

GRAVES GARRETT NEWS

A PUBLICATION OF GRAVES GARRETT LLC | SUMMER 2020

www.gravesgarrett.com

INSIDE THIS ISSUE

- > Fisher wraps up successful tenure 1
- > Statement from the firm on COVID-19 1
- > Garrett, Fisher named NLJ Trailblazers 2
- > Graves president of BSA Region 3
- > Firms adds Hagan 3
- > A Call for Backup benefit 3
- > Greim at FedSoc Missouri Chapters Conference 4



Fisher takes on new challenge with global healthcare company Cerner

Kathleen Andrews Fisher recently accepted a position as Senior Corporate Counsel at Cerner Corporation's World Headquarters in North Kansas City, Missouri. She spent the past 12 years at Graves Garrett, where she has served as partner since 2013.

Prior to entering private practice, Kathleen spent her 20s trying felony cases as a prosecutor for the Buchanan County (Missouri) Prosecutor's Office. From rape and murder to reckless exposure to HIV and child abuse, she managed a significant caseload, eager to build her expertise across a wide range of areas. The significant courtroom experience she gained early in her career provided a solid foundation for her to build on as she took on more complex cases.

Kathleen's work ethic and effectiveness in the courtroom caught the attention of others in the legal community. In fact, this is precisely what prompted Graves Garrett to hire her in 2008 and to name her a partner just five years later.

Continued on page 2 ►

STATEMENT FROM THE FIRM ON COVID-19

Graves Garrett continues to actively monitor the spread of COVID-19. As we all cope with the unprecedented impact this situation has imposed on our daily lives, we wanted to take the opportunity to wish the very best to all of our clients and friends of the firm. The health and safety of our family, friends and community will be a top priority as we adjust to the continually evolving responses to COVID-19.

While we continue to heed advice from local, state and national public health officials, Graves Garrett remains committed to minimizing disruption to the legal services we provide. This firm prides itself on the ability to offer comprehensive and needed solutions to complex legal problems under any and all circumstances. With the aid of our technological capabilities, we intend to continue in this mission as we work ourselves out of this public health crisis.

We appreciate your understanding as we navigate these circumstances and look forward to maintaining our valued relationships. All clients will continue to have direct access to attorneys by phone and email. Please don't hesitate to reach out if you have any questions or concerns.

Stay safe and healthy.
— The Attorneys of Graves Garrett

GARRETT, FISHER HONORED AS NLJ TRAILBLAZERS FOR HEALTH CARE LAW

Nathan Garrett and the team at Graves Garrett have crafted a niche in health care False Claims Act (FCA) and related government enforcement cases based on their extensive legal experience at the federal and state levels. They have an established track record of success in this highly specialized area while uniquely representing both relators and defendants in high-profile FCA cases.

In April, National Law Journal recognized Graves Garrett partners Nathan Garrett and Kathleen Andrews Fisher as part of its 2020 Health Care Law Trailblazers honoree class.

"We are exceptionally proud to have our work done on behalf of valued clients highlighted in this manner," Garrett said. "We've worked diligently to continually advance our False Claims Act practice with a focus on providing a comprehensive and outcome-oriented approach to these types of cases. Graves Garrett has made health care enforcement a priority, and we have the experience to handle any and all matters in that sector for our clients."

Graves Garrett represents health care practices and medical professionals nationwide. With over a century of combined legal experience, the firm offers comprehensive and creative solutions to criminal and civil litigation, professional liability, corporate compliance and data privacy.

Litigation work spans a broad spectrum of issues, but FCA work has become especially important.

"Health care is the primary industry for FCA cases," Garrett said. "We have cultivated a national reputation as a leader in this area by combining our attorneys' strengths in white collar criminal defense, internal investigations and commercial litigation. This benefits our clients, allowing us to provide counsel that can be relied upon when dealing with these high stakes, government-involved matters."

Garrett spent 15 years as a state and federal prosecutor and FBI Special Agent; experiences that developed an



understanding of and appreciation for the government's role in enforcement, informing his interactions with prosecutors, investigators and attorneys involved in FCA health care cases.

