HUSCH BLACKWELL



Elizabeth A. Bozicevic

PARTNER

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OVERVIEW

Beth has a gift for listening to clients, teammates and litigation opponents – which she employs in order to work toward the goal of resolving complex litigation efficiently and effectively.

An accomplished writer (she has taught advanced litigation writing classes at Washington University School of Law), she absorbs key issues and facts through listening and researching, then synthesizes arguments and conveys them clearly and concisely through the written word.

Beth chose the law in part because she thrives on challenge and loves to constantly be learning new material. She is a trusted litigator with wide experience in the healthcare, pharmaceutical and education industries, using her in-depth knowledge of these complex fields to anticipate client needs and head off issues they might not foresee. She represents clients in high-stakes litigation around the country, focusing primarily on business torts, statutory and consumer fraud, and complex breach-of-contract claims. She represents clients in all stages of litigation, from the date of filing through any trial and final appeal.

Beth has worked closely with healthcare clients in resolving audit and other payment disputes, both in formal litigation and state and federal administrative appeals. She also brings and defends governmental bid protests involving large, multiyear, state health contracts. She has substantial experience defending claims brought under the Employee Retirement Income Security Act (ERISA).

Industries

Education
Healthcare

Services

340B Drug Pricing Program
Bid Protests
Class Action Defense
Commercial Litigation
Consumer Fraud Litigation
ERISA & Employee Benefits Litigation
Healthcare Litigation
Healthcare Operations
Healthcare Providers
Higher Education
Litigation & Alternative Dispute Resolution
Pharmacy

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Her litigation practice has included clients in the finance and banking industries, where she has defended clients facing multimillion-dollar Racketeer Influenced and Corrupt Organizations (RICO) Act claims, including cases alleging involvement in Ponzi schemes.

Experience

PHARMACY

- Successfully defeated requests for TRO and preliminary injunction at trial level and court of appeals in challenge to pharmacy benefit manager's business model that attempted to expand scope of who was considered to be ERISA beneficiaries.
- Represented a PBM in a dispute with a client regarding the alleged wrongful processing and payment of certain compound prescription drugs in federal court in Maryland. After negotiating an agreement to limit discovery, and prior to filing dispositive motions, the parties reached a favorable settlement.
- Appealed CMS' denial of hundreds of thousands of dollars in specialty drug claims before administrative law judge in order to obtain payment for specialty pharmacy.
- Defended award of multibillion-dollar state pharmacy benefit contract against protest filed by incumbent pharmacy benefit manager, residing in awarding state.

HEALTHCARE

- Developed initial legal strategy and prepared initial summary judgment briefing on novel preemption argument that prevailed at trial-court level and was ultimately affirmed by U.S. Supreme Court.
- Obtained voluntary dismissal of nationwide consumer fraud class action involving air ambulance services following removal to federal court and filing of early summary judgment motion.

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Experience

- Secured victory in the U.S. Court of Appeals for the Seventh Circuit on behalf of Group Health Cooperative of South Central Wisconsin in a matter originally filed as a class action in the U.S. District Court for the Western District of Wisconsin involving allegations of violations of the federal and Wisconsin Mental Health Parity and Addiction Equity Act and the Employee Retirement Income Security Act (ERISA).

FINANCE

- Obtained summary judgment for financial institution on RICO and professional negligence claims brought by more than 70 people who claimed institution was complicit in Ponzi scheme in which plaintiffs asserted losses of more than $44 million.
- Second-chaired trial defending Fortune 100 company in lawsuit involving breach-of-contract and tortious interference claims.

EDUCATION

- Defended private-sector college against consumer fraud claims in five-week trial in Clay County, Missouri. Plaintiffs, five former students of the client's school, sought more than $10 million in damages and $3 million in attorneys' fees. After less than one day of deliberation, jury returned complete defense verdict on claims of four plaintiffs and awarded fifth plaintiff damages of less than $8,000. Result was affirmed on appeal.
- Obtained summary judgment in Oklahoma federal court on all individual and class action claims against private-sector college brought by students who claimed they did not receive education they were allegedly promised.

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Recognition

- *The Best Lawyers in America®*
  - Commercial Litigation, 2024-2027
- Association of Corporate Counsel, Value Champion, 2017
- Land of Lincoln Legal Assistance Foundation, Pro Bono Award 2015
- *Missouri & Kansas Super Lawyers*, Rising Star, Civil Litigation: Defense, 2015-2017

Education

- J.D., Washington University in St. Louis School of Law
  - Order of the Coif
  - *Washington University Law Review*, Senior Executive Editor
- B.A., Knox College
  - History and Spanish
  - *magna cum laude*
  - Phi Beta Kappa

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Admissions

- Missouri
- Illinois
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Western District of Missouri
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Eastern District of Michigan
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Tenth Circuit

Community Leadership

Beth serves on the Board of Directors for the Young Friends, Land of Lincoln Legal Assistance Foundation. In addition to her many leadership activities, she writes trivia questions for the foundation's annual trivia night.



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