

## Sara B. Richman

Partner

Philadelphia

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As the firm's first full-time pro bono partner, Sara leads the pro bono practice with a multidimensional approach. She prioritizes pro bono opportunities that directly impact people and entities in our local communities, align with the firm's values and inclusion priorities, support attorney development, and build partnerships with community organizations and in-house legal teams.

### OVERVIEW

Sara is a partner and chair of the firm's Pro Bono practice, a core piece of its commitment to improving communities and serving their legal needs. In her role, Sara works closely with community partners to support pro bono efforts. Sara also builds pro bono partnerships with in-house legal departments, marshalling the combined talent of the firm and in-house attorneys to deliver free legal services to individuals and entities that otherwise would be unable to afford counsel. Sara's personal pro bono practice focuses on issues of social equity, protections for children, and election integrity.

Select examples of her pro bono work include:

- Working with the Transgender Legal Defense and Education Fund (TLDEF) to represent transgender clients seeking to legally change their names.
- Serving as a volunteer attorney with the Support Center for Child Advocates to represent children in the foster care system.
- Volunteering to respond to voters' questions on Pennsylvania's Non-Partisan Election Protection Hotline, which is run in partnership with the Lawyers' Committee, Troutman Pepper Locke, Blank Rome, and The Pepper Center for Public Service.

Prior to shifting her focus to pro bono, Sara represented businesses and individuals in complex commercial litigation and white collar matters. Focusing primarily on the health care and insurance industries, Sara has litigated cases through trial in both federal and state court, and has represented clients in arbitrations and administrative hearings. Additionally, she has conducted numerous internal investigations, represented clients in civil and criminal government investigations, and advised on regulatory compliance and risk mitigation strategies.

Sara is committed to advancing inclusion efforts at the firm and more broadly in the legal industry. As a member of several firm committees, including the Recruiting Committee, the Associates Committee, and the Women's Initiative, Sara has worked to recruit, develop, and support diverse attorneys. She is particularly proud to have led

efforts to recruit the most diverse associate classes in firm history. As chair of Pro Bono, Sara aligns the firm's pro bono work with its inclusion priorities and provides attorneys from all backgrounds with pro bono experience and leadership opportunities that support their career development.

## REPRESENTATIVE MATTERS

### Health Care Litigation and Counseling

- *Symphony Health Solutions Corp. v. IMS Health, Inc.* – Defended a multinational health care data company against antitrust claims and prosecuting counterclaims for misappropriation of trade secrets, unfair competition, and employee raiding.
- *Ruff v. Albert Einstein Healthcare Network* – Defended Albert Einstein Health Network, related entities, and executives in a putative collective action case alleging violations of the Fair Labor Standards Act, and a putative class action alleging violations of RICO and ERISA.
- *Source Healthcare Analytics, Inc., et al. v. SDI Health LLC, et al.* – Defended a major health care analytics company in a lawsuit brought by a competitor alleging misappropriation of trade secrets and confidential business information.
- Represented multiple payors across the U.S. in litigation challenging CMS risk adjustment methodology for ACA market exchanges.
- Represented payors in litigation regarding risk corridors payments due under the Affordable Care Act (ACA).
- Represented health care providers in responding to Medicare (ZPIC) audits, including appealing denied claims and demands for repayment.
- Counseled payors on ACA regulations.
- Represented a payment processor in proceedings involving alleged violations of HIPAA and EFT regulations.

### Internal and Government Investigations

- Represented medical professionals in an investigation involving allegations of fraudulent billing practices and subpar patient care.
- Represented health care clients in investigations involving the Anti-Kickback statute, Stark law, False Claims Act, and related statutes.
- Represented a corporation and an individual in a federal investigation of Medicare fraud.
- Investigated allegations of Disadvantaged Business Enterprise (DBE) fraud.
- Represented companies under government investigation for violation of antitrust laws.
- Investigated and advised on fraud, waste, and abuse issues in an academic medical center.
- Investigated allegations of violations of immigration regulations.

### Insurance Litigation and Counseling

- Obtained summary judgment on breach of contract and bad faith for the insurer in numerous cases, including *Allstate Insurance Company v. Lagreca*, *Blaylock v. Allstate Insurance Company*, *Katzenmoyer v. Allstate Insurance Company*, *Allstate Property and Casualty Insurance Company v. Vargas*, and *Ke v. Allstate*.
- Successfully litigated significant issues related to insurance bad faith through the appellate court level, including the Third Circuit cases of *Wolfe v. Allstate Property and Casualty Insurance Company* and *Lieb v. Allstate Property and Casualty Insurance Company*.
- Represented health care insurers in litigation related to the ACA.
- Advised insurer on complex coverage matters involving regulatory liability.

