

05-1272 ROCKWELL INTERNATIONAL CORP. V. UNITED STATES

DECISION BELOW:92 Fed. Appx. 708

LOWER COURT CASE NUMBER: 99-1351, 99-1352, 99-1353

QUESTIONS PRESENTED:

1. Whether the Tenth Circuit erred by affirming the entry of judgment in favor of a qui tam relator under the False Claims Act, based on a misinterpretation of the statutory definition of an “original source” set forth in 31 U.S.C. § 3730(e)(4)?
2. Whether the judgment must be reversed because the qui tam provisions of the False Claims Act, 31 U.S.C. §§ 3729-33, either on their face or as applied in this case, violate the Appointments and Take Care Clauses of Article II of the United States Constitution?

CERT. GRANTED 9/26/2006

LIMITED TO QUESTION 1 PRESENTED BY THE PETITION.
JUSTICE BREYER TOOK NO PART.