



## Michael Pierce

Counsel

San Francisco

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Michael Pierce focuses his practice on representing companies in the healthcare industry, often in connection with responding to government requests for information or enforcement actions, conducting internal investigations, or defending against lawsuits premised on alleged violations of the False Claims Act (FCA). He has counseled clients through investigations by the US Department of Justice's Civil and Criminal Divisions, as well as audits led by the US Office of the Inspector General. Michael also provides practical, solutions-oriented legal guidance on difficult regulatory questions raised by his healthcare clients.

### Experience

- Representing Anthem in an action brought by the DOJ alleging that the company's retrospective chart review processes rendered its Medicare Advantage risk-adjustment attestations and claims false. The case is *United States v. Anthem, Inc.*, 1:20-cv-02593-ALC (S.D.N.Y.).
- Representing a non-profit organization responding to a Civil Investigative Demand issued by the DOJ Civil Division.
- Representing multiple managed care organizations in connection with responding to Civil Investigative Demands issued by the DOJ Civil Division
- Representing a major national managed care organization in connection with an ongoing DOJ criminal investigation.
- Representing a major national managed care organization in connection with internal investigation into allegations involving Anti-Kickback Statute

### Admissions

*Bar Admissions*

California

Massachusetts

### Education

Harvard Law School, J.D.: *cum laude*

University of Oregon, B.S.,

Economics & Business

Administration: *summa cum laude*;

Phi Beta Kappa

- Counseling clients regarding various legal issues raised by COVID-19 pandemic including vaccine mandates and coverage requirements.
- Representing the State of California in two complex transactions with Verity Health Systems of California, a non-profit hospital operator then in bankruptcy proceedings before the US Bankruptcy Court for the Central District of California, to quickly expand the State's capacity to treat COVID-19 patients
- Representing a major national managed care organization in multi-year internal investigation relating to issues implicating the FCA.
- Representing a pro bono client in litigation including proceedings before the Court of Appeal and California Supreme Court.

## Professional Activities

### Clerkships

- Honorable William G. Young, U.S. District Court for the District of Massachusetts (2015-2016)
- Honorable Peter J. Rubin, Massachusetts Appeals Court (2014-2015)

### Internships

- US Attorney's Office, Eastern District of New York (2012)

### Publications

- *Prosecuting Online Threats After Elonis*, 110 NW. U. L. REV. 995 (2016)
- *The Court and Overcriminalization*, 68 STAN. L. REV. ONLINE 50 (2015)
- *Case Comment, Commonwealth v. Shin*, 97 MASS. L. REV. 15 (2015)
- *Note, Trust Issues*, 8 HARV. L. & POL'Y REV. S1 (2014)