



Pascal Naples

SENIOR ASSOCIATE

Pat is a litigator with a focus on the health care industry, assisting clients in navigating government investigations, managed care litigation, and other complex disputes.



Industries

Health Care
— Government Investigations
— Managed Care, Payer Disputes & Reimbursement

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 an advocate for clients embroiled in high-stakes litigation. He assists a range of clients, but frequently represents clients in the health care industry. In that capacity, he works with clients in all phases of litigation: negotiating directly with government attorneys in investigations; trying cases to verdict as first chair; and arguing appeals before federal appellate courts and state supreme courts.

Pat helps clients confront and overcome potential liability within a complex and ever-changing statutory and regulatory framework, which includes the False Claims Act, Anti-Kickback Statute, Stark Law, Affordable Care Act, Medicare Secondary Payer Act, Mental Health Parity Act, and antitrust law. This work features the most pressing issues in health care, like drug shortages, off-label promotion, speaker programs, pricing and reimbursement, and patient assistance programs. In these cases, Pat coordinates with executives and outside consultants to limit liability and avoid business disruption as much as possible.

Pat also represents health care providers in efforts to seek reimbursement from payers and recovery from others in managed care litigation. This representation includes everything from high-profile, bet-the-company style litigation involving numerous patients, plans, payers, and networks, to smaller-scale, confidential arbitration. In these payer disputes, Pat works with health care consultants, actuaries, and other expert witnesses to prove up the provider's case.

Outside of the health care space, Pat has worked with a variety of clients in a broad array of litigation and investigations. This work includes trade secret and employee mobility issues, real estate and land use, government contracting, and a variety of other commercial disputes. Pat is particularly well-versed in data-driven matters, which often require working with AI and forensic experts to uncover evidence, manage high-volume e-discovery, and evaluate complex damages claims.

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.

Client Work

Investigations

Recent representative investigations with which Pat has been involved include:

- Represented pharmaceutical manufacturer in bet-the-company investigation in response to a subpoena issued by the Department of Justice, presenting repeatedly to government attorneys regarding potential liability under the False Claims Act, Anti-Kickback Statute, and antitrust law.
- Represented active pharmaceutical ingredient (API) supplier in settlement negotiations during pending bet-the-company litigation over Medicare reimbursement rates, presenting to government attorneys in ability to pay negotiations.
- Represented government contractor in response to Department of Defense investigation and related litigation under the False Claims Act, culminating in no findings of liability and dismissal of suit. *See Irazola v. Fors Marsh Grp.*, No. 1:19-CV-554, 2019 WL 3294900 (E.D. Va. June 28, 2019).

Trial Litigation

Recent representative trials with which Pat has been involved include:

- Represented high-net-worth individual in ERISA trial and subsequent appeal, securing favorable testimony via cross-examination that was quoted by US Court of Appeals for the Third Circuit in reversal of \$70M verdict. *See Dunne v. Elton Corp.*, 2024 WL 4224619, at *11 (3rd Cir. Sep. 18, 2024).
- Represented generic pharmaceutical manufacturer in commercial contract dispute against branded pharmaceutical manufacturer, successfully opposing motion for summary judgment and leading to favorable settlement. *See Apotex Inc. v. Otsuka Pharmaceutical Co.*, No. 2022-0291-MTZ, 2022 WL 10029846 (Del. Ch. Oct. 14, 2022).
- Represented industry-leading dialysis provider in bet-the-company litigation against claims repricer, successfully opposing motion for summary judgment.
- Represented industry-leading government contractor in trade secret litigation, successfully examining and cross-examining forensic experts and arguing motions en route to multiple court-ordered forensic examinations, fee awards, orders granting motions to compel documents under the crime-fraud exception, and, ultimately, default judgment for spoliation.

Appeals & Alternative Dispute Resolution

Recent matters with which Pat has been involved include:

- 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).
- Retained as appellate counsel to represent small business owner convicted of immigration fraud before US Court of Appeals for Ninth Circuit, successfully persuading Court to vacate sentence, despite appellate waiver in plea agreement. *See United States v. Guntipally*, 735 F. App'x 432 (9th Cir. 2018).
- Represented industry-leading dialysis provider in arbitrations against payers and health care networks.

Publications, Presentations, & Recognitions

Presentations

- *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)
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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](#)