

Caroline E. Reynolds

Partner

Caroline E. Reynolds focuses her practice on health care law, complex civil litigation, and ethics matters.

As a co-leader of the firm's innovative and nationally recognized Commercial Health Insurance Disputes practice, Caroline regularly represents patients and providers in actions seeking to enforce their rights under employer-sponsored health benefit plans. Her efforts particularly focus on representing patients who were illegally denied coverage for mental health and substance use disorder treatment, and include multiple actions against major insurers alleging violations of federal law.

In *Wit v. United Behavioral Health*, Caroline is the lead trial lawyer representing a certified class of more than 50,000 people challenging the medical necessity criteria UBH used to determine whether to approve coverage for treatment of mental illnesses and substance use disorders. The Court found in favor of the class in March 2019, and ruled on remedies in November 2020, providing plaintiffs with robust, multi-faceted relief. Among other things, the Court ordered UBH to reform its coverage criteria going forward for a period of 10 years, to improve employee training, and to reprocess the claims it had wrongfully denied. The Court also appointed a Special Master to oversee the reforms and reprocessing. Following an appeal, in 2023 the case was remanded by the U.S. Court of Appeals for the Ninth Circuit back to the district court for further proceedings.

Caroline has also represented corporations, executives, and other individuals in government and internal investigations, criminal proceedings, and civil litigation involving allegations of securities and accounting fraud, antitrust violations, and breach of fiduciary duty.

She regularly represents both plaintiffs and defendants in complex class action lawsuits, including obtaining certification of a nationwide class alleging fraud and civil violations of the Racketeer Influenced and Corrupt Organizations Act (RICO) against a major insurance company.

Professional leadership

- Fellow, American Bar Foundation
- Adjunct Faculty, Georgetown University Law Center (Spring 2013, 2014, 2015)



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Practice focus

- Commercial Health Insurance Disputes
- Antitrust
- Business Litigation
- Health Care
- Investigations
- Plaintiffs and Class Actions

Education

- Yale Law School, J.D., 2002
 - Senior Editor, *Yale Journal of International Law*
- University of Chicago, M.A., 2004
- Colgate University, B.A., *summa cum laude*, 1998



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Recognitions

- 2021 Litigation Trailblazer, The National Law Journal
- 2021 Benefits MVP of the Year, Law360
- 2021 Lawyer of the Year, Autism Law Summit
- 2020 Masters of the Courtroom Winning Litigator, The National Law Journal
- 2020 Washington D.C. Trailblazer, The National Law Journal
- 2020 Emerging Women Leaders in Private Practice, DCA Live
- 2013 Outstanding Achievement Award, Washington Lawyers' Committee for Civil Rights and Urban Affairs
- The Best Lawyers in America, Commercial Litigation
- Super Lawyers, Rising Star (Washington, DC)

Bar admissions

- District of Columbia
- New York

Court admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, District of Columbia

Clerkships

- Hon. Keith P. Ellison, U.S. District Court, Southern District of Texas

Representative matters

- Represents a class of more than 50,000 United insureds in a case challenging United's use of excessively restrictive internal guidelines to decide whether to approve coverage for mental health and substance use disorder treatment. Following a trial in 2017, the district court



ruled in a highly-publicized decision that United breached its fiduciary duties when it developed its guidelines and that its denials pursuant to those guidelines were wrongful. In November 2020, the district court issued a comprehensive remedies ruling that provides the class members with both forward-looking and retrospective relief. After an appeal and remand, the case is continuing in the district court.

- Represents plaintiffs in a putative class action challenging Anthem's medical necessity criteria under ERISA and the Mental Health and Addiction Equity Act.
- Advises a non-profit membership organization regarding its establishment and application of policies and procedures relating to ethics and operation of an Ombudsperson function.
- Represents two health care providers against an insurance company seeking notice and appeal rights in connection with repayment demands and challenging the legality of cross-plan offsets. The district court granted summary judgment in favor of the providers in 2017 and the Eighth Circuit Court of Appeals affirmed that decision in 2019.
- Represented a transgender woman who was wrongfully denied insurance coverage for a medically necessary gender-confirmation surgery even though her plan covered gender transition services.
- Represented the former chief business officer of Freddie Mac in a securities class action pending in the U.S. District Court for the Northern District of Ohio. The case arose from the company's disclosures concerning its single-family guarantee portfolio.
- Represented the former chief financial officer of Fannie Mae in litigation against allegations of securities law violations and accounting fraud. This representation encompassed multiple investigations, a government enforcement action for civil money penalties, employment litigation, and shareholder securities fraud suits, including a certified securities class action in which the Zuckerman team obtained a dismissal from the U.S. District Court for the District of Columbia of all claims against our client.
- Successfully obtained amnesty for a company and its principals in connection with a bid-rigging investigation by the Antitrust Division of the U.S. Department of Justice.
- Represented the special committee of the board of



directors of a publicly held company under investigation for possible violations of antitrust laws.

- Represented a certified nationwide class that received a \$72.5 million settlement in a case in the U.S. District Court for the District of Connecticut alleging civil violations of the Racketeer Influenced and Corrupt Organizations Act (RICO) and common-law fraud.
- Represented a certified class of consumers in the nationwide “hot fuel” class action against the oil industry for selling retail gas to consumers without adjusting the price to take account of lower fuel content of higher temperature gas.

