

## HEALTHCARE

Near the Texas Medical Center, SKV has long handled healthcare providers' most challenging cases.

Healthcare is big business in Houston, home to both SKV and the Texas Medical Center, the world's largest medical complex. Since its inception, SKV has represented large and small healthcare providers throughout the region.

SKV has come to the aid of the healthcare industry in both civil and white-collar matters. On the civil front, SKV has obtained landmark rulings for healthcare clients, including a Fifth Circuit opinion limiting the scope of claims that can be brought against healthcare providers under the federal EMTALA act.

Our work has also encompassed contractual disputes, intellectual property, claims of fraud, and unfair competition matters. On behalf of Texas Medical Center institutions, SKV has pursued and recovered tens of millions of dollars in third-party contract reimbursement disputes. And we've also had a number of successful results representing major medical device manufacturers. But our civil healthcare clients aren't just the big guys — we also represent physicians, physician practice groups, and clinics in business disputes.

Our white-collar attorneys have successfully represented doctors, nurses, and healthcare institutions in a host of federal and state investigations. Our decades of experience representing healthcare clients in matters running the gamut from criminal investigations to professional negligence and administrative proceedings means we know healthcare and what it takes to obtain a win for our healthcare clients.

SKV's boutique size and entrepreneurial spirit give clients numerous advantages. First, we are not a distinctly defense or plaintiff-side firm; while the majority of our work is on the defense side, we have a substantial plaintiff-side practice, including for small-medium-sized businesses suing larger companies. Second, because we are a trial firm, nearly all of our team, from senior partners to paralegals and secretaries, has significant experience in

### MAIN CONTACT(S)

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**Jeff Potts**  
Partner



**Ty Doyle**  
Partner

### TEAM MEMBERS

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**Kristin Adler**



**Rick Houghton**



**David Isaak**



**Karima Maloney**



**Crystal Robles**



**Craig Smyser**

trials and arbitrations. Third, we staff matters leanly, which means that as a client, you will receive a dedicated and appropriately-sized team that learns your case thoroughly and is available to address your needs. And finally, we have never been wedded to the billable hour and are always willing to discuss alternative fee arrangements with clients. At SKV, we use a straightforward approach to evaluating your case and your needs, making sure we never lose sight of your goals.

**REPRESENTATIVE MATTERS**

*In re Texas Opioid Litigation:* An SKV team led by Craig Smyser and Crystal Robles successfully represented **McKesson Corporation**, one of the ten largest companies in the United States, in multiple MDLs related to the opioid epidemic seeking billions of dollars in damages. SKV further served as liaison counsel on behalf of all pharmaceutical distributor defendants in those same MDLs.

*ACS Primary Care Physicians Southwest, PA, et al. v. Molina Healthcare, Inc., et al.:* An SKV team led by Craig Smyser, Karima Maloney, Justin Waggoner, and Razvan Ungureanu successfully defended health insurer Molina Healthcare in a multimillion-dollar dispute with a practice group over proper reimbursement rates for emergency care. Following a multiweek jury trial, the matter settled on terms favorable to Molina.

*BBVA v. Fleming, et al.:* An SKV team led by Ty Doyle and Crystal Robles successfully represented former officers of **Nobilis Healthcare** in a fraud suit brought by lenders to recover the proceeds of a \$50 million loan to the company. The matter ultimately settled on confidential terms.

*United Healthcare First Street Hospital, et al.:* Larry Veselka and Jarod Stewart represented Diane Crumley and a set of entities controlled by her in a suit brought by United Healthcare over allegedly improper facilities fees being billed at the now-defunct First Street Hospital. The matter was ultimately settled confidentially.

**Memorial Hermann:** SKV has represented Memorial Hermann Health System since the firm’s founding. The firm, primarily Jeff Potts and Jarod Stewart, represents Memorial Hermann in commercial disputes, including: Successfully and confidentially settling contract disputes under Hospital Services Agreements with managed care companies involving tens of millions of dollars, including cases against Aetna, Blue Cross Blue Shield, and CIGNA,



**Jarod Stewart**



**Michelle Stratton**



**Razvan Ungureanu**



**Justin Waggoner**



**Alex Wolf**

e.g. *Memorial Hermann Health System v. Aetna Health Inc. and Aetna Life Ins. Co.*, 2009-56574, in the District Court of Harris County, Texas; *Memorial Hermann Health System v. Health Care Services Corporation d/b/a Blue Cross Blue Shield of Texas*, No. 22-cv-01449, in the United States District Court for the Southern District of Texas; *Memorial Hermann Health System v. CIGNA Healthcare of Texas, Inc.*, AAA Arbitration No. 70-187-Y-00442-10.

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Resolving real estate and lease contract disputes, e.g., *11929 Stafford Texas LLC v. Memorial Hermann Health System*, 22-290864, in the District Court of Harris County Texas.

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Intervening, defending and confirming the management and control of a charitable foundation, *The University of Texas Health Science Center v. Hermann Eye Fund*, No. 2019-32924, in the District Court of Harris County, Texas; and successfully defending proposed statutory class actions, e.g. *Woody v. Memorial Hermann Health System*, 2020-71317, in the District Court of Harris County, Texas.

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SKV has successfully defended Memorial Hermann in discrimination, fraud, breach of fiduciary duty, trade secret and other tort claims, e.g., *Go/ v. Memorial Hermann Health System*, 2019-540001, in the District Court of Harris County, Texas; *In re: Renaissance Physician Organization*, No. 2019-34437, in the District Court of Harris County, Texas.

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SKV also has handled credentialing matters for Memorial Hermann and defended Memorial Hermann in a number of medical malpractice and negligence cases involving significant injuries during labor and delivery

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