

# **Speaker Biographies**



# **MARK BARNES, ESQ.**

## Biography

Mark advises clients throughout higher education and the health care industry, including pharmaceutical companies, medical device manufacturers, biotechnology firms, IT companies, hospitals, and universities. He has extensive experience in legal issues related to research with humans and animals, stem cell and genetic research, research grants and contracts, research misconduct, international research and data privacy. In 2012, with Dr. Barbara Bierer, Mark started, and continues to serve as faculty co-chair of, the Multi-Regional Clinical Trials Center of Harvard University and Brigham and Women's Hospital, a project designed to improve the planning, conduct and regulation of multi-national clinical trials, with a special emphasis on trials in the emerging economies.

Mark was a partner at Ropes & Gray from 2001-2008, before leaving to serve as Executive Vice President and Chief Administrative Officer at St. Jude Children's Research Hospital. Before returning to the firm, Mark also served as Senior Associate Provost for Research at Harvard University. At Harvard, he supervised the University's sponsored research operations and was responsible for the full range of research policy and compliance issues, including human subjects research, research misconduct, export controls, conflicts of interest, and grants and contracts compliance. In 2012, during a period of intense regulatory scrutiny, Mark served as the managing director of Harvard's Primate Research Center.

Mark has particular experience in establishing legal structures and operational plans for international service and research projects, especially in emerging economies. For St. Jude, he established a vaccine study center in the Eastern Highlands of Zimbabwe, in collaboration with Africa University. While at Ropes & Gray, he started and served as the first executive director of Harvard's extensive PEPFAR-funded AIDS treatment programs in Nigeria, Tanzania and Botswana, and later served as the chair of the oversight committee for that project. At Harvard, he worked with faculty from across the University to establish service, demonstration and research projects throughout the world, including China, Viet Nam, Colombia, Peru, and the Gulf States, among other countries.

Since 1986, Mark has taught at a number of law schools, including Columbia, NYU, Harvard, and Yale. The subjects he has covered include health care law and finance, public health law, the law of human subject's research, occupational health law, and managed care law. He currently holds a faculty position at Yale Law School, where he teaches health care law and finance and public health law, and at the Yale School of Medicine, where he teaches the history of the regulation of the medical profession, medical malpractice, and medical privacy.

Mark's diverse legal background also includes senior policy and administrative positions at the New York State Department of Health and the New York City Department of Health, where, among other duties, he directed the Ryan White CARE Act program providing medical, substance abuse and mental health treatment to New Yorkers living with HIV/AIDS. In 1993, he served as legal advisor to the health reform efforts at the Clinton White House, and has been president of the New York State Bar Association Health Law Section (2007-2008).



# **HON. RICHARD L. BRODSKY (Ret.)**

## Biography

Former Member of the New York State Legislature, New York Commercial Specialist

The Honorable Richard L. Brodsky is widely respected for a long and distinguished career in the law and public service. He is recognized as an experienced, knowledgeable attorney and a fair and thorough legal practitioner. He has been actively engaged in the practice of law since 1973, with notable experience as a litigator in both the Federal and State Courts and in administrative and arbitration proceedings including commercial litigation, environmental, non-profit corporation law, personal injury, employment and constitutional claims. Several of these cases have been widely reported and have been the subject of numerous published articles. Hon. Brodsky has lectured to numerous trade associations, bar associations, and civic groups, and appears as a commentator on television, most often on business and legal issues. As a former New York State Assemblyman with a wealth of knowledge and experience, Richard L. Brodsky offers a unique blend of skill and capability to the ADR arena.

Richard Brodsky's career in public service began in 1973 when he served as a Legislative Aide to Congresswoman Bella Abzug. In 1974, Richard was named First Legislative Counsel to Westchester County Executive Alfred DelBello. During this tenure, he designed the first comprehensive legislative agenda for Westchester County government and authored Westchester County's first Consumer Protection Code.

Hon. Brodsky was first elected to public office in 1975 as a member of the Westchester County Board of Legislators. He was a member of the Board for four terms and focused his activity on healthcare, transportation and tax issues. In 1982, he was elected to the New York State Assembly, where he served until 2010. Assemblyman Brodsky authored hundreds of laws, notably laws reforming the State's system of public authorities, business and non-profit corporation laws, tax laws and environmental laws. He conducted major investigations of misconduct involving Yankee Stadium, the Erie Canal, the MTA, the Power Authority, the Port Authority and local entities across New York. He has served as Chairman of the Subcommittee on Air Quality and Nuclear Issues, the Subcommittee on Business and Non-for-Profit Corporations and the Subcommittee on Economic Development. He has repeatedly testified before Committees of the United States Congress, and has led national and international efforts concerning resurgent Nazi movements in Europe. He now regularly appears on national and local television on public issues, and writes regular columns for Huffington Post and the Albany Times Union.

Mr. Brodsky's years of dedicated public service have given him a unique familiarity in a number of areas, including the laws governing personal injury and tort claims, business and non-profit corporation law, energy and environmental law. As a Member of the New York State Assembly for almost two decades, he honed his skills as a negotiator delicately balancing the interests of his constituents and his fellow legislators.

Hon. Brodsky also maintains a successful private legal practice litigating complex cases in both the Federal and State Courts, and internationally.

He is currently Of Counsel to the firm of Oxman, Tulis, Kirkpatrick, Whyatt & Geiger LLP in White Plains, New York.

He has served as a Professor of Law at St. John's Law School, where he taught Municipal Law, and Sports and Entertainment Law, and Pace Law School where he taught Constitutional Law. He currently serves as a Senior Fellow at NYU, teaching Public and Private Finance at the Law School, the Stern School of Business, and the Wagner School of Public Administration.

Richard L. Brodsky has the ability to arbitrate or mediate even the most complex matters and is persistent in his effort to assist the parties in reaching and finalizing a resolution. As an arbitrator, he has the skills necessary to digest and analyze expert testimony, complex contracts and documents, as well as the ability to render prompt and reasoned decisions. Although Mr. Brodsky's experience encompasses a wide-variety of subject matter expertise, he can take on almost any subject matter that is brought before him, as he is known to be well prepared and adept at comprehending even the most challenging issues.

# **BARRY B. CEPELEWICZ, M.D., ESQ.**

## Biography

Barry B. Cepelewicz, M.D., Esq. is a Partner/Director of Garfunkel Wild, which he joined in 2012. He is a member of the firm's Business; Compliance and White Collar Defense; Health Care; Health Care Information and Technology; and Litigation and Arbitration groups. Mr. Cepelewicz holds dual degrees in law and medicine, providing a unique perspective to providers (including physicians and hospitals) on health-care related matters. For over two decades, he has represented health-care related entities in transactional, regulatory, and litigation matters, including creating large single and multi-specialty group practices and other joint ventures, and successfully defending providers in State and Federal investigations. He is also considered an authority in telemedicine.

Mr. Cepelewicz has served as General Counsel to medical societies, hospitals' medical staffs, health-care businesses and start-up companies. He lectures extensively to physicians, including at CME provider seminars. Mr. Cepelewicz publishes extensively and he is an Editorial Consultant for Medical Economics. He is an active member in professional associations, including the American Health Lawyers Association, Connecticut Bar Association, New York State Bar Association, Westchester County Bar Association, and American Telemedicine Association.

Mr. Cepelewicz received a B.A. degree, magna cum laude, from New York University where he was elected to Phi Beta Kappa, and subsequently received his M.D. degree at the Mount Sinai School of Medicine and his J.D. degree at New York University School of Law.





# MARGARET J. DAVINO, ESQ.

## Biography

Margaret Davino is a partner in the New York City and Princeton, NJ offices of Fox Rothschild, LLP (a multi-specialty law firm with over 800 attorneys and twenty one offices throughout the United States), and a member of the firm's 80-attorney health law group. Former general counsel to medical centers in New York and New Jersey, Ms. Davino has experience in a broad spectrum of healthcare matters, including transactional, compliance, contractual, corporate, regulatory, governance, managed care/payer (including value based arrangements), and risk management issues. Her clients include hospitals, physicians and physician groups, start-up companies, FQHCs, home care agencies, ACOs, pharmacies, laboratories, agencies for the developmentally disabled, care management companies, billing companies, non-profit companies, healthcare IT vendors, and a variety of other providers and entities in the healthcare space.

She handles joint ventures, sales and acquisitions of practices and companies, formation of new entities and practices, structuring arrangements and relationships between healthcare entities, DSRIP/PPS/value-based payment issues, bylaws and governance matters; physician-hospital contracts; affiliation and/or service contracts; employment agreements; managed care issues; IT contracts and issues; regulatory compliance; HIPAA; medical staff affairs; captive PCs and faculty practices; separation agreements; ACO related issues, ambulatory surgery center joint ventures; and physician disciplinary matters. She has served as healthcare counsel in hospital bankruptcies, and has structured various management agreement arrangements between entities. She also provides advice in such areas as consent and confidentiality, and frequently conducts corporate investigations and assists with internal compliance programs. She has also been involved with various long term care issues and arrangements.

Ms. Davino speaks frequently on multiple health care-related legal topics and is the author of various articles and a chapter on the legal issues associated with managed care.

She serves on the board of trustees for Lifespire, a nonprofit serving the developmentally disabled, and Ascend, a low-income housing development corporation.

She has been included on the list of "Super Lawyers" for Health Law in New York by *Super Lawyers Magazine* every year since 2007. She is past Chair, Health Law Section of the NY State Bar Association, is a board member for the Health & Hospital Law Section of the New Jersey Bar Association, and Chair of the Providers and In-House Counsel Committee, NY State Bar Health Law Section. She is a member of the American Health Lawyers Association. She is also a registered nurse.



# **RICHARD N. GOTTFRIED, ESQ.**

## Biography

Richard N. Gottfried represents the 75th Assembly District, covering Chelsea, Hell's Kitchen, Murray Hill, Midtown and part of the Lincoln Center area in Manhattan. He is chair of the Assembly Health Committee since 1987. He is a leading state health policy-maker not only in New York but also nationally.

He was a major architect of New York's landmark managed care reforms, and is continuing to fight for stronger protections for consumers and health care providers, and public support for universal access to quality, affordable health care.

Highlights of his legislative work include the passage of: the Prenatal Care Assistance Program for low income women; the Child Health Plus Program, which allows low- and moderate-income parents to get free or low-cost health insurance for their children; the law that gives patients access to information about a doctor's background and malpractice record; Family Health Plus, which provides free health coverage for low-income adults; the Health Care Proxy Law, which allows people to designate someone to make health care decisions for them if they lose decision-making capacity and the Family Health Care Decision Act, which allows family members to make health care decisions when an incapacitated person has not filled out a health care proxy; simplification of enrollment in publicly-financed programs (such as Medicaid); the HIV Testing and Confidentiality Law; laws that promote stronger primary and preventive care and formation of accountable care organizations (ACOs); and the law to legalize medical marijuana.

In the Legislature, he has been the leading proponent of patient autonomy, especially in end-of-life care, and reproductive freedom. He also sponsors the N.Y. Health bill to create a universal publicly funded single-payer health coverage plan for New York State. Each year, he fights to protect and increase funding for Medicaid, school health clinics, HIV/AIDS services, and other health concerns.

Mr. Gottfried introduced the first same-sex marriage bill in the Assembly in 2003, and was a co-sponsor of the bill that became law in 2011. He also sponsors the Gender Non-Discrimination Act (GENDA), to prohibit discrimination based on gender identity (transgender); a bill to prohibit NY-licensed health professionals from cooperating in the torture or improper treatment of prisoners; and the bill to legalize the use of medical marijuana.

He was the author of the 1998 Hudson River Park law that establishes the park and protects the River and the waterfront for all New Yorkers. He sponsored the legislation that created the Javits Convention Center and the subsequent law to expand it.



# **JONATHAN WALLAND, ESQ.**

## Biography

**Jonathan Walland** is Senior Corporate Counsel at Pfizer where he provides strategic legal advice to help physicians and patients bring cutting-edge new drugs to market. Drawing on his experience in health care, pharmaceuticals, and compliance, he works on innovative research transactions in oncology, vaccines, and rare diseases. These collaborations vary from traditional pharma research to exciting data sharing initiatives and licensing transactions. Previously he was Associate General Counsel at the Memorial Sloan-Kettering Cancer Center in New York. His deep understanding of the U.S. and international regulatory landscape combined with his scientific grasp of whole genome sequencing, molecular diagnostics, immunotherapy, precision medicine and novel cell therapies, enable him to provide decisive legal guidance for projects to develop new medicines in the U.S., Europe, and Asia.

