



## Shareholder

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*AV Rated*



## PRACTICE AREAS:

- Administrative Law and Litigation (Health Care; Agency Investigations and Complaints; Licensure; Insurance; Information Technology; Educational Testing)
- Complex Commercial Litigation
- Government Contracts
- Appellate Advocacy

## PROFESSIONAL EXPERIENCE:

- Assisted numerous clients in regulatory matters involving state and federal agencies including the Agency for Health Care Administration, the Department of Health, the Centers for Medicare and Medicaid Services, the Office of Insurance Regulation, the Department of Education, the Department of Transportation and the Department of Agriculture and Consumer Services.
- Represented hospitals, durable medical equipment providers, physicians and other health care providers on numerous regulatory matters involving licensure, certificates of need, Medicare, Medicaid and physician privilege issues.
- Assisted clients in responding to government investigations conducted by the Florida Attorney General, the Office of Insurance Regulation, the Department of Defense and the Department of Justice.
- Represented insurance companies in rate and form filing disputes with the Office of Insurance Regulation.
- Represented private and public entity clients in bid protests and other disputes involving some of the largest public contracts in Florida, including contracts relating to the Florida Lottery's on-line gaming system, the Florida Comprehensive Assessment Test, the Medicaid Management Information System and the Florida Online Recipient Integrated Data Access System.
- Defended insurance carriers in class action proceedings in both state and federal court.

**RADEY THOMAS YON & CLARK, P.A.**

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## REPRESENTATIVE CASES:

- *General Electric Co. v. Department of Transportation*, 869 So. 2d 1273 (Fla. 1st DCA 2004)
- *Department of Education v. Cooper*, 858 So. 2d 394 (Fla. 1st DCA 2003) (filed amici curiae brief on behalf of Harcourt Educational Measurement and the Association of Test Publishers which supported the position of the appellant Department of Education)
- *Department of Lottery v. Gtech Corp.*, 816 So. 2d 648 (Fla. 1st DCA 2001)
- *Lawnwood Medical Center, Inc. v. Agency for Health Care Administration*, 678 So. 2d 421 (Fla. 1st DCA 1996)
- *Ball v. Florida Podiatrist Trust*, 620 So. 2d 1018 (Fla. 1st DCA 1993)
- *Carl J. Ferro and Italia, Inc. v. Florida Windstorm Underwriting Association*, Case No. 00014808 (14), 17th Judicial Circuit, Broward County, Florida (successfully defended the Florida Windstorm Underwriting Association (“FWUA”) and obtained order denying motion for class certification in proceeding where plaintiffs were disputing the scope of coverage under the “wind driven rain” provision of FWUA’s windstorm policy)
- *Bristol Hotel Asset Co. v. Aetna Casualty & Surety Co.*, Case No. 97-2240-CIV-Moreno, United States District Court, Southern District, Florida (served as national coordinating counsel and successfully defended General Accident Insurance Co. of America and Commercial Union in a series of class action suits where plaintiffs were seeking to recover alleged premium overcharges paid by policyholders in the voluntary market for workers’ compensation)
- *Cigna Dental Health of Florida, Inc., Denticare, Inc., Protective Life Insurance Co., and American Dental Plan, Inc. v. Department of Management Services*, Case No. 99-2973, 2nd Judicial Circuit, Leon County, Florida (obtained injunction for plaintiff insurance plans which prevented the State of Florida from terminating plaintiffs’ right to offer their plans to state employees)
- *Affiliated Computer Services, Inc. v. Agency for Health Care Administration and EDS Information Services, LLC*, DOAH Case No. 05-3676BID (Final Order, March 3, 2006), *per curiam aff’d*, Case No. 1D06-1104 (Fla. 1st DCA 2007) (successfully defended Electronic Data Systems and its award of a \$308 million contract by the State of Florida to design, build and operate a Medicaid Management Information System)
- *Unisys Corp. v. Department of Children and Family Services*, DOAH Case No. 05-3144BID (Recommended Order, February 2, 2006), *adopted in toto* (Final Order, February 21, 2006) (successfully defended agency in bid protest that challenged agency’s decision in awarding a \$100 million contract for programming and support services for the Florida Online Recipient Integrated Data Access System)
- *United States Fidelity and Guarantee Co. v. Department of Insurance*, American Arbitration Association Case No. 33-195-00189-01 (obtained favorable arbitration decision on behalf of USF&G which approved USF&G’s business insurance program form filing over the objection of the Department of Insurance)

- *Christine Jennings v. Elections Canvassing Commission*, Case No. 2006-CA-2973, 2nd Judicial Circuit, Leon County, Florida (in a suit contesting the election for the United States House of Representatives in Florida's Thirteenth Congressional District, assisted in the successful defense of the electronic voting machine vendor which was opposing a motion to compel production of its computer source code)
- *Martin Memorial Medical Center, Inc. v. Agency for Health Care Administration*, 1995 WL 1052638 (Division of Administrative Hearings, Recommended Order, January 4, 1995)
- *Martin Memorial Medical Center, Inc. v. Agency for Health Care Administration*, 1995 WL 1052596 (Division of Administrative Hearings, Final Order, January 4, 1995)
- *West Florida Regional Medical Center, Inc. v. Agency for Health Care Administration*, 1994 WL 1027902 (Division of Administrative Hearings, Recommended Order, November 18, 1994)
- *University Community Hospital v. Department of Health and Rehabilitative Services*, 1992 WL 880478 (Division of Administrative Hearings, Recommended Order, March 19, 1992)

## EDUCATION:

### Stetson University College of Law, J.D., 1989

- Honors: Cum Laude (top 10 percent of class)
- Law Review: Stetson University Law Review, Staff Member, 1988-1989
- Dana Scholar

### Illinois State University, B.S., Economics and Philosophy, 1986

- Honors: Summa Cum Laude (4.00/4)
- Robert G. Bone Scholar (university's highest academic award)
- Academic Program Scholar, Economics and Philosophy (awarded to outstanding student in each major field of study)
- Economics Honor Society

## LEGAL EMPLOYMENT HISTORY:

- Radey Thomas Yon & Clark, P.A., Shareholder, 2003 - Present
- Katz, Kutter, Alderman, Bryant & Yon, P.A., Shareholder, 2000 - 2003; Of Counsel, 1997 - 2000
- Aurell, Radey, Hinkle & Thomas, P.A., Shareholder, 1994 - 1997; Associate, 1989 - 1994

## PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS:

- Florida Bar, Member, 1989
- Health Law Section, Member, the Florida Bar
- Administrative Law Section, Member, the Florida Bar
- U.S. District Court, Middle District of Florida, Member
- U.S. Court of Appeals, 11th Circuit, Member
- Public Contract Law Section, Member, the American Bar Association