

## **ATTORNEY REFERRAL INFORMATION**

The ACR Legal Department provides referrals to attorneys for those radiologists and radiation oncologists who do not have representation, or who have an attorney but would like to consult with a specialist in a particular area of the law, such as medical staff bylaws. We also may provide general information on specific issues, such as contracts, with this referral sheet. Some of the information may be in sample format. Please be advised that any materials we provide are for informational purposes only and not meant to substitute for legal counsel.

While it is not essential that you have local counsel to represent you, your attorney should be familiar with your state law and administrative regulations pertaining to medical practice. Of course, it is important that you and the attorneys discuss fee arrangements, as well as the time they expect to spend on the matter, before retaining any of them to represent you.

Thank you for contacting the ACR Legal Department. If you need further assistance or have questions about the *Business Practice Issues* section of the web site, please call 1-800-227-5463 and ask for Dee Salem or you may email her at [dsalem@acr.org](mailto:dsalem@acr.org) or [legal@acr.org](mailto:legal@acr.org).

## **NEW JERSEY**

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Mr. Bongiovanni, a partner in the Princeton office, has considerable knowledge of the health insurance and managed care industries, having worked for 10 years for Independence Blue Cross (Philadelphia), where he served as Deputy General Counsel and Assistant Corporate Secretary.

### **Michael Burke, J.D.**

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Mike Burke is a shareholder of Kalogredis, Sansweet, Dearden and Burke, Ltd. He focuses his practice on representing physicians and physician groups, dentists and other health care providers in various transactional matters, including but not limited to analyzing, negotiating and drafting employment agreements and co-ownership documents such as shareholders' agreements and operating agreements, examining Medicare fraud and abuse issues (Stark, Anti-Kickback), representing physicians in negotiating arrangements with hospitals and health systems, analyzing reimbursement issues, and analyzing and structuring joint venture arrangements. Mike is a Summa Cum Laude graduate of both the University of Miami School of Law and Temple University. He graduated 2nd in his class at the University of Miami, was a member of the University of Miami Law Review and was inducted into the Order of the Coif. Mike has been practicing law in the health care field since his graduation in 1991, and is licensed to practice in both Pennsylvania and New Jersey. He has authored numerous articles for both local and national publications and speaks on various topics related to health care law on a local and national basis.

**Barry B. Cepelewicz, M.D., J.D.**

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Mr. Cepelewicz is a member of Meiselman, Farber, Packman & Eberz, P.C. which is a well established thirty-three lawyer, full service firm with nearly twenty five years of diverse legal experience. The Health and Business Law Group specifically focuses its work on transactional and regulatory matters involving healthcare professionals, healthcare entities, and individuals and corporations whose businesses are healthcare related. The firm also offers a wide array of professional legal services from the commercial litigation, patent and copyright, real estate, tax and new media/internet groups. (note: Mr. Cepelwicz is also licensed in NY, CT and DC.)

**J. Ferd Convery, III, J.D.**

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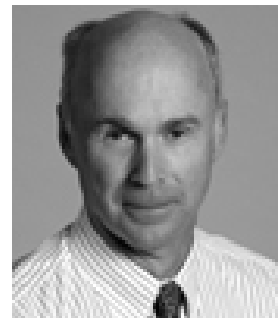
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Mr. Convery, a partner in the Princeton office, has more than 20 years of experience providing a wide variety of complex transactional services to New Jersey hospitals, large physician groups, independent practitioner associations, national managed care companies, limited partnerships, corporations and lending institutions.

**John D. Fanburg, J.D.**  
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Mr. Fanburg's broad experience representing major hospitals, diverse medical specialty groups and statewide physician specialty organizations provides him with in-depth knowledge of all aspects of the law as well as the business of healthcare. His experience in establishing outpatient healthcare offices and facilities and ambulatory surgical centers and he frequently superintends the establishment and sale of physician practices. Mr. Fanburg facilitates the negotiation and structuring of joint ventures and mergers and acquisitions of hospitals and medical groups and the development of Medicare and Medicaid corporate compliance programs for physician practitioners. (note: Mr. Fanburg is also licensed in NY.)

**John. H. Gibbons, Judge**

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Since returning to practice, Mr. Gibbons has headed the firm's Alternative Dispute Resolution Group. He is a member of the National Panel of Distinguished Neutrals of the CPR Institute for Dispute Resolution and has served as an arbitrator and a mediator in a number of large commercial disputes among major corporations. He has also engaged in litigation involving antitrust, intellectual property law and securities regulation.

**Gary W. Herschman, Esq.**

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Gary W. Herschman, Chair of the Sills Cummis & Gross P.C. Health and Hospital Law Practice Group, has significant experience advising hospitals and a diverse group of health care providers, including imaging centers, long-term care facilities, home health companies, ambulatory surgery centers, physician groups and various other health care facilities and businesses. He regularly advises clients (including radiology groups and imaging centers) on a variety of joint ventures, mergers and acquisitions, sales, affiliations and contractual arrangements. He also has extensive experience advising clients on regulatory compliance, Stark audits, government investigations, and civil and administrative health care litigation. (Note: Mr. Herschman is resident in the Firm's Newark, NJ office, but is also licensed in New York and the District of Columbia.)

