

NEWS & INSIGHTS

Saxton & Stump attorneys secure dismissal of False Claims Act lawsuit for Charleston Day School

OUR RESULTSDEFENSE VERDICT

JULY 1, 2025



Austin v. Charleston Day School, U.S. District Court for the District of South

Carolina

A federal judge has granted summary judgment in favor of Charleston Day School, dismissing a lawsuit brought by a former board member under the False Claims Act. The plaintiff alleged he was retaliated against after raising concerns about the school's use of federal COVID-19 relief funds. However, the court ruled that the plaintiff did not meet the legal definition of an employee, contractor, or agent under the False Claims Act. The court found that the plaintiff's failure to provide the requisite notice to the school board as well as the school's non-retaliatory reasons for removal were both additional, independent grounds for dismissing plaintiff's claim.

This win reflects the exceptional work of our Charleston-based litigation team, led by shareholder [Alice Paylor](#) and supported by senior counsel [Bijan Ghom](#) and [Isabelle Young](#), and paralegal [Taylor Davis](#). Saxton & Stump represented Charleston Day School in this matter, along with individual defendants Emmie G. Hershey, the chair of the school's board of directors, and Judith F. Arnstein, the head of the school, and the court dismissed all charges against the three defendants.

[Read the court's opinion](#)

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