

Healthcare Litigation

Disputes among the numerous stakeholders in the healthcare industry, with its complex regulatory framework, evolving business relationships and economic issues are unavoidable. Our healthcare litigation team has a wealth of experience in the forums in which these disputes are played out – in-house hospital hearing panels, administrative proceedings, arbitrations, and state and federal courts.

Our representation of clients in healthcare litigation includes disputes related to regulatory and reimbursement issues, contracts, business and real estate disputes, employment matters, allegations of federal antikickback statute, Stark Law, and False Claims Act violations, as well as the defense of claims related to professional negligence and ethics violations. Members of our team have expertise in hospital staff and physician privilege matters involving denial, suspension, or revocation of a physician's medical staff privileges, which may include issues involving physician competency, ethical conduct, or adherence to medical staff bylaws.

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Experience

Representative Matters

- Representing targets and key witnesses in federal and state healthcare fraud and Medicaid fraud investigations , including matters involving potential exposure exceeding \$14 million, restitution risk, and incarceration, before New Jersey and New York authorities and the U.S. Attorney’s Office for the Eastern District of New York.
- Representing a clinical director subpoenaed by the New Jersey State Commission of Investigation in a wide-ranging inquiry into addiction treatment facilities involving alleged improper referrals, ownership structures, and quality-of-care concerns, with potential industry-wide reimbursement implications in the hundreds of millions of dollars.
- Representing a physician practice owner in a seven-figure action for diversion of assets against a practice management company, seeking recovery of misappropriated funds and restoration of operational control.
- Represented an unlicensed owner of a licensed clinical social worker practice in a state fraud and abuse investigation with potential seven-figure reimbursement exposure and possible criminal referral.
- Representation of a major healthcare system in litigation brought by a former physician alleging wrongful termination of privileges and antitrust and Lanham Act violations, resolving the matter through a favorable settlement.
- Represented a New Jersey healthcare system in defense of antitrust and tort claims brought by a pediatric surgeon following revocation of privileges, securing a negotiated resolution.
- Represented a New Jersey healthcare system in defense of fraud, breach of contract, age discrimination, and CEPA retaliation claims brought by three physicians and their surgical group seeking more than \$9 million.
- Represented a New Jersey healthcare system and its Chair of Surgery in litigation brought by a trauma surgeon challenging a summary suspension of medical staff privileges. Following reinstatement through internal proceedings, the firm continued to defend the client in this \$2.4 million action, which settled before trial.
- The firm was a member of a unified four-firm team defending a physician shareholder and corporate officer of a neurology practice in \$1.1 million creditor litigation alleging breach of contract and fraudulent conveyance against the practice and four individual physicians. The legal team secured dismissal without prejudice of all claims against the individual physicians; litigation remains ongoing against the practice, with continued efforts to reassert claims against the physicians.
- Represented a physician-shareholder and corporate officer in creditor litigation seeking more than \$1.1 million and asserting fraudulent conveyance claims, coordinating a joint defense group and securing dismissal of all claims against individual defendants.
- Advising a New Jersey-based ABA therapy organization in responding to a New Jersey MFD audit. This matter includes counseling the client on the MFD interview process, assisting in providing relevant documentation responsive to the audit, and advising the client on compliance with follow-up requests from the MFD in anticipation of an eventual resolution of the audit, including any repayment demands.
- Represented the co-founder, President, CEO, and 50% shareholder of a prominent emergency physician group in litigation against the other 50% owner seeking injunctive relief, oppressed shareholder remedies, and

damages for fraud, breach of fiduciary duty, breach of loyalty, and mismanagement.

- Secured dismissal, following jurisdictional discovery, of two corporate owners of a nursing home in litigation alleging violations of the New Jersey Nursing Home and Rights of Residents Act, negligence, gross negligence, and wrongful death.
- Representing a physician in an ongoing investigation by the U.S. Attorney's Office for the Eastern District of New York concerning alleged Medicaid fraud related to billing for non-medically necessary testing.
- Represented a coalition of New Jersey hospitals in a \$300 million constitutional challenge to the State of New Jersey's charity care and Medicaid reimbursement regime, defending the hospitals' takings claims through summary judgment, Appellate Division review, and New Jersey Supreme Court proceedings, resulting in published decisions affirming dismissal of the claims. The hospitals filed a petition for certiorari with the Supreme Court of the United States, which was denied.
- Representing two New Jersey health systems in high-stakes litigation against multiple Medicare Advantage plans seeking recovery of approximately \$5 million in underpaid 340B drug reimbursements, following a U.S. Supreme Court decision invalidating the Center for Medicare and Medicaid Services' reimbursement reductions; matters are proceeding toward mediation and arbitration.
- Resolved a seven-figure contract dispute on behalf of a pharmaceutical manufacturer involving alleged marketing and development obligations tied to a new prescription drug, avoiding protracted litigation and business disruption.

Insights & More

Announcements

[2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on "Ones to Watch" List](#)

8.21.25

[Greenbaum, Rowe, Smith & Davis Recognized on 2025 "Best Law Firms®" rankings by Best Lawyers®](#)

11.06.24

[2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition](#)

8.14.24

Client Alerts

[New Jersey Supreme Court Ruling Clarifies Standards for Punitive Damages in Medical Malpractice Actions](#)

8.30.22

Healthcare Perspectives Blog

Out-Of-State Doctors Argue Free Speech Case Before the Third Circuit Challenging New Jersey's Telehealth Licensure Restrictions

4.10.26

Published Articles

Out-Of-State Doctors Argue Free Speech Case Before the Third Circuit Challenging New Jersey's Telehealth Licensure Restrictions

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