Graves Garrett has successfully resolved three multimillion-dollar FCA relator cases in the past three years, and has successfully defended multiple clients in hundreds of millions of dollars worth of claims. Examples of their recent relator work include:

- In 2017, they represented the whistleblower in a United States investigation, which confirmed allegations against a health care laboratory for knowingly violating the anti-kickback law through donations to medical practices, leading to a \$9.35 million settlement against the defendants.
- In 2019, a United States court approved a nearly \$10 million settlement against a compounding pharmacy and its three owners for fraudulently substituting higher cost component drugs in compounded creams.
- Currently, Graves Garrett represents a relator in allegations that a medical device manufacturer violated the anti-kickback statute by paying physicians under sham consulting agreements. ■

FISHER WRAPS UP SUCCESSFUL TENURE AS PARTNER AT GRAVES GARRETT

Continued on from 1 ►

"Kathleen has been an integral part of the team at Graves Garrett, and we thank her for all of the wonderful contributions she has made during her time at the firm," partner Nathan Garrett said. "We wish her well in her future endeavors, and she will always be a friend of the firm. Her dedication to client service and the notable outcomes she has achieved will continue to have value for our firm for years to come."

At Graves Garrett, Kathleen's litigation practice consisted of criminal defense, commercial disputes, the False Claims Act and the pursuit of civil rights under Title IX. She handled complex federal litigation in both white collar cases and civil matters and defended corporate clients and pursued actions on their behalf as plaintiffs in business disputes. She

conducted internal investigations and advised clients on a variety of government compliance issues. Her health care litigation work includes the defense of health care fraud, professional disciplinary actions, malpractice claims and related issues.

Kathleen has earned national and local recognition for her legal work, most recently being honored alongside Garrett as National Law Journal Health Care Trailblazers in 2020. She was also named to Ingram's 40 Under Forty Class in 2018 and has been repeatedly honored by Missouri & Kansas Super Lawyers as a "Rising Star" in white collar criminal defense, was a Missouri Lawyers Weekly "Up and Coming Lawyer" in 2014 and was part of Ingram's Magazine's Women Executives-Kansas City class of 2016. ■

GRAVES NAMED CENTRAL REGION AREA 5 PRESIDENT FOR BOY SCOUTS OF AMERICA

Graves Garrett is pleased to announce partner Todd Graves has been selected as the new Boy Scouts of America Central Region Area 5 president. He will take over the role on June 1, 2020, but immediately assumes the position of executive vice president of Area 5 and will serve on a Key 4 board with three other leaders.

Area 5 includes parts of Missouri, Nebraska, Iowa and Arkansas and all of Kansas.

Graves has an extensive background in Scouting with the Pony Express Council in St. Joseph, Missouri, where he most recently served as president from 2017-2018 following a stint as executive vice president. In 2015, he co-led the council contingent to the International Scouting Peak camp — held every five years in the Peak area of England near Darbyshire. As an adult leader, he participated in treks to Philmont in 2014 and 2017.

Graves earned the rank of Eagle Scout at age 13.

At Graves Garrett, Graves represents clients nationwide before federal and state courts and administrative agencies. His areas of experience include white collar criminal defense, free speech and election law, internal investigations, regulatory compliance, and complex commercial litigation. ■



Todd Graves

FIRM ADDS HAGAN AS AN ASSOCIATE

Graves Garrett LLC is pleased to announce the addition of associate attorney Cody Hagan to the firm. His practice includes a focus on general and complex commercial litigation and appellate proceedings.

Prior to joining Graves Garrett, Hagan was an attorney in private practice focusing on general commercial litigation with experience in shareholder litigation, commercial contracts, personal injury claims, and employment disputes. He began his legal career as a judicial law clerk for the Hon. Paul Wilson at the Missouri Supreme Court.



Cody Hagan

Hagan has developed significant experience presenting arguments in both state and federal courts and has drafted appellate arguments for the Missouri Court of Appeals, the Missouri Supreme Court, multiple federal circuit courts, and the United States Supreme Court.

“We are pleased to expand our bench and welcome Cody to the firm,” said Todd Graves, partner at Graves Garrett. “During this uncertain time for clients, Graves Garrett continues to invest in attorneys that will be capable of handling difficult legal issues in an effective and efficient manner. Cody will make strong contributions to our work now and in the future.”

Hagan earned his Juris Doctor from the University of Missouri-Kansas City School of Law, where he graduated summa cum laude. While at UMKC, Cody completed an externship with Federal Magistrate Judge Robert Larsen in the U.S. District Court for the Western District of Missouri in Kansas City. He also worked alongside the appellate unit at the United States Attorney’s Office and worked as an intern with the Missouri Attorney General’s Office in Kansas City. ■

GRAVES GARRETT SHOWS SUPPORT FOR POLICE FOUNDATION OF KANSAS CITY’S FUNDRAISER

Graves Garrett recently sponsored a table at “A Call for Backup” with attorneys attending the event in support of a benefit for the Police Foundation of Kansas City.



Hundreds gathered on Friday, February 28, at the Muehlebach Tower in the Kansas City Marriott Downtown to raise money for the organization, formed by citizens with a focus on reducing crime and to making the community safe for all. The Foundation does so by generating funds and other support for the Kansas City (Missouri) Police Department to enhance public safety and law enforcement programs that are beyond the level of support of other funding.

Funds raised this year will be used to:

- Initiate projects and research to support selected high-crime areas of the city with additional technology to identify criminals and to make these neighborhoods safer.
- Fund additional programs to aid the Department in reducing violent crime.

“A lot of people in Kansas City are concerned about crime. However, the Police Foundation of Kansas City is stepping up to do something about it. They’re not just saying things should be better; they’re really making them better,” said Rick Smith, Kansas City Chief of Police.

Firm partners Todd Graves, Nathan Garrett, Kathleen Andrews Fisher, Eddie Greim, Dane Martin and Lucinda Luetkemeyer and attorney Jennifer Donnelly were in attendance from Graves Garrett. Garrett was appointed to serve on the Kansas City Board of Police Commissioners in 2017 and currently serves as President of the Board, a position he has held since 2018. Along with three other Board members and the Mayor, he supervises the administration and operation of the police department. ■



Graves Garrett LLC

1100 Main Street, Suite 2700
Kansas City, MO 64105

GREIM SPEAKS ON IMPLICIT BIAS DURING FEDERALIST SOCIETY'S 4TH ANNUAL MISSOURI CHAPTERS CONFERENCE

Graves Garrett partner Eddie Greim helped lead a moderated discussion on implicit bias during the Federalist Society's fourth annual Missouri Chapters Conference late last month at the Missouri State Capitol in Jefferson City.

About 200 Federalist Society members, legal professionals and government leaders were in attendance for discussions on current issues in the state. U.S. Secretary of Education Betsy DeVos delivered the keynote address, while Missouri Gov. Mike Parson, Missouri Secretary of State Jay Ashcroft and Missouri Attorney General Eric Schmitt also provided remarks.

Greim, Mark Bremer and Dale Doerhoff led a morning discussion entitled "Implicit Bias — What is it, and how do we control for it under the Missouri Plan?" The Hon. Duane Benton of the U.S. Court of Appeals for the Eighth Circuit moderated the conversation.

At Graves Garrett, Greim focuses his practice on free speech and election law, complex commercial litigation, internal investigations and whistleblower claims. His free speech and election law experience

has included numerous constitutional challenges to election and campaign finance laws; representation of clients in state and federal ethics and campaign finance enforcement actions and investigations; initiative petition drafting and litigation; litigation and advice regarding First Amendment protections for petition circulation; representation of not-for-profit clients before state regulators; and advice on campaign and election law compliance.



Eddie Greim

Greim is also the president of the Federalist Society's Kansas City Chapter.

The Federalist Society is a group of conservatives and libertarians interested in the current state of the legal order, founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. ■