



Eric T. Gortner

Partner and Co-Chair, Insurance and Health Care Fraud
Litigation Department

Litigation

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Health care fraud can be a substantial drain on an insurer's business. Eric Gortner helps insurance companies identify and combat fraud around the country by investigating and identifying fraudulent trends and pursuing the claims in court. For years, Eric has brought and tried fraud and RICO cases, obtaining recoveries for his clients, and he brings that experience to bear on his clients' most complex investigations and litigation.

Complex litigation and investigations for insurance carriers

As co-chair of the Insurance and Health Care Fraud Litigation practice, Eric represents large insurance carriers in health care fraud and affirmative RICO litigation involving fraudulent insurance claims in numerous jurisdictions across the country. He advises insurers on how to investigate and identify fraudulent claims, as well as recovery strategies, including affirmative litigation. Eric also has extensive experience representing clients in False Claims Act (*qui tam*) litigation involving health care fraud allegations relating to pharmaceutical pricing, off-label marketing and alleged false claims paid by Medicare, Medicaid, Veterans Administration and other federal health care programs. He has also represented health care companies relating to federal and state government investigations.

Earlier in his career, Eric served as a law clerk to the Honorable Judge Harry D. Leinenweber of the US District Court for the Northern District of Illinois and the Honorable Judge Ann C. Williams of the US Court of Appeals for the Seventh Circuit.

Representative Experience

- Represent property and casualty insurer in large-scale civil RICO and fraud action in US District Court for the Eastern District of Michigan against group of medical imaging centers, chiropractic and physical therapy clinics, and group of medical doctors and chiropractors, alleging organized fraudulent insurance scheme involving patient solicitation and medically unnecessary services.

Practices

- Health Care Litigation, Reimbursement and Regulation
- Insurance and Health Care Fraud Litigation
- Litigation
- Pharmaceutical and Life Sciences Litigation

Education

- JD, Harvard Law School, *magna cum laude*
- PhD, University of Washington, *with distinction*
- BA, University of California, Berkeley, *summa cum laude*

Bar Admissions

- Illinois

Court Admissions

- US Court of Appeals, Seventh Circuit
- US District Court, Northern District of Illinois

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- Represent property and casualty insurer in civil RICO and fraud action in US District Court for the Middle District of Florida against auto injury patient "hotline" and large network of medical clinics, alleging unlawful patient brokering, kickbacks, and self-referral statute violations.
- Represent property and casualty insurer in civil RICO and fraud action in US District Court for the Eastern District of New York against medical doctors and clinics alleging fraudulent insurance scheme which included billing for medically unnecessary services and/or services not performed.
- Represent property and casualty insurer in fraud action in US District Court for the Eastern District of Pennsylvania against medical clinics and doctors for alleging fraudulent scheme involving provision of medically unnecessary services and/or services not performed.
- National defense counsel for nationwide federal and state False Claims Act *qui tam* litigation related to pharmaceutical product classifications and alleged false claims paid by state and federal health care programs.

Recognitions

Recognized or listed in the following:

- *BTI Client Service All-Stars*
 - 2020

News

- Katten Partners Praised for Outstanding Client Service (December 10, 2020)
- Katten Adds Litigation Partner Eric Gortner in Chicago Office (April 11, 2011)