## AWARDS

- *Best Lawyers in America®*: Commercial Litigation (2024-2026)

## ALL AREAS OF FOCUS

- Bad Faith
- Business Litigation
- False Claims Act + Other Whistleblower Actions
- Fraud + Abuse Litigation + Investigations
- Government + Regulatory Litigation
- Health Care + Life Sciences
- Health Care Litigation
- Insurance + Reinsurance
- White Collar Litigation + Investigations

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- Board Member and Treasurer, Community Legal Services and Philadelphia Legal Assistance, 2018-present
- Member, Law360 Access to Justice Advisory Board, 2024
- Leadership Philadelphia, Core Class 2017
- Chair of the Board of Directors, Parent-Infant Center, 2012-2019
- Board of Directors, ArtWell, 2017-2019

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- Temple University Beasley School of Law, J.D., *cum laude*, 2005, note and comment editor, *Temple Law Review*
- University of Pennsylvania, B.A., *cum laude, with honors*, 2002

### BAR ADMISSIONS

- Pennsylvania

## SPEAKING ENGAGEMENTS

- Panelist, "The Pepper Center for Public Service Panel," Troutman Pepper, October 25, 2022.

## PUBLICATIONS

- Co-author, "Providers Prevail in Challenge to No Surprises Act Interim Final Rule," *Troutman Pepper*, March 4, 2022.
- Co-author, "Unsurprisingly, The No Surprises Act Has Surprises: Part II," *Troutman Pepper*, December 17, 2021.

- Co-author, "[DC Circuit Court of Appeals Revives Medicare Advantage Overpayment Rule](#)," *Pratt's Government Contracting Law Report*, December 2021.
- Co-author, "[The No Surprises Act Gets Litigated](#)," *Troutman Pepper*, November 16, 2021.
- Co-author, "[HHS Issues Second Set of Regulations Implementing the No Surprises Act](#)," *Troutman Pepper*, October 13, 2021.
- Co-author, "[DC Circuit Revives Medicare Advantage Overpayment Rule](#)," *Troutman Pepper*, September 21, 2021.
- Co-author, "[Pennsylvania Supreme Court Decision Broadens Medical Peer Review Protections in \*Leadbitter v. Keystone Anesthesia Consultants\*](#)," *Troutman Pepper*, August 26, 2021.
- Co-author, "[US Chamber of Commerce Files Lawsuit Challenging HHS's Health Plan Price Transparency Rule](#)," *Troutman Pepper*, August 25, 2021.
- Co-author, "[HHS Issues Interim Final Rule for the No Surprises Act](#)," *Troutman Pepper*, July 26, 2021.
- Co-author, "[Facing Up to Tough Issues: Health Care Compliance Concerns with Facial Recognition Technology](#)," *Troutman Pepper*, May 11, 2021.
- Co-author, "[New State Law Eliminates All Copays, Coinsurance, and Deductibles for Mental Health and Substance Use Disorder Services](#)," *Troutman Pepper*, May 3, 2021.
- Co-author, "[Two Opinions Broaden the Scope of Liability and Strip Defenses Under Pennsylvania's Unfair Trade Practices and Consumer Protection Law](#)," *Troutman Pepper*, March 10, 2021.
- Co-author, "[SURPRISE! Along With COVID Relief, Congress Delivers Long-Anticipated Changes to Medical Billing with the "No Surprises Act"](#)," *Troutman Pepper*, December 29, 2020.
- Co-author, "[D.C. Circuit Upholds Short Term Plans as Alternative to ACA Plans](#)," *Troutman Pepper*, July 27, 2020.
- Co-author, "[D.C. District Court Upholds Rule Requiring Hospitals to Disclose Privately Negotiated Insurance Prices](#)," *Pepper Hamilton Client Alert*, June 25, 2020.
- Co-author, "[Health Care Providers Challenge Constitutionality of Michigan Shutdown Orders](#)," *Pepper Hamilton Client Alert*, May 18, 2020.
- Co-author, "[Whiplash for Insurers in Pennsylvania on COVID-19 Coverage Issues](#)," *Pepper Hamilton Client Alert*, May 13, 2020.
- Co-author, "[Supreme Court Finds Insurers Entitled to Millions in ACA Payments](#)," *Pepper Hamilton Client Alert*, April 29, 2020.
- Co-author, "[PA Introduces Legislation That Would Rewrite Business Interruption Insurance Policies to Cover COVID-19 Losses](#)," *Pepper Hamilton Client Alert*, April 21, 2020.
- Co-author, "[Some States Loosen Licensing Requirements for Telehealth Providers During COVID-19 Pandemic](#)," *Pepper Hamilton Client Alert*, March 31, 2020.
- Co-author, "[New Jersey Lawmakers Propose Bill Complicating Out-of-State Medical Care](#)," *Pepper Hamilton Client Alert*, July 2, 2019.
- Co-author, "[Pennsylvania Expands Attorney Work-Product Protection for Disclosures to Third Parties](#)," *Pepper Hamilton Client Alert*, June 26, 2019.
- Co-author, "[New York and New Jersey Consider Health Insurance Reforms](#)," *Pepper Hamilton Client Alert*, June 3, 2019.
- Co-author, "[Washington Becomes First State to Create Public Option Health Insurance](#)," *Pepper Hamilton Client Alert*, May 15, 2019.
- Co-author, "[Bipartisan Senate Group Pushes Bill to Protect Patients From Surprise Medical Bills](#)," *Pepper Hamilton Client Alert*, February 14, 2019.
- Co-author, "[PA AG: UPMC Is Prioritizing Profits Over Patients](#)," *Pepper Hamilton Client Alert*, February 13, 2019.
- Co-author, "[With the ACA Individual Mandate in Question, States Consider Adopting Their Own](#)," *Pepper*

