ArentFox Schiff LLP
Attorneys

Pascal Naples*

SENIOR ASSOCIATE

Pat is a litigator who represents hospitals and health systems, physician groups and medical practices, pharmaceutical and life sciences companies, and other commercial entities nationwide in government investigations and high-stakes disputes, including health care fraud enforcement, managed care litigation, and trade secret and noncompete matters.



Industries

Health Care
— Government Investigations
— Provider-Payor, Health Plan & Managed Care Disputes
Life Sciences

Practices

Complex Litigation
— ERISA Litigation
Government Contracts
False Claims Act Investigations & Litigation
— Investigations
Trade Secrets, Noncompetes & Employee Mobility

Education

Wake Forest University School of Law, JD, cum laude, 2014

University of Pittsburgh, BA, cum laude, 2011

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Pat is a health care litigation and investigations attorney who represents clients nationwide in high-stakes government investigations and complex commercial disputes. He frequently advises and defends hospitals and health systems, physician groups and medical practices, pharmaceutical and life sciences companies, and other health-care-related entities in matters involving alleged health care fraud, managed care litigation, and trade secret and noncompete disputes.

Pat helps clients confront and manage liability in the complex statutory and regulatory framework governing the health care industry. He regularly represents hospitals and health systems, physician groups, and other providers in managed care litigation, payer disputes, reimbursement litigation, and value-based care disputes – ranging from bet-the-company litigation involving multiple patients, plans, payers, and networks to confidential arbitrations, involving the Affordable Care Act (ACA), No Surprises Act (NSA), Medicare Secondary Payer Act (MSP), and Mental Health Parity and Addiction Equity Act (MHPAEA). He also represents pharmaceutical and life sciences companies and health care providers in internal investigations and government investigations involving the US Department of Justice (DOJ), HHS Office of Inspector General (HHS-OIG), and other enforcement agencies, as well as related litigation under the False Claims Act (FCA), Anti-Kickback Statute (AKS), Stark Law, and antitrust laws. His experience includes high-priority industry issues such as drug shortages, off-label promotion, speaker programs, pricing and reimbursement, and patient assistance programs.

Beyond health care, Pat litigates trade secret disputes, noncompete and employee mobility matters, and other business litigation, including disputes involving government contractors and commercial real estate. He is particularly experienced in data-driven litigation, working with forensic and AI experts to develop evidence, manage high-volume eDiscovery, and analyze complex damages issues.

Pat has been recognized as a thought leader on health care investigations and litigation, managed care and reimbursement disputes, and trade secrets and noncompete litigation through presentations, publications, and interviews with a variety of organizations, including *Bloomberg Law*, *Law360*, *Forensic Expert Witness Association (FEWA)*, *Chief Healthcare Executive*, *McKnight's Home Care*, *MedTech Insight*, *The National Law Review*, *Medical Economics*, *Physician's Practice*, *Health Care Financial Management Association*, *Off the Chart: A Business of Medicine Podcast*, and others. Pat

regularly contributes to the firm's Investigations Blog and Health Care Counsel Blog, and he is one of the primary five authors of the firm's Annual Trade Secrets End of Year?Report, which includes contributions from over 30 AFS attorneys. In addition, Pat is one of the authors of the *Chambers Global Practice Guide* for *Trade Secrets 2026* in the District of Columbia, Maryland, and Virginia.

Before entering private practice, Pat clerked for Special Master Lisa Hamilton-Fieldman at the US Court of Federal Claims and served in the Office of Staff Counsel for the US Court of Appeals for the Fourth Circuit. He also interned for the Honorable Samuel Der-Yeghiayan of the US District Court for the Northern District of Illinois.

**Not admitted in IL. Admitted in CT, DC, and VA only. Practicing under the supervision of IL bar members.*

Client Work

ERISA, Health Care, and Managed Care Litigation

Recent representative trials with which Pat has been involved include:

- Secured favorable testimony via cross-examination that was quoted by US Court of Appeals for the Third Circuit in complete reversal of $70M ERISA verdict in favor of client following eight years of litigation. *See Dunne v. Elton Corp.*, 2024 WL 4224619, at *11 (3rd Cir. Sep. 18, 2024).
- Successfully opposed motion for summary judgment in commercial contract dispute on behalf of pharmaceutical manufacturer. *See Apotex Inc. v. Otsuka Pharmaceutical Co.*, No. 2022-0291-MTZ, 2022 WL 10029846 (Del. Ch. Oct. 14, 2022).
- Secured favorable trial testimony from multiple witnesses for industry-leading dialysis provider in first-of-its-kind litigation against claims repricer.

Government Investigations

Recent representative investigations with which Pat has been involved include:

- Represented a pharmaceutical manufacturer in a $46 million resolution of a four-year investigation brought by the US Attorney for the District of Massachusetts and DOJ alleging violations of the False Claims Act, the Anti-Kickback Statute, antitrust laws, and the Federal Food, Drug, and Cosmetic Act in *United States ex rel. Toulsor 1, Inc. v. Veloxis Pharmaceuticals A/S, et al.* (DOJ; USDC D. Mass).
- Retained as co-lead counsel by Fortune Global 500 health care provider to assess potential liability related to existing noncompetes under developing state laws nationwide amid investigation by Federal Trade Commission.
- Represented pharmaceutical manufacturer in 3+-year DOJ investigation related to Rx-to-OTC switch issues and the False Claims Act, repeatedly meeting with government attorneys and coordinating with experts to present findings related to materiality and negotiate resolution following internal investigation.
- Represented active pharmaceutical ingredient (API) supplier in 10+-year bet-the-company DOJ litigation over Medicare reimbursement rates, repeatedly meeting with government attorneys and coordinating with experts to present findings related to ability to pay issues and negotiate resolution following internal investigation.

Other Litigation

- Represented industry-leading government contractor in noncompete and trade secrets litigation spanning over five-years, taking and defending dozens of depositions, arguing scores of motions, and examining and cross-examining party witnesses and forensic experts, en route to securing injunctive relief, fee awards, favorable orders on motions, and, ultimately, default judgment for spoliation.
- Argued municipal tax appeal before the Supreme Court of Connecticut on behalf of nonprofit housing provider, successfully persuading Court, in unanimous decision, to recognize nonprofit's real property as tax-exempt. *See Rainbow Housing Corp. v. Town of Cromwell*, 340 Conn. 501 (2021).
- Served as lead outside counsel for municipality in three-day evidentiary hearing to enforce stipulation regarding city zoning laws, successfully persuading Court to find a willful violation of the stipulation and assess fines and attorney's fees. *See City of Stamford v. Ten Rugby Street, LLC*,

No. FST CV 11 6011306 S, 2022 WL 1566777 (Conn. Super. Ct. May 18, 2022).

Publications, Presentations, & Recognitions

Publications

- "Trade Secrets 2026: USA – D.C. Metropolitan Area, Trends and Developments," (co-author) *Chambers Global Practice Guides* (2026)

Presentations

- *Noncompetes in Health Care: Legal Developments in 2025 & Practical Guidance for 2026* (AFS) Webinars@AFS (March 2026) (Presenter)
- *Expert Witness Discovery and Expert Witness Note-Taking as the World and Generative AI Evolve*, Forensic Expert Witness Association (FEWA) National Expert Witness Conference 2025 (June 19, 2025) (Panelist)
- *Preparing Your Nonprofit Before the Government Comes Knocking*, ArentFox Schiff (March 2025) (Presenter)
- *Business & Property Contracts in the Coronavirus Crisis*, Greater New Haven Chamber of Commerce (Apr. 23, 2020) (Panelist)
- *Knick v. Township of Scott*, Home Builders & Remodelers Ass'n of Conn. Developers' Forum (Jan. 9, 2020) (Panelist)
- *Client Counseling in Appeals*, George Washington University School of Law (Fall 2019, Spring 2020) (Guest Lecturer)

Recognitions

- *Super Lawyers*: Rising Star (2019-2021, 2023-2024)
- *Best Lawyers*: Ones to Watch (2021-2026)
- Capital Pro Bono Honor Roll: High Honors (2017-2020)
- Wake Forest University School of Law:
  - Order of the Coif
  - Order of the Barristers
  - Editor, *Wake Forest Law Review*
  - Champion, 2012 Edwin M. Stanley Moot Court Competition
  - CALI Awards: Antitrust, Business Organizations, Civil Procedure I, Complex Commercial Litigation, Legislative and Administrative Law, Torts

Bar Admissions

District of Columbia
Virginia
Connecticut

Court Admissions

US Court of Appeals, 2nd Circuit
US Court of Appeals, 4th Circuit
US Court of Appeals, 9th Circuit
US Supreme Court
US District Court, Western District of New York
US Court of Federal Claims
US Bankruptcy Court, Eastern District of Virginia
US District Court, Western District of Virginia
US District Court, District of Maryland
US District Court, District of Columbia