

## JD Thomas

### PARTNER



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As a former federal prosecutor, J.D. Thomas knows how to respond to sensitive and non-routine criminal, civil, and regulatory matters, including government investigations and prosecutions, *qui tam* and False Claims Act defense and other enforcement actions. As a member of Waller's Government Investigations, Healthcare and Litigation groups, J.D. represents and advises companies and individuals in a broad array of criminal, civil, and regulatory matters. He regularly advises healthcare clients in matters involving the Department of Justice, Health and Human Services Office of Inspector General (HHS-OIG), state Medicaid Fraud Control Units and other civil and criminal law enforcement entities.

Prior to joining Waller, J.D. served as an Assistant United States Attorney with the United States Attorney's Office for the Middle District of Tennessee. As an AUSA, J.D. investigated and prosecuted numerous actions brought under the False Claims Act, the Anti-Kickback Statute and the Stark Law, among others. He served as the lead attorney for the United States in a number of notable cases, including the largest civil False Claims Act recovery in the Middle District of Tennessee, the largest short-stay inpatient admissions settlement ever obtained under the False Claims Act, and one of the largest grant fraud settlements.

As a former federal prosecutor, J.D. has a unique understanding of what to expect when the government initiates an investigation, and how to respond in the most expeditious manner possible while helping clients minimize exposure, find closure, and get back to business.

While J.D. has significant experience in the healthcare industry, his background as a prosecutor makes him uniquely suited to advise clients in high-stakes matters that involve the potential of significant public exposure, reputational harm, or financial loss. To that end, J.D. regularly represents and counsels clients in a myriad of other industries, and has assisted accounting firms, law firms, and broker-dealers in professional liability and civil RICO actions, defended criminal and civil antitrust actions, assisted clients with unwinding and recovering assets lost to Ponzi schemes, and managed numerous other confidential and sensitive legal matters.

Additionally, J.D. represents healthcare providers - both applicants and opponents - in contested Certificate of Need (CON) matters.

## EXPERIENCE

- **Cookeville Regional Medical Center resolves false claims allegations**  
Represented CRMC in a multi-year investigation regarding claims that the medical center violated the Anti-kickback Statute and Stark Law and negotiated a favorable settlement with the Department of Justice.
- **St. Francis Hospital - Bartlett navigates CON filings**  
Represented a hospital client in multiple CON matters in the state of Tennessee involving Freestanding Emergency Departments.
- **Healthcare provider settles FCA investigation regarding payment for genetic testing**  
Represented a healthcare provider in connection with ongoing False Claims Act investigation conducted by U.S. Attorney's Office for the Western District of Washington regarding payment for genetic testing.
- **Ventas acquires Ardent Medical Services for \$1.75 billion**  
Served as special healthcare, real estate and diligence counsel to Ventas, Inc. during its acquisition of Ardent Medical Services for \$1.75 billion.
- **Witnesses deposed in response to CID relating to False Claims Act investigation**  
Represented witnesses deposed in response to a civil investigative demand (CID) relating to a False Claims Act investigation for a medical practice in South Alabama. The investigation was conducted by U.S. Attorney for the Southern District of Alabama.
- **Management services company involved in FCA investigation related to dental claims**  
Represented a management services company in connection with a federal False Claims Act investigation of dental claims in the Western District of Kentucky.

## EDUCATION

- J.D., University of Virginia School of Law, 2004
  - Editorial Board, Virginia Journal of Environmental Law
  - Editorial Board, Virginia Journal of Sports and Entertainment Law
  - Vice President, Student Bar Association
- B.A., Vassar College, Political Science, 1998

## COURT ADMISSIONS

- All U.S. District Courts in Tennessee
- U.S. District Court for the District of Columbia
- U.S. District Court for the Eastern District of Virginia
- U.S. Court of Appeals for the Sixth Circuit
- All State Courts in Tennessee
- All State Courts in Virginia

- All State Courts for the District of Columbia

## **BAR ADMISSIONS**

- Tennessee
- Virginia
- District of Columbia

## **RECOGNITIONS**

### **Chambers USA**

- Healthcare: Government Investigations & Fraud (Tennessee), 2020-2022

### **The Best Lawyers in America© (BL Rankings)**

- Health Care Law, 2018-2023
- Litigation - Health Care, 2023
- Qui Tam Law, 2023

### **Mid-South Super Lawyers (Thomson Reuters)**

- Criminal Defense: White Collar, 2020-2021

## **PROFESSIONAL INVOLVEMENT**

- Chair, Executive Committee, Tennessee Bar Association Health Law Section

## **COMMUNITY INVOLVEMENT**

- Member and Governance Committee Chair, Board of Directors, Neighborhood Health
- Hillsboro West-End Neighborhood Association Board