

Claire M. Schenk

THOMPSON COBURN LLP

Claire M. Schenk is a partner in the Firm's Business Litigation practice group. She concentrates her practice in the areas of Health Care Fraud and Abuse, False Claims Act litigation and government contracts. Ms. Schenk's practice includes representing and advising hospitals, health plans, nursing homes, physicians and physician groups, pharmaceutical companies, manufacturers and distributors of medical devices, and other health care entities and providers as well as registrants under the Controlled Substances Act and state and federal government contractors.

Prior to joining Thompson Coburn, Ms. Schenk served with the United States Department of Justice for over fourteen years. During those years, Ms. Schenk successfully resolved fraud cases resulting in recoveries to the United States in excess of \$450 million. These complex disputes involved the following representative industries: dialysis (Gambro Healthcare, \$350 million); Medicare and Medicaid contract carriers (General American Life Insurance Company, \$76 million); and hospitals, health systems, healthcare providers and government contractors (e.g., Community Health Systems, \$31 million, First Union Mortgage Corporation, \$6 million).

During her tenure with the Office of the United States Attorney, Eastern District of Missouri, Ms. Schenk was the Civil Chief and coordinated civil fraud cases on a national, state and local level. She provided guidance regarding legal developments, policies and litigation strategies. Ms. Schenk also developed state, local and national training efforts to facilitate case development and fraud recoveries. Since 1986, the United States has recovered in excess of \$20 billion from False Claims Act litigation. Ms. Schenk also worked with the National and Missouri State Nursing Home Work Groups to address the substandard care received by some elderly nursing home residents.

Prior to becoming an Assistant United States Attorney, Ms. Schenk was the Chief Counsel for Claims and Investment Company Liquidation with the United States Small Business Administration. In that role, she managed litigation involving Small Business Investment Companies licensed, regulated and funded by the Small Business Administration. Ms. Schenk also litigated government contract matters involving minority and women-owned small business set aside contracts (8a contracts).

Ms. Schenk has conducted jury and bench trials and has argued many times before appellate and administrative tribunals. Ms. Schenk also has extensive experience in mediation and arbitration proceedings.



Primary Practice Areas

- Health Care Fraud and Abuse
- False Claims Act and Whistleblower Litigation
- Government Contracts
- Complex Business Litigation

Education

- **University of Missouri - St. Louis**
B.A., *summa cum laude* (1977)
- **Syracuse University**
J.D. (1980)
Editor, *Syracuse Journal of International Law and Commerce*

Employment

- **Thompson Coburn LLP**
Partner (2007-Present)
- **Private Practice**
(2006-2007)
- **Office of the United States Attorney, Eastern District of Missouri**
Civil Chief (2004-2005)
Assistant United States Attorney (1991-2004)
- **Small Business Administration**
Chief Counsel (1987-1991)
Trial Attorney (1985-1987)

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Presentations

- "The 2009 Office of Inspector General Work Plan", American Association of Healthcare Administrative Management (December 2008)
- "An Insider's Perspective On Health Care Investigations (Internal Investigations, Voluntary Disclosure and the Civil False Claims Act)", Thompson Coburn (September 2008)
- "The Nursing Home Transparency and Improvement Act of 2008, The Fairness in Nursing Home Arbitration Act", Missouri Association of Homes For The Aged (August 2008)
- "Can Your Joint Venture Survive The Scrutiny Of A Government Investigation?", American Bar Association, National Institute on Health Care Fraud (May 2008)
- "Insights and Updates Regarding the Civil False Claims Act", Thompson Coburn (May 2008)
- "Health Care Fraud and False Claims Act litigation" Corporate training
- "Fraud and Compliance Forum" American Health Lawyers Association (October 2005)
- Centers for Medicare and Medicaid Services Regional Training (April 2005)
- National and local fraud training sessions for the United States Department of Justice
- "Bio-Terrorism and Forensic Epidemiology Seminar" (December 2003)
- Workers' Compensation Fraud Training, United States Postal Service (May 2002)
- "Trial Practice" demonstration, Keynote Presentation, American Bar Association, National Institute on Health Care Fraud (June 2001)
- Department of Justice Statistical Sampling Training (December 2000)
- American Association of Professional Coders (December 2000)
- "Medicare Compliance and Integrity Seminar" (June 1998)
- Health Care Fraud Subcommittee Missouri Bar (1998)

Licensure

- The Missouri Bar
- United States District Court, Eastern District of Missouri
- United States Court of Appeals for the Eighth Circuit

Professional Affiliations

- **American Bar Association, Litigation, Health Law, Public Contracts and Litigation Sections, Health Care Fraud Subcommittee**
- **St. Louis Health Lawyer's Association**
- **American Health Lawyers Association**
- **Women Lawyer's Association**
- **Bar Association of Metropolitan St. Louis**
- **Healthcare Business Women's Association**
- **Missouri Organization of Defense Lawyers**

Honors

- **Department of Justice Director's Award for Superior Performance**
- **Federal Bureau of Investigation Merit Award**
- **Department of Health and Human Services Inspector General's Integrity Award**
- **Chief Postal Inspector Award**
- **Department of Housing and Urban Development Merit Award**
- **Drug Enforcement Administration Certificate of Achievement**
- **Office of the United States Attorney, Eastern District of Missouri Special Achievement awards**
- **United States Department of Agriculture Certificate of Achievement**
- **Small Business Administration General Counsel's Award of Legal Excellence**

Civic Involvement

- **Clayton School District Literacy Committee**