

NEWSLETTER

Happy New
Year!

**Kalkines
vs.
Garrity
Warnings**
*What's a
Government
Employee to Do?*

Justin Dillon, Partner at Kaiser Dillon PLLC, and Anthony Vergnetti, President of FEDS Protection co-authored an article in the latest issue of the American Bar Association's Public Lawyer.

This article emphasizes the importance of knowing your protection as a federal employee under investigation.

Visit
www.fedsprotection.com/garritykalkineswarnings

2021

FEDS Protection Joins CRC Group to Expand coverage Options for Government Employees & Contractors

See Page 2 for Full Press Release

No Good Deed Goes Unpunished

With great personal effort, employees across the federal government radically restructured their daily workflows, expectations, and systems in response to the many crises we faced in 2020. While we are so thankful for every effort and accomplishment, the common saying "no good deed goes unpunished" frequently applies to those in the federal government. We've been defending federal employees for a long time and here's what we know for sure:

- Some good deeds will absolutely result in punishment - no matter how logical, necessary, effective or brilliant they seemed at the time of crises.
- There is a plethora of problems, obstacles, accusations, and allegations that have not yet surfaced, but they will.

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Coverage Corner

A FEDS Protection policyholder became the subject of an administrative investigation following allegations including "Failure to Follow Supervisor Instructions" centered on, among other actions, the employee not following the proper procedures to request a shift change.

FEDS Protection provided legal representation for this member's administrative investigation. Without FEDS Protection, defense for this investigation and proposed thirty-day suspension would have cost nearly \$40,000.



Nobody Expects to be Caught Up in an Investigation

For the past 23 years, I have represented federal employees, officials, and sworn officers in all manner of investigations. From allegations of false statements or time and attendance fraud to murder and a range of potential cases in between, I have seen the way Inspectors General and prosecutors pursue charges against the dedicated men and women who serve in our government. I am always disheartened by the callous manner with which reputations, careers, and even freedom are treated for those who have sacrificed so much.

As the lawyer the Department of Justice turns to for its officers and agents who are involved in use of force matters, I am all too familiar with the process by which the government decides who to "scope" and how often government employees are disappointed that they are forced to go it alone when defending themselves against any allegations of misconduct.

The moment you find yourself the focus of an administrative or criminal probe, life changes. Your future, your career all hang in the balance. All of the hard earned accolades of a career are suddenly in the crosshairs. Your plans for retirement, kids' college, paying off your mortgage, all are at risk. In those moments, you need an ally. You need protection and a true advocate. FEDS is often the only thing standing between you and the government. Lawyers fees are not only astronomically expensive, but they are often not the expense that is anticipated or covered. Nobody is saving up for the day their boss or some overzealous inspector or opportunistic coworker decides to come after you. You need representation and you need experienced, seasoned, and -unfortunately-expensive counsel.

I have known Tony since his days with the government, having worked with him when he was in private practice and when FEDS Protection was just an idea. I know how frustrated he was with the limited options available to federal employees and how he created FEDS as something new and better. He made FEDS into the program he wished he had when he was with the government. Now, having worked with Tony and FEDS since its inception, I know he has succeeded.

Every government employee needs insurance. That is a fact. Of the options available, FEDS Protection is the most responsive, most client focused, and best. That is, in my opinion, an equally accurate fact. Nobody expects to be caught up in an investigation, but if you are, you cannot go it alone. Your cousin the real estate lawyer or your neighbor the big firm attorney who charges \$900 an hour are not the solution. An insurance program that is dedicated to taking care of its members is. FEDS Protection is the answer.

Mark E. Schamel-Lowenstein Sandler LLP



(February 1, 2021) - Federal Employee Defense Services/FEDS Protection is excited to announce its acquisition by CRC Group, a leading national wholesale distributor of specialty insurance products. This timely partnership will enable FEDS to expand coverage options for public employees and contractors.

"As our reputation in the federal community grows, so have the requests for more coverage and programs," said Tony Vergnetti, President of FEDS. "Joining CRC Group strengthens our ability to protect federal employees and give them the peace of mind necessary to do their jobs effectively."

Founded in 2007 by Tony Vergnetti, FEDS Protection quickly became the leading provider of professional liability insurance (PLI) for federal employees. In addition to federal employees, FEDS offers PLI for federal task force officers, military police officers, court security officers, federal flight deck officers, and various state and local employee groups. FEDS also serves the needs of small and start-up federal contractors with offerings of PLI and Defense Base Act insurance.

"As the exposures of federal employees evolve, we will do whatever it takes to meet their needs," said Brenda Wilson, Director of Strategy and Business Development. "We are thrilled to be joining the team at CRC. CRC Group will provide us with the carrier access, resources and support we need to remain focused on meeting the growing and changing needs of today's civil servants."

FEDS will become part of CRC Group's Programs Division under the continued leadership of Tony Vergnetti and remain headquartered in the Washington, DC area. There will be no disruption to federal employees and contractors in benefits, legal representation, or claims handling.

No Good Deed Goes Unpunished (continued)

The unseen, unintended consequences of decisions and actions made prior to and during 2020 already have and will continue to embroil some federal employees in the complexities of investigations and personal capacity lawsuits. Check out these three examples of federal employees feeling the heat as one OIG investigation after another commences. Many are politically divisive with career federal employees primed for getting caught in the wide net of agency OIG investigations and facing consequences driven by demands for accountability:

HHS OIG on Vaccine Research Funds ● **DOJ OIG on Attempts to Overturn Election** ● **DOJ, DHS, Interior, Defense on Jan. 6 Riot**