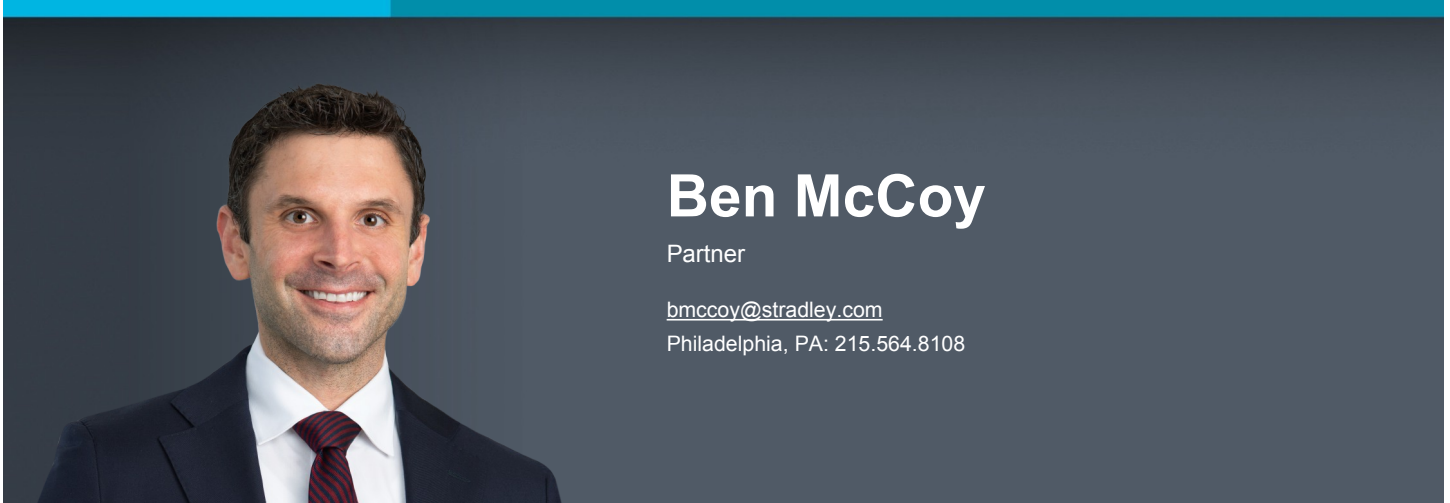




Ben McCoy

Partner

bmccoy@stradley.com

Philadelphia, PA: 215.564.8108

A trial and appellate litigator, Ben McCoy represents Fortune 500 companies in complex litigation across the United States.

A significant part of Ben's practice involves the representation of managed care payors and health benefit plans in litigation against healthcare providers and other entities in the healthcare industry. He has achieved successful results in litigation involving essentially every major legal issue his clients face, including the Employee Retirement Income Security Act (ERISA), the Mental Health Parity Act, provider network disputes, prompt-pay penalties, out-of-network UCR (usual, customary and reasonable) disputes, and coverage class actions.

He is also a sought-after thought leader who clients turn to when they need to address novel legal issues arising from legal or regulatory changes, and frequently consults with clients to head off litigation before it arises. Ben is particularly sought after to investigate and prosecute cases against providers and individuals engaged in healthcare fraud. These cases often involve large-scale fraudulent schemes with numerous moving parts and players. Whether it be arbitration or litigation, Ben has successfully recovered tens of millions of dollars for his clients targeted by these schemes.

Outside of managed care, Ben represents companies in the energy and media sectors in cases involving trade secret misappropriation, intellectual property disputes, energy regulations, and claims of defamation. He has helped his clients successfully navigate "bet the company" lawsuits across the United States and is often the first number called when a company finds its business models under attack by bad actors, both external and internal.

Featured Representative Matters

- Successfully recovered millions of dollars on behalf of a managed care entity damaged by a COVID-19 testing fraud scheme.
- Won the dismissal of ERISA and common law claims brought by a healthcare provider seeking more than \$50 million.
- Directed investigation of a fraudulent scheme involving pass-through billing and recovered wrongful payments through litigation.
- Successfully defended against claims brought by Russia's largest state-owned bank

Services

- Litigation
- Insurance & Reinsurance
- Healthcare
- Complex Commercial & Class Action Litigation
- Financial Services
- Appellate
- ERISA & Employee Benefits
- Employment
- Trial Practice
- Intellectual Property

Education

- Temple University Beasley School of Law (J.D.)
- University of Delaware (B.S.)

Admissions

- Pennsylvania
- New Jersey
- U.S. Patent and Trademark Office

in an enforcement action.

- Represented a satellite television services provider in obtaining the dismissal of Fair Labor Standards Act (FLSA) collective and class action lawsuits.
- Obtained the dismissal of a defamation suit brought against a website operator that compiled social media posts.

Community Impact

Working with the Pennsylvania Innocence Project at Temple University Beasley School of Law, Ben reviewed applications and investigated assertions of factual innocence from individuals seeking exoneration. He has also guided individuals through post-conviction proceedings and provided counsel to indigent defendants in the Eastern District of Pennsylvania.

Recognitions

- *The Best Lawyers in America* (Ones to Watch: Commercial Litigation) (2023-26)
- Pennsylvania *Super Lawyers* (Rising Star: Business Litigation) (2018-23)

Featured Speaking Engagements

- Speaker, "GLP-1s on Trial: The Emerging Wave of GLP-Related Litigation," Health Law Roundtable

Clerkships

Clerkship to U.S. Magistrate Judge Lynne Sitarski of the Eastern District of Pennsylvania.

- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Western District of Tennessee
- U.S. District Court for the District of Colorado
- U.S. District Court for the Central District of Illinois