



→ Jack Burns

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Jack Burns is a partner in the Business Trial Practice Group in the firm's San Diego office.

Areas of Practice

Jack focuses on complex healthcare litigation. He has extensive experience involving a wide range of healthcare issues, including regulatory, reimbursement, privacy, fraud and abuse, overpayment, and class action matters. Jack also maintains an active pro bono practice, including providing pro bono services to indigent criminal defendants facing felony-level charges.

Before joining Sheppard Mullin, Jack served as a law clerk for Judge Procter R. Hug, Jr. of the Ninth Circuit Court of Appeals and for Chief Judge Larry A. Burns of the United States District Court for the Southern District of California. Jack was also of counsel at another major law firm.

Jack has also served as an adjunct law professor and as a visiting lecturer on clerkships and legal writing.

Honors

Ones to Watch – Litigation, *Best Lawyers*, 2021-2024

Experience

Prevailed in multi-million dollar challenge to agency rule that delayed the effective date of a Medicare payment adjustment intended to compensate the nation's leading cancer centers for the increased costs they incur in treating patients.

Prevailed in multi-million dollar challenge to agency decision that lowered Medicare disproportionate share hospital adjustment by improperly excluding patients receiving Medicaid benefits under demonstration project from calculation of adjustment.

Favorably settled multi-million dollar lawsuit challenging agency decision that improperly reduced Medicare payments to hospital due to technical problems with state eligibility database.

Obtained summary judgment dismissing state and federal antitrust claims alleging unfair competition practices by defendants in the pharmaceutical industry.

Favorably settled putative Fair and Accurate Credit Transactions Act class action after challenging the proposed class representative's ability to represent the proposed class.

Obtained dismissal of a *qui tam* False Claims Act case alleging that loan servicer defrauded the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

Obtained summary judgment dismissing a *qui tam* False Claims Act case alleging that for-profit educational institution defrauded the Department of Education.

Obtained favorable “ability to pay” settlement of False Claims Act case against provider of psychotherapy services after extensive negotiations with the Department of Justice.

Assisted judges during clerkships with cases alleging violations of the False Claims Act, including cases involving genetic testing and ship building.

Favorably resolved several investigations by state and federal authorities regarding alleged False Claims Act violations.

In a felony case carrying a mandatory minimum 10 year sentence, obtained plea bargain that freed the client from custody with a sentence of time served after getting government’s evidence against client excluded from use at trial.

Articles

- 2023 Insurance Team Year-In-Review
04.03.2024

Healthcare Law Blog Posts

- “DMHC Guidance Confirms that California Law, Not the Federal No Surprises Act, Governs Payment and Dispute Resolution Processes for Certain Out-of-Network Services Provided in California,” April 13, 2022

Media Mentions

Sheppard Mullin Names 10 Partners In Calif., New York
Law360, 03.03.2023

A Fresh Batch of Litigator of the Week Runner-Up and Shout Outs
Litigation Daily, 02.04.2023

Speaking Engagements

- Moderator, “ Investigating & Preserving a Civil Case,” Federal Bar Association, San Diego Chapter, San Diego, California, May 26, 2022

Memberships

Member, American Health Law Association

Member, Louis M. Welsh American Inns of Court

Member, San Diego Chapter of the Federal Bar Association

Practices

Litigation

Industries

Healthcare

Education

J.D., University of Nevada, Las Vegas, 2011, *magna cum laude*

B.S., University of Colorado, Boulder, 2005

Clerkships

Law Clerk for the Honorable Larry A. Burns, United States District Court for the Southern District of California, 2015-16

Law Clerk for the Honorable Procter R. Hug, Jr., Ninth Circuit Court of Appeals, 2011-12

Admissions

California

Nevada

District of Columbia

Additional Office

San Diego (Downtown)