**Henry R. King, J.D.**

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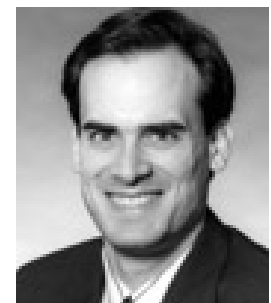
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Mr. King, an associate in the Princeton office, focuses his practice on the ongoing changes in health care delivery systems, such as managed care entities and mergers of hospitals, as well as corporate organization and finance.

**Murray J. Klein, J.D.**

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Mr. Klein, is a partner in Princeton and chair of the Health Care Department in New Jersey. His practice includes counseling coalitions of hospitals responding to regulatory concerns as well as the formation of managed care organizations and acquisition of physician practices.

**Kevin McNulty**

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Kevin McNulty has litigated and counseled clients in a wide variety of pharmaceutical, intellectual property, commercial, criminal and appellate matters. He previously served as Chief of the Appeals Division of the United States Attorney's Office from 1995 through 1998. From 1987 through 1998 he prosecuted criminal cases as an Assistant United States Attorney in the Frauds and Criminal Divisions and served as Deputy Chief of the Criminal Division from 1991 through 1995. After graduating from law school he served as a law clerk to the Honorable Frederick B. Lacey, United States District Judge for the District of New Jersey, and litigated a variety of civil matters in private practice before entering government service.

**Herman D. Michels**

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Herman D. Michels, formerly the Presiding Judge for Administration of the Appellate Division, New Jersey Superior Court, devotes his practice to the areas of Appellate Practice, Alternative Dispute Resolution, and Mediation, and serves as a Special Discovery Master. Mr. Michels has authored over 3,000 Appellate Division opinions of which 400 were published. Mr. Michels is certified by the United States District Court for the District of New Jersey as an arbitrator and mediator. Mr. Michels is the former President and a member of the Executive Committee of the Council of Chief Judges of the State Courts of Appeal.

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Partner Jill T. Ojserkis, Chair of the Healthcare Law Practice Group, maintains a general healthcare practice on behalf of institutional clients such as hospitals, health systems, medical staffs and ancillary providers. Jill also represents individual licensed providers and practice groups. While she concentrates her practice on Medical Staff/physician relations, governance issues for Hospitals and Medical Staffs, bioethical and transactional matters including managed care, Jill and her Practice Group also provide administrative, regulatory, and ethical counsel; represent clients before federal, state, and accreditation and regulatory agencies; and handle a wide variety of transactional, tax, and corporate matters, including practice acquisition, joint ventures, entity formation, physician group breakups, and hospital - physician contractual matters. She also represents health care clients and others in tax and estates and corporate/transactional matters.

**Karen L. Palestini, J.D.**

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Ms. Palestini has played an integral role in many notable transactions in the healthcare industry. She negotiated the regulatory approvals for the first for-profit hospital system to enter New Jersey as part of a \$30+ million acquisition. She secured waivers from the state attorney general's office in connection with highly scrutinized medical center relocation. She spearheaded the multi-service line affiliation (and later merger) of three healthcare facilities, and she coordinated the due diligence for a commercial lender on a \$100 million credit facility to a home health services provider. She also negotiated the licensing of a celebrity-affiliated foundation product line with a portion of licensed merchandise revenues to support the foundation's mission.

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Mr. Schoppmann focuses his practice on defending physicians in health care litigation. He has served as an approved trial attorney for several leading malpractice insurance companies and has defended complex medical malpractice actions. He currently represents health care professionals before the Office of Professional Medical Conduct, the New York State Office of Professional Discipline, the Office of Inspector General, the New Jersey Board of Medical Examiners and other state and federal agencies. (note: Mr. Schoppmann is licensed in DC, NJ, and NY.)

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David is Co-Chair of the firm's Health Law Practice and concentrates his practice in regulatory and transactional matters including: fraud and abuse, physician self-referral and false claims; health care compliance programs and regulatory compliance; internal investigations; governmental and third-party payor audits and investigation; health care affiliations, joint governance issues; hospital-physician relations; tax-exempt organizations; provider and facility licensing; reimbursement and payment issues; Medicare and Medicaid; certificate of need and health planning; and medical records, privacy and confidentiality issues (HIPAA). David previously served as director of the Pennsylvania Society of Healthcare Attorneys, as well as on its Physician Self-Referral, Physician Hospital Organization and Integrated Delivery System Task Forces.

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Mr. Weiner, counsel in the Princeton office, has substantial experience representing health care providers in their various business dealings, including practice formation, sales and mergers.

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The firm was founded in 1973 dedicated to the health care industry. Today, the firm has more than 300 lawyers in ten offices with focused practices in health law, labor and employment law, corporate and commercial law, government contracts and litigation. With more than ninety lawyers practicing health law full-time, the firm was recently reported by the *National Law Journal*, the third largest health law practice in the United States. Practice areas include: antitrust; bankruptcy/restructuring; business transactions, including joint ventures; compliance counseling and defense; federal and state legislative/regulatory; fraud and abuse; managed care; Medicare and third-party reimbursement; peer review; and professional liability and malpractice defense. (note: EPSTEIN BECKER & GREEN, P.C. has firms licensed in GA, NY, DC, CA, CT, NJ, MA, TX, and IL.)