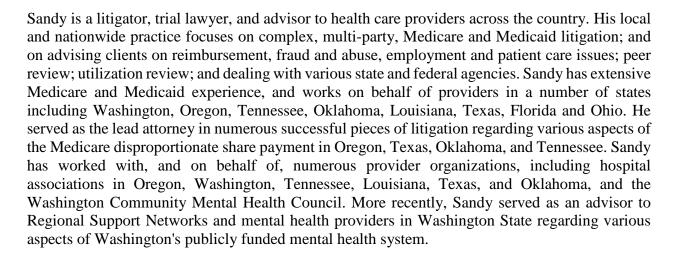


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#### **REPRESENTATIVE CASES**

# Cases Involving CMS's Improper Exclusion of Medicaid-Eligible Days from the Medicare DSH Calculation:

- Baptist Hospital, Inc., et al. v. Shalala, (No. 3-94-0713 (M.D. Tenn. 1995). (Result: \$13 million settlement paid to plaintiffs.)
- Legacy Emanuel Hospital & Health Center, et al. v. Donna E. Shalala, (97 F. 3d 1261 (9<sup>th</sup> Cir. 1996) (Result: Judgment for the plaintiffs upheld by the 9<sup>th</sup> Circuit.)
- Incarnate Word Health Services v. Shalala, No. 3:95-CV-9851-R (N.D. Tex. 1997) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- Baptist Memorial Hospital System v. Shalala, No. H-97-1764 (S.D. Tex. 1998) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- Anadarko Municipal Hospital, et al. v. Shalala, CIV-97-0288-A (W.D. Okla. 1998). (Result: Judgment for the plaintiffs, appeal dropped by the defendants.)



Cases involving CMS's erroneous exclusion of Sec. 1115 waiver days, for Medicaid eligible expansion populations, from the Medicare DSH calculation:

- Multicare Medical Center v. DSHS (768 F. Supp. 1349 (W.D. Wash. 1991). (Result: Judgment for plaintiffs after a 3-week trial.)
- Baptist Hospital, Inc., et al. v. Shalala, (No. 3-94-0713 (M.D. Tenn. 1995). (Result: \$13 million settlement paid to plaintiffs.)
- South Sound Radiologists, Inc., et al., v. Lyle Quasim, et al. (W.D. Wash. 1997). (Result: \$24 million settlement paid to plaintiffs.)
- Legacy Emanuel Hospital & Health Center, et al. v. Donna E. Shalala, (97 F. 3d 1261 (9<sup>th</sup> Cir. 1996) (Result: Judgment for the plaintiffs upheld by the 9<sup>th</sup> Circuit.)
- Incarnate Word Health Services v. Shalala, No. 3:95-CV-9851-R (N.D. Tex. 1997) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- Baptist Memorial Hospital System v. Shalala, No. H-97-1764 (S.D. Tex. 1998) (Result: Judgment for the plaintiffs; appeal dropped by the defendants.)
- Anadarko Municipal Hospital, et al. v. Shalala, CIV-97-0288-A (W.D. Okla. 1998). (Result: Judgment for the plaintiffs, appeal dropped by the defendants.)

## **AWARDS AND RECOGNITION**

Martindale-Hubbell "AV" Rated

## **PROFESSIONAL AND COMMUNITY INVOLVEMENT**

- King County Bar Association
- American Bar Association
- American Health Lawyers Association

## **EDUCATION/ACTIVITIES**

University of Washington, J.D., *with highest honors* Articles Editor, Washington Law Review Order of the Coif Moot Court Honor Board Member Law Clerk to Barbara Rothstein, United States District Court, 1987-88 Law Clerk to Robert F. Utter, Washington Supreme Court, 1986-87

Queens College, New York, B.A.

#### **BAR AND COURT ADMISSIONS**

Washington State Bar Association U.S. Supreme Court U.S. Court of Appeals, Ninth Circuit U.S. Court of Appeals, District of Columbia U.S. District Court, Western District of Washington U.S. District Court, Eastern District of Washington