MURTAZA LAKHANI, a citizen of Pakistan who resides in Canada and Iraq; LARU, LIMITED,

Defendants,

UNITED STATES OF AMERICA,

Party-in-Interest.

No. 10-2215

UNITED STATES OF AMERICA ex rel. DRC, Incorporated, ex rel. Robert J. Isakson; WILLIAM D. BALDWIN,

Plaintiffs - Appellees,

v.

JOSEPH MORRIS,

Defendant - Appellant,

and

CUSTER BATTLES, LLC; SECURE GLOBAL DISTRIBUTION, a resident of Lebanon; MIDDLE EAST LEASING, a Cayman Islands entity; CUSTER BATTLES LEVANT, a Lebanese entity; SCOTT CUSTER, County of Fairfax, Virginia; MICHAEL BATTLES, State of Rhode Island; MOHAMMED ISSAM ABU DARWISH, a citizen of Lebanon who resides in Lebanon and Iraq; MURTAZA LAKHANI, a citizen of Pakistan who resides in Canada and Iraq; LARU, LIMITED,

Defendants,

UNITED STATES OF AMERICA,
Party-in-Interest.

Appeals from the United States District Court for the Eastern District of Virginia, at Alexandria. T. S. Ellis, III, Senior District Judge. (1:04-cv-00199-TSE)

Submitted: August 31, 2011 Decided: September 15, 2011

Before NIEMEYER, SHEDD, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Scott Custer, Bradenton, Florida; Joseph Morris, Ridgefield, Connecticut, Appellants/Appellees Pro Se. Victor A. Kubli, KUBLI & ASSOCIATES, P.C., Vienna, Virginia, for Appellees/Appellants Relators.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In this qui tam action brought pursuant to the False Claims Act, 31 U.S.C.A. §§ 3729-3732 (West 2003 & Supp. 2011), a jury returned a verdict of \$3 million in favor of relators. The district court entered an order trebling the amount of damages and imposing penalties of \$198,000 pursuant to 31 U.S.C.A. § 3729(a). The court also awarded relators thirty percent of the damages and penalties awarded, in accordance with 31 U.S.C.A. § 3730(d)(2). In Nos. 10-1033 and 10-2215, Scott Custer and Joseph Morris, respectively, appeal this order. We have reviewed the record, the applicable statutes and case law, and the parties' arguments on appeal. We conclude that the jury's verdict is supported by evidence presented at trial and that the court properly assessed damages, penalties, and relators' statutory share. We therefore affirm.

The district court also entered orders awarding costs and attorney's fees to relators. In No. 10-1055, relators cross-appeal, arguing that the fee awarded to Kubli & Associates, P.C., was improperly calculated. We have reviewed the record and the district court's orders and find no reversible error. We therefore affirm for the reasons stated by the district court. United States ex rel. DRC, Inc. v. Custer, United States ex rel. DRC, Inc. v. Custer Battles, LLC, United States ex rel. DRC, Inc. v. Morris, No. 1:04-cv-00199-TSE (filed

Nov. 24, 2009, entered Nov. 25, 2009; filed August 6, 2010, entered August 9, 2010).

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED