

Dan Barnowski

Partner

Litigation

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Healthcare providers nationwide rely on Dan Barnowski to defend them against allegations of impropriety, whether raised in a government investigation, litigation or another dispute. He has represented clients across the healthcare industry, including hospitals, university systems, pharmacies, trade associations, physicians' groups and staffing companies in disputes involving claims of intentional wrongdoing, including fraud and abuse. His thorough grasp of the regulatory regimes in which healthcare companies operate is an asset to clients in responding to inquiries, internal and government investigations, self-disclosures and disputes.

An experienced trial attorney

Dan is a seasoned courtroom lawyer, having prosecuted and defended numerous cases in both federal and state court. He has taken numerous trials to verdict, has argued appeals in several circuit courts of appeal and state supreme courts, and has argued more than 100 ALJ recoupment hearings.

Dan has compiled an impressive track record in the courtroom. He served as litigation counsel for the City of Detroit Committee of Retired Workers, the city's largest creditor, in the largest municipal bankruptcy in US history. In that action, he helped shield retired city workers from a proposal to slash multiple billions in unpaid pension obligations and post-employment health benefits. In other matters, he has won jury trials and directed verdicts in cases involving claims of retaliation and intentional wrongdoing. He has prevailed in more than 95 percent of the more than 5,000 ALJ Medicare claim recoupment actions he has handled. And he has convinced the government not to intervene in a number of qui tam suits, including claims against hospitals, university health centers, physician groups, dental clinics, pharmacy chains and others.

Dan has led dozens of internal investigations on behalf of healthcare clients in response to concerns of potential wrongdoing in the healthcare industry, including for possible violations of the Stark Law, Anti-Kickback Statute and other overpayments. These matters have arisen in response to government CIDs, whistleblower complaints, audits and other means.

Practices

- Healthcare
- Healthcare Litigation, Reimbursement and Regulation
- Healthcare Restructuring
- Insurance and Healthcare Fraud Litigation
- Litigation
- White Collar and Internal Investigations

Education

- JD, University of Michigan Law School, *cum laude*
- BA, University of Michigan

Bar Admissions

- District of Columbia

Court Admissions

- US District Court, District of Arizona
- US District Court, District of Columbia

Professional & Community Involvement

- American Bar Association, False Claims Act Trial Institute, Faculty Member

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Dan also has extensive experience leading investigations on behalf of independent directors and special committees in bankruptcy proceedings.

Representative Experience

- Litigation counsel for one of the City of Detroit's largest creditors in the largest municipal bankruptcy in US history.*
- Lead counsel for multiple healthcare systems and hospitals in False Claims Act cases alleging violations of the Stark Law, the Anti-Kickback Statute, the False Claims Act and other federal statutes. Obtained numerous dismissals at the initial pleadings stages. Defeated *certiorari* petition to the US Supreme Court in one such dismissal.*
- Lead counsel for a foreign government in a breach of contract claim brought by a former citizen and alleged whistleblower. Obtained dismissal under the US Foreign Sovereign Immunities Act and defeated a petition to the US Supreme Court for a writ of *certiorari*.*
- Lead counsel to an insurance company in prosecution of breach of contract and fraud claims against former pharmacy benefits manager. Obtained highly favorable settlement.*
- Lead counsel for one of the United States' largest portable X-ray providers in dozens of administrative law tribunal hearings before the Office of Medicare Hearings and Appeals. Obtained reversal of thousands of denied Medicare claims based on a retroactive change in the law by CMS.*
- Litigation counsel for a dental clinic management company in a number of matters, including obtaining injunctive relief against contract partners and preventing the forced disclosure of the company's privileged materials by interlocutory appeal.*
- Represented major insurance company in several fraud-based actions, totaling US$500 million, brought in three federal district courts, a state court, a bankruptcy court and the US Court of Appeals for the Third Circuit. All actions arose out of alleged fraud in the generation/sale of student loans and the procurement of insurance on the loans. The cases ended favorably for the client. The lead perpetrator of the fraud was convicted for his untruthful testimony in the course of the cases and his efforts to conceal what became of the company's money.*
- Represented an insurance company in a two-month, US$15 billion fraud case in federal court in Miami. Obtained complete defense verdict.*

- Counsel for an international social services organization in a US$100+ million RICO and common law fraud jury trial. Obtained a directed verdict.*
- Lead counsel for a television station in a week-long trial in Texas involving a TV ratings system.*
- Represented an insurance company as employer in a two-week whistleblower jury trial in Florida. Obtained directed verdict for the client.*
- Lead litigation counsel in numerous contested electricity rate proceedings and FERC hearings.*

*Experience prior to Katten

Recognitions

Recognized or listed in the following:

- The M&A Advisor
  - Turnaround Atlas Awards
    - Cross-Border Restructuring of the Year (over $1B), 2025

News

- Katten Restructuring Wins in Three Categories of the M&A Advisor's 17th Annual International M&A Awards (July 14, 2026)
- Katten Restructuring Wins in Seven Categories of *The M&A Advisor*'s 19th Annual Turnaround Awards (January 30, 2025)
- Katten Restructuring Awarded Multiple Turnaround Atlas Awards by the *Global M&A Network* (September 17, 2024)
- Insolvency and Restructuring Team Recognized With Multiple International M&A Awards (August 7, 2023)
- Insolvency and Restructuring Team Honored With Multiple *M&A Advisor* Awards (March 16, 2023)
- Dan Barnowski Joins Katten as Litigation Partner in DC (February 8, 2018)

Presentations and Events

- StrategicRadiology 2025 Fall Summit | "What to do when the Feds visit?" (September 2025) | *Speaker*
- False Claims Act: Strategies for Obtaining an Early Resolution (April 21, 2021) | *Panelist*

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- False Claims Act: Strategies for Obtaining an Early Resolution (May 30, 2019) | *Panelist*