Jonathan holds a B.C.L. and LL.B. from McGill University in Montreal, Canada and is a member of the New York Bar. Jonathan studied business at the Wharton School of the University of Pennsylvania and earned an M.B.A. from INSEAD in Fontainebleau, France.



# ZARAH LEVIN-FRAGASSO, ESQ.

## Biography

Zarah Levin-Fragasso has been an associate attorney at The Lanier Law Firm since January 2013. Her practice focuses on pharmaceutical and medical device products liability. Ms. Levin-Fragasso was named a Super Lawyers™ Rising Star in 2017 and 2018 in the New York Metro area for her work in products liability at The Lanier Law Firm.

Ms. Levin-Fragasso proudly fights for clients who have been harmed by corporate negligence and other wrongful conduct. In this capacity, she has worked on various federal and state court mass tort litigations, including but not limited to the following: MDL No. 2187, In Re: C. R. Bard, Inc., Pelvic Repair System Products Liability Litigation; MDL No. 2325, In Re: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation; MDL No. 2326, In Re: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation; MDL No. 2327, In Re: Ethicon, Inc., Pelvic Repair System Products Liability Litigation; MDL No. 2272 In Re: Zimmer NexGen Knee Implant Products Liability Litigation; MDL No. 2434 In Re: Mirena IUD Products Liability Litigation; MDL No. 2299 In Re: Actos (Pioglitazone) Products Liability Litigation; MDL No. 2244 In Re: DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation; MDL No. 2197 In Re: DePuy Orthopaedics, Inc., ASR Hip Implant Products Liability Litigation; MDL No. 2502 In Re: Lipitor (Atorvastatin Calcium) Products Liability Litigation; MDL No. 2738 In Re: Johnson & Johnson Talcum Powder Product Marketing, Sales Practices and Products Liability Litigation (Ms. Levin-Fragasso also works on the Johnson & Johnson talcum powder litigation in state court venues, including Missouri and California); and the AlloDerm Regenerative Tissue Matrix multicounty litigation (MCL) venued in New Jersey state court.

Ms. Levin-Fragasso began college at sixteen years of age through Bard High School Early College. She completed her undergraduate work at Bard College in 2005, earning her B.A. at twenty years of age. She received her J.D. from the Catholic University of America, Columbus School of Law in 2011, where she served as an Associate Editor on the Journal of Contemporary Health Law and Policy and was a two-time Students for Public Interest Law ("SPIL") stipend recipient. During her law school career, Ms. Levin-Fragasso tried a bench and jury trial on behalf of indigent criminal defendants, therefore arguing cases against seasoned United States Attorneys. Prior to joining The Lanier Law Firm, Ms. Levin-Fragasso interned with a nonprofit organization that focused on indigent eviction prevention, second-chaired two trials, and taught special education in the South and West Bronx as a 2012 New York City Teaching Fellow.





# **JIM LYTLE, ESQ.**

## Biography

Jim Lytle is the partner in charge of the firm's Albany office, where he oversees the firm's New York State government, regulatory policy and government contracts practice and is a member of Manatt Health. He represents a broad array of clients before the Legislature, the executive branch and the courts, both within New York State and beyond, generally regarding issues at the intersection of the public and private sectors for heavily regulated industries. The firm's New York governmental practice includes legislative lobbying and regulatory representation of clients in the healthcare, educational, cultural, biomedical, insurance, pharmaceutical, food service, transportation, public safety, economic development and other sectors. Jim's regulatory and legislative work has involved issues relating to insurance regulation, biomedical research, healthcare delivery and regulation, services and programs for persons with disabilities, procurement and government contracting, human services, the professions, and educational issues.

Jim is also a member of Manatt Health. In the highly regulated modern healthcare environment, Jim provides strategic guidance on regulatory, transactional, and litigation matters, relating to both state and federal healthcare law and policy, and is the former chair of the Health Law Section of the New York State Bar Association. He has represented clients in administrative hearings and throughout all levels of the state court system, including the State's highest court, and devotes a considerable amount of his practice to representing healthcare entities in audit, investigative and enforcement matters, including those initiated by the New York State Office of the Medicaid Inspector General and similar entities.

Jim served as Assistant Counsel for Health and Human Services to Governor Mario M. Cuomo from 1983-86.



# **DANIEL MEIER, ESQ.**

## Biography

Daniel Meier is a partner with the firm's Health Care & Life Sciences Practice Group. Daniel's practice focuses on advising hospitals and health system networks, physicians and physician organizations, management service organizations, dentists and dental practices, dental support organizations, ambulatory surgery centers, long term and post-acute care providers such as nursing facilities, assisted living facilities, home health and hospice agencies, long term care pharmacies, private equity funds with healthcare portfolio companies, group purchasing organizations, and other ancillary service providers and healthcare professionals on regulatory business issues, transactional matters and advocacy matters, including alternative dispute resolution.

Daniel regularly counsels clients on a number of regulatory issues, HIPAA, state privacy laws, Medicare and Medicaid reimbursement, telemedicine and telehealth considerations and in the area of fraud and abuse, including, federal and state anti-kickback laws, physician self-referral laws, and the False Claims Act. He also has prior experience counseling managed care clients, insurers, fiduciaries, administrators and self-funded plans in the areas of health care, managed care and ERISA.

In addition, Daniel counsels clients on a number of transactional matters, including healthcare regulatory diligence, mergers and acquisitions, corporate governance, general business counseling, and negotiation and drafting of contracts, including employment agreements, license agreements, and service agreements.

Daniel's experience has also involved healthcare litigation, including defending New York and New Jersey hospitals in complex, multimillion dollar False Claims Act cases in the Federal Courts of New York and New Jersey.



# **TRACY E. MILLER, ESQ.**

## Biography

Tracy is Co-Chair of the firm's Cybersecurity and Data Privacy Practice, Deputy Chair of the Health Care Practice, and a member of the Higher Education Practice. In seeking solutions to her client's business, legal and strategic goals, Tracy draws upon her experience as outside counsel, former general counsel and policy maker.

Tracy has an extensive practice in regulatory and corporate compliance, cybersecurity, and data privacy. She assists clients proactively to develop effective compliance, cybersecurity and privacy programs and address identified vulnerabilities.

As part of her broad regulatory practice, Tracy routinely advises clients about cybersecurity and data privacy, including:

- Federal and state cybersecurity laws, regulations, and breach notification laws;
- GDPR implementation and compliance;
- Response to data breaches, including investigations, notice, and remediation;
- Cybersecurity and privacy policies, gap analysis, policy development, implementation and oversight, cybersecurity insurance and breach preparedness;
- Board governance structures, training, and internal reporting to meet fiduciary standards;
- Cybersecurity and data privacy counsel to businesses in and outside of New York State;
- Compliance by health systems, hospitals, and other providers with federal and state laws and regulations as they exchange data for population health management and care coordination;
- Compliance by institutions of higher education with GDPR, GLBA, FERPA and HIPAA;
- Business associate and other third party agreements; and
- Workforce training.



# **DOUGLAS M. NADJARI**

## Biography

Douglas Nadjari is an accomplished trial lawyer concentrating in criminal defense, regulatory enforcement proceedings, and complex commercial litigation. Over the past 30 years he has successfully tried dozens of criminal, civil and administrative cases and is widely recognized for aggressive representation of physicians and other health professionals.

A partner at Ruskin Moscou Faltischek P.C., he is a member of the firm's Health Law Regulatory Department, White-Collar Crime & Investigations Practice Group, Litigation Department and Cybersecurity Practice Group.

Nadjari is best known for representing clients in criminal matters and before the Office of Professional Medical Conduct (OPMC), Office of the Inspector General (OIG) and the U.S. Drug Enforcement Administration (DEA), in hospital medical staff proceedings, audits, claw-backs and demands for repayment made by Medicare, Medicaid and private health insurers as well as the defense of physicians and corporations in criminal, administrative and commercial disputes. Previously a partner at a major New York City medical malpractice defense firm, he also served as a supervisor in the Homicide Bureau and Deputy Chief of the Investigations, Felony Trial and Major Frauds Bureaus in the Brooklyn District Attorney's Office where he spearheaded the investigation and prosecution of homicide cases, healthcare and other complex financial fraud cases.

Doug serves as co-chair of the Professional Discipline Committee of NYSBA Health Care Section, is chair of the Nassau County Bar Association, Health Law Committee, and is a member of the New York State Bar Association, the New York State Medical Defense Bar Association, the Tulane University School of Law "Boot Camp" faculty, and the L.I. Energeia Partnership. He also serves as a Chairman of the Board of Directors for the Island Harvest Food Bank.





# EDWARD REBENWURZEL, ESQ.

## Biography

Edward Rebenwurz, Esq. is a founder of Triumph Treatment, a boutique substance abuse treatment startup located in New York.

Edward began his career at White & Case LLP and was selected to assist the Federal Reserve Bank of New York with tactical projects related to the global economic crisis. He was subsequently recruited to join Millennium Management LLC where he worked as a strategist.

Edward is a graduate of NYU School of Law where he conducted research for the Furman Center for Real Estate and Urban Policy and helped edit the casebook *Land Use and Controls: Cases and Materials*. He earned a B.S. in Computational Mathematics from the City University of New York where he was a member of Phi Beta Kappa.



# **DENNIS ROSEN, ESQ.**

## Biography

Mr. Rosen was appointed by Governor Andrew M. Cuomo in 2015. In his capacity as Medicaid Inspector General, Mr. Rosen leads an independent and impartial agency of auditors, investigators, analysts, and lawyers who oversee the integrity of one of the nation's largest Medicaid programs. Since his appointment to the Office of Medicaid Inspector General (OMIG), the agency has recovered hundreds of millions of Medicaid dollars and generated billions of dollars in cost savings through its investigative work and partnerships with other law enforcement agencies, innovative auditing techniques, and proactive outreach and compliance initiatives.

Prior to becoming Medicaid Inspector General, Mr. Rosen served as Chairman of the New York State Liquor Authority (SLA) from 2009-2015. During his tenure with the SLA, the agency was transformed into an accountable, transparent, and efficient state agency, in which licensing application processing times were reduced by 50 percent. Also, under his leadership, the SLA fostered partnerships with the industry to pass legislation and overhaul antiquated regulations, which allowed New York's wine, beer, and spirits manufacturing sectors to experience unprecedented growth.

In addition, Mr. Rosen served for 27 years as an Assistant Attorney General with the New York State Office of the Attorney General (OAG) in the Real Estate Financing Bureau (1982-1983) and the Consumer Frauds Bureau (1983-2009). While with the OAG, Mr. Rosen successfully litigated civil enforcement actions and criminal prosecutions in the areas of consumer and investment fraud. Many of his civil cases resulted in substantial restitution to large numbers of defrauded consumers. For example, in a case involving investments that were sold nationwide in a fraudulent payphone business, he recovered more than \$6 million for 400+ defrauded New Yorkers. His criminal cases included successful prosecutions of attorneys, stockbrokers, telemarketers, home improvement contractors, and insurance agents.

Prior to joining the OAG, Mr. Rosen spent ten years with the New York City Legal Aid Society's Juvenile Rights and Criminal Defense divisions.

Mr. Rosen has a B.A. from Brooklyn College and a J.D. from Harvard Law School.



# **BARBARA RYAN, ESQ.**

## Biography

Barbara Ryan's area of expertise is health law, regulatory and medical staff matters for various health care institutions; representation of physicians with a concentration in professional disciplinary proceedings before the New York State Department of Health – Office of Professional Medical Conduct (OPMC), other health care professionals before the New York State Education Department – Office of Professional Discipline (OPD); and New York State Justice Center investigations and hearings. Ms. Ryan additionally provides counsel for regulatory compliance and quality assurance to enhance patient safety. She is admitted to practice in the state courts of New York and New Jersey, the Federal District Court of New Jersey and the United States District Courts for the Southern and Eastern Districts of New York.

Ms. Ryan is peer reviewed by Martindale-Hubbell® Peer Review Rating™ – the organization's highest peer review rating, which is based on legal ability and ethical standards – and also consistently has been selected to the New York Super Lawyers list and U.S. News – Best Lawyers®.

An active member of the legal community, Ms. Ryan has served as president of both the New York Women's Bar Association and The Judges And Lawyers Breast Cancer Alert (JALBCA); Board of Directors of the Association of Healthcare Risk Management of New York (AHRMNY); Executive Committee of the New York State Bar Association Health Law Section and past chair of the Committee on Professional Discipline (Health Professions); and two terms on the Departmental Disciplinary Committee (attorney discipline), Appellate Division, First Judicial Department. She is the recipient of the JALBCA Service Award and the AHRMNY Service Recognition Award. She frequently presents client seminars on health care issues, has served as an adjunct assistant professor (Health Law and Elder Law) at the NYU School of Professional Studies.

Ms. Ryan received a Bachelor Science degree from the Adelphi University School of Nursing and a Juris Doctor degree from Seton Hall University School of Law. Before practicing law, she was a nurse manager at the New York Hospital-Cornell University Medical Center (now New York Presbyterian Hospital) Department of Medical and Surgical Nursing.



# LYNN A. STANSEL, ESQ.

## Biography

Lynn Stansel serves as the Vice President & Counsel, Compliance for the Montefiore Medicine Academic Health System. Montefiore is a premier academic health system serving the 3.1 million people living in the New York City region and the Hudson Valley of New York, and employing over 32,000 people. Montefiore Medicine includes eleven hospitals, a multi-county ambulatory network, a skilled nursing facility, a school of nursing and two home health agencies, as well as the Albert Einstein College of Medicine. Ms. Stansel joined Montefiore in 1996 as counsel in the Office of Legal Affairs until assuming the role of Chief Compliance Officer in 2004.

Ms. Stansel served as in-house counsel at another NYC hospital prior to joining Montefiore and began her legal career as a commercial litigator. She holds a Masters of Health Administration and Juris Doctor from Duke University.

Among her many professional activities, Ms. Stansel served as a past Officer and Chair of the Health Law Section, New York State Bar Association and as Chair of the Section's In-House Counsel Committee.

Speaking and writing activities include: Program Chair, Health Law Primer, 2003; Featured Speaker, NYSBA annual meeting, 2005 (*"Compliance, the Next Generation"*); Co-author *"Civil Rights"* chapter, Legal Manual for New York Physicians (NYSBA/MSSNY 2003, rev.2006, rev. 2011). Featured editorials Fall 2005, Winter 2006, Spring, 2006, NYSBA Health Law Journal. Featured Speaker, Health Finance Management Association, NYC meeting, April 2006 (*"Physician Billing Compliance"*); World Research Group, Boston seminar, July 2008 (*"Preventative Compliance"*); GNYHA, NYC meeting, June 2008 (*"Compliance and Quality Issues"* panel discussion); American Bar Association (ABA) Emerging Issues in Health Law, Orlando, February 2009 (*"Ethical Interactions with Vendors"* panel discussion); HFMA Executive Summit, Phoenix, March 2009 (*"Dangerous Minds- Compliance Risks in 2009 and Beyond, co- presenter with Dennis Barry, King & Spalding"*); Northeast Healthcare Internal Auditors (NEHIA) December 2010 annual conference (*"Managing Government Audits and Investigations"*); Health Care Compliance Association (HCCA) April 2011 annual meeting (*"Handling a Fraud Investigation and Internal Investigations"* panel discussion); NJ State Bar Association 2011 Health and Hospital Symposium (*"Professional and Institutional Conflicts of interest"*); HCCA NE Regional Annual Meeting, May 2018 (*"Social Media In Medicine"*); American Health Lawyers Association (AHLA) Annual Meeting, June 2018 (*Social Media in Medicine"*, co-presenter with Margaret Davino, Fox, Rothschild). She also speaks frequently at Montefiore, focusing on compliance-related issues, including social media in medicine, conflicts of interest and privacy and security issues.

Ms. Stansel is a member of the New York State Bar Association Health Law Section, the Health Care Compliance Association and the American Health Lawyers Association.





# **BRENDAN STEWART**

## Biography

Brendan Stewart serves in the Department of Justice as an Assistant Chief in the Criminal Division's Fraud Section, where he supervises the health care fraud strike force in the Eastern District of New York. He has been a prosecutor since 2012, focusing on health care fraud investigations and cases in New York and around the nation. Prior to joining DOJ, Brendan worked at Davis Polk in New York for approximately eight years, representing clients in a broad range of white-collar, regulatory enforcement, and securities litigation matters, including on cases involving health care and accounting fraud, insider trading, violations of the Foreign Corrupt Practices Act, and stock options backdating. He graduated from Princeton University in 2000 and received his J.D. degree from Columbia Law School in 2003.



# JOSEPH V. WILLEY, ESQ.

## Biography

Joseph V. Willey concentrates his practice in health care and health care litigation. Joe has more than 30 years of experience in a wide range of health care matters, including Medicare and Medicaid reimbursement, government audits and federal and state fraud and abuse laws. He advises hospitals and other providers on compliance with federal anti-kickback and physician self-referral laws and represents providers in investigations and litigation under the False Claims Act. He has extensive experience in federal and state courts and administrative tribunals, including the Provider Reimbursement Review Board. In recent years, Joe has obtained more than \$320 million in additional Medicare reimbursement for hospital clients through litigation and settlement of cases before the board.

Prior to joining the firm, Joe was Assistant Regional Counsel for the US Department of Health and Human Services (HHS). At HHS, he concentrated in Medicare and Medicaid reimbursement and Medicaid State Plan compliance, and represented the agency in federal district and circuit courts and administrative hearings.

Joe is also a member of Katten's LGBT Coalition, which provides educational and business opportunities for LGBT attorneys and supporting organizations that work towards equal rights for LGBT individuals.

### Selected Experience

- Successful representation in a False Claims Act in which dismissal was earned on public disclosure grounds.
- Negotiation of favorable settlements of cases involving duplicate billing, billing for services determined to be medically unnecessary, laboratory unbundling, school based health care services, personal care services and substance abuse services.
- Counsel to a large health care system in establishing an Accountable Care Organization (ACO) and applying for participation in the Medicare Shared Savings Program.

### Memberships

- American Health Lawyers Association
- New York State Bar Association



# **JACK WOLF**

## Biography

Jack Wolf is Senior Vice President & Chief Information Officer for Montefiore Health System and he serves as President of Montefiore Information Technology (IT). Mr. Wolf launched Montefiore IT in 2001, leading the company's executive management team in bringing a new standard in development to health information technology. In his nearly 30 years with Montefiore, he has held various positions, including Director of IT and Vice President and Chief Information Officer.

Prior to joining the health system, Mr. Wolf worked in the retail and accounting industries. He holds a Master's Degree in Accountant from William Patterson University. Mr. Wolf is a member of the Greater New York Hospital Association (GNYHA) HIT Steering Committee and the Premier Alliance Healthcare HIT Steering Committee. He is also a member of The Healthcare Advisory Board, College of Healthcare Information Management Executives and Healthcare Information and Management Systems Society.



# ANDREW L. ZWERLING, ESQ.

## Biography

As an experienced litigator with over 35 years as a trial and appellate lawyer in State and Federal courts, including his successful argument before the United States Supreme Court, Andrew L. Zwerling is known as an innovative, creative troubleshooter and problem solver. He specializes in employment law, health care law (including OPMC defense) and commercial litigation, and has worked on litigations valued as much as over \$120 million. He also conducts internal investigation for clients relating to sexual harassment and other personnel issues. Mr. Zwerling is also active as an arbitrator and a mediator.

### **Representative Matters:**

- Successful defense of a physician accused of sexually assaulting a patient during a post-operative orthopedic examination that was surreptitiously recorded by the patient.
- Successful defense in discrimination case brought by physician against a hospital following his termination.
- Successful defense of sellers of adult homes in \$120 million lawsuit.
- Successful defense in \$15 million claim brought by computer services vendor against Hospital.
- Prosecuted case resulting in multi-million dollar recovery by hospital against managed care company based upon dispute over rate reimbursement.
- Successful defense of anesthesia practice in multi-million litigation brought by terminated partner.

A prolific legal writer, Mr. Zwerling has dozens of publications covering a range of subjects, including employment law and litigation. As an active lecturer, he has conducted presentations on myriad subjects in New York and Connecticut, including sexual harassment, responding to employee discipline problems, leadership responsibilities of management, disruptive physicians and restrictive covenants in employment agreements.

Prior to joining the firm, Mr. Zwerling spent 17 years as a prosecutor, serving as an Executive Assistant District Attorney with the Queens County District Attorney's Office. There he prosecuted numerous high-profile felony cases, served as the Equal Employment Opportunity Officer, handled sensitive internal sexual harassment investigations and managed a staff of up to 150.