*Hamilton Client Alert*, January 29, 2019.

- Co-author, "[CMS Proposed Rule Could Dramatically Increase Recoupments From Medicare Advantage Insurers](#)," *Pepper Hamilton Client Alert*, November 20, 2018.
- Co-author, "[Iowa Farm Bureau Health Plans to Deny Coverage for Preexisting Conditions](#)," *Pepper Hamilton Client Alert*, October 11, 2018.
- Co-author, "[Bipartisan Senate Group Leads Charge to Protect Consumers From 'Surprise Medical Bills'](#)," *Pepper Hamilton Client Alert*, September 27, 2018.
- Co-author, "[Court Rejects CMS's Attempt to Broaden False Claims Act Liability in Medicare Overpayment Rule](#)," *Pepper Hamilton Client Alert*, September 12, 2018.
- Co-author, "[New Case May Signal Greater Likelihood That Insurers Are on the Hook for Coverage in Phishing Attacks](#)," *Pepper Hamilton Client Alert*, July 31, 2018.
- Co-author, "[Insurers Beware: Potential Impact of NJ's Proposed Insurance Fair Conduct Act](#)," *Pepper Hamilton Client Alert*, July 16, 2018.
- Co-author, "[Another One Bites the Dust: CMS Quashes Ohio's Plan to Waive ACA Requirements, for Now](#)," *Pepper Hamilton Client Alert*, May 29, 2018.
- Co-author, "[PA. Superior Court Vacates Bad-Faith Insurance Verdict, Cautioning Against Industrywide Condemnations](#)," *Pepper Hamilton Client Alert*, April 11, 2018.
- Co-author, "[Iowa Emerges as Latest State to Challenge ACA Through Noncompliant Plans](#)," *Pepper Hamilton Client Alert*, April 6, 2018.
- Co-author, "[CMS Thwarts Idaho's Attempts to Skirt Affordable Care Act, but Provides a Path Forward](#)," *Pepper Hamilton Client Alert*, March 12, 2018.
- Co-author, "[States Launch a New Challenge to the ACA: Noncompliant Health Plans](#)," *Pepper Hamilton Client Alert*, February 27, 2018.
- Co-author, "['Rancosky' Decision: Does It Lower the Bar for Punitive Damages?](#)," *The Legal Intelligencer*, February 8, 2018.
- Co-author, "[Skilled Nursing Facilities Targeted in Government Enforcement Actions and Qui Tam Lawsuits](#)," *Pratt's Government Contracting Law Report*, November 16, 2017.
- Co-author, "[Federal Court Strikes DOJ's Risk Adjustment False Claims Act Case – For Now](#)," *Pepper Hamilton Client Alert*, October 13, 2017.
- Co-author, "[Lessons From a Year of Escobar](#)," *Law360*, June 20, 2017.
- Co-author, "[Health Care Providers Should Review Assignment of Benefit Forms After 9th Cir. Decision](#)," *Pepper Hamilton Client Alert*, April 3, 2017.
- Co-author, "[Women in Law: Some Advice From Successful Women](#)," *The Legal Intelligencer*, November 15, 2016.

## **MEDIA COMMENTARY**

- Featured and Quoted, "[How I Made Chair of Pro Bono: 'Pro Bono Gives Us Additional Ways to Connect With Our Clients,' Says Sara Richman of Troutman Pepper](#)," *Law.com*, November 16, 2022.
- Troutman Pepper Featured, "[From Courts to Polls: BigLaw Turns Out to Protect the Vote](#)," *Law360*, November 8, 2022.
- Featured and Quoted, "[Troutman Pepper Names Partner as First Pro Bono Chair](#)," *Law360 Pulse*, March 11, 2022.
- Quoted, "[Businesses Opening Despite Shutdown Could Face Questions Over Coverage](#)," *Insurance Journal*, June 8, 2020.