



Claire Schenk

Partner

St. Louis
314 552 6462 direct
314 552 7000 fax
cschenk@thompsoncoburn.com

PRACTICES

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

ADMISSIONS

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

EDUCATION

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

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 US Attorney, 1991-2004
- Small Business Administration Chief Counsel, 1987-1991
Trial Attorney, 1985-1987

AFFILIATIONS

- ABA, Litigation, Health Law, Public Contracts and Litigation Sections, Health Care Fraud Subcommittee

Claire is a litigator focusing in health care fraud and abuse, False Claims Act litigation, and other complex white-collar litigation.

Drawing upon her 14-year history as an Assistant United States Attorney with the Department of Justice and service as a Chief, Claire advocates for and advises health care providers and government contractors. She guides physician groups, hospitals, pharmaceutical groups and government contractors through the maze of complex and overlapping government regulatory schemes and assists with resolving compliance concerns.

Claire regularly represents health care providers and government contractors in a wide range of False Claims Act lawsuits, obtaining dismissals and successful resolutions for her clients. Parallel to this litigation, Claire navigates her clients through the myriad number of related administrative proceedings and compliance concerns involving licensure and participation in federal and state programs.

Throughout her career, Claire represented clients insignificant federal litigation and other commercial litigation matters. She also frequently served as a court-appointed receiver in litigation initiated by the SEC, the FTC, and the SBA, and served as counsel in Receivership litigation.

Claire has been selected for inclusion in The Best Lawyers in America® for Health Care Law and Criminal Defense: White-Collar Law, from 2014-2023 (by BL Rankings). Claire Schenk is also honored as 'Distinguished Alumni' by University of Missouri-St. Louis.

Experience

• False Claims Act qui tam Experience

Successfully resolved False Claims Act qui tam case on behalf of national managed behavioral health organization.

Successfully resolved False Claims Act qui tam case on behalf of a national practice management group for ambulatory surgery centers.

Obtained dismissal of False Claims Act qui tam case against Chicago hospital.

Represented large government contractor in False Claims Act qui tam matter.

Obtained favorable settlement in False Claims Act matter involving

- Women's White Collar Defense Association, Founding Member, Chair, Social Media Subcommittee, Women's White Collar Defense Association
- St. Louis Health Lawyers Association Member
- Past President, Missouri Bar Health and Hospital Subcommittee
- American Health Lawyers Association Member
- Bar Association of Metropolitan St. Louis
- National Association of Federal Equity Receivers Member

COMMUNITY

- University of Missouri-St. Louis, Member, Chancellor's Council, College of Arts & Sciences Dean's Leadership Council, Co-Chair Marketing & Campaign Planning Committee
- Hispanic Chamber of Commerce of Metropolitan St. Louis Foundation, Member, Board of Directors, Executive Committee Member
- Casa de Salud St. Louis., Chair, Board of Directors, Executive Committee
- St. Louis Public Radio, Board Member, Governance Committee

kickback allegations.

- **Physician Representation**

Resolved threatened indictment of physician involving billing issues.

Obtained Dismissal of Indictment in Alleged Cyber Fraud Matter.

Negotiated Favorable Plea Agreement in Telehealth Matter.

Successfully resolved litigation involving regulatory and monetary exposure of pet food manufacturer.

Handled Physician representation in Medicare exclusion, OPM debarment, CMS billing revocation, and Medicaid termination.

Negotiated resolution of physician practice dispute following entry of restraining order.

Appeared before Board of Healing Arts for physicians to resolve charges and allegations.

- **Government Investigations and Enforcement Actions**

Represented pharmaceutical executives in resolving government investigation.

- **Court-Appointed Receiver**

Served as Receiver of multiple companies in Acartha Group matter initiated by SEC, which involved \$75 investor fraud.

Served as Receiver in FTC matter on behalf of defrauded consumers by robo callers.

Handled federal equity Receivership work for Small Business Investment Companies.

Presentations

- Panelist, "DOJ Cyber Fraud Initiative - Cyber Faces the FCA Hammer" December 2022
- Presenter, Women's White Collar Defense Association February 2023
- Panelist, "Significant Legal Developments: Central and Midwest Region"; Annual National Institute on White Collar Crime March 2019
- "Recent Developments on Damages and Penalties"; 10th National Institute on the Civil False Claims Act and Qui Tam Enforcement, June 2014
- "The Heat is On"; Missouri Bar Health and Hospital Law Subcommittee, May 2010
- "Government Investigations and Compliance"; Illinois State Bar Healthcare Subcommittee, April 2009
- "How to Prevent the FBI from Knocking on Your Door"; Joseph Flynn Lectureship, January 2009
- "The 2009 Office of Inspector General Work Plan"; American Association of Healthcare Administrative Management, December 2008

RECOGNITIONS

- Listed in "The Best Lawyers in America®", 2014-2024 (by BL Rankings)
- 2014 Distinguished Alumni Award, University of Missouri-St. Louis
- 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
- "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; 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, ABA National Institute on Health Care Fraud, June 2001