

## Sonal Hope Mithani

### SERVICE AREAS

#### Business

- Health Law
  - Fraud, Abuse + False Claims

#### Litigation + Trial

- Business Torts
- Construction Litigation
- Health Law Litigation + Disputes
- Securities Litigation
- Litigation + Trial Practice Overview

#### Governments + Nonprofits

- Health Law
  - Fraud, Abuse + False Claims

#### Individuals + Families

- Health Law

### EDUCATION

- Harvard Law School, J.D.
- University of Michigan, B.B.A.

### BAR ADMISSIONS

- District of Columbia
- Michigan

### COURT ADMISSIONS

#### U.S. Court of Appeals

- Sixth Circuit

#### U.S. District Courts

- District of Columbia
- Eastern District of Michigan
- Western District of Michigan



### Principal

#### Ann Arbor

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Soni H. Mithani specializes in litigation and dispute resolution. She has the experience and expertise to handle a variety of business-related matters before trial and appellate courts. She oversees an active and diverse caseload, including commercial contract matters, business tort disputes, construction cases and securities litigation. Soni is especially versed in managing and litigating fraud and abuse claims (including claims under state and federal False Claims Acts) and health-care disputes.

*"I believe in educating clients, keeping them well-informed and ensuring that their litigation matters are handled efficiently and effectively. By being a good listener, I take care to understand exactly what they want to accomplish."*

Soni H. Mithani

### EXPERIENCE

Soni represented a client who was being sued by a "whistleblower" under the False Claims Act for damages and penalties totaling more than \$10 million. Before the complaint against the client had been unsealed and made open to the public, the federal government had been planning to intervene in the matter and to litigate the claims against her client. From the outset, Soni approached the case as a matter heading to trial and therefore mounted a vigorous defense by challenging not only the procedural deficiencies in the matter but substantive ones as well. As a result, she was able to convince the federal government to decline intervention. Ultimately, the case was immediately dismissed after it was unsealed.

*"Not only were we able to save the client millions of dollars in potential liability, but we were also able to help the client avoid any negative publicity that could have been generated by these claims."*

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**False Claims Act/Qui Tam Litigation.** Soni represents various entities and individuals who have been sued for allegedly violating federal and state false claims acts. She has defended against these qui tam claims in federal district and appellate courts. In this capacity, she has successfully defended against several multi-million dollar claims for damages. She has also obtained dismissal of the complaints prior to protracted litigation. Ms. Mithani has also counseled clients in connection with issues concerning the Anti-Kickback Law and the Stark Law, along with other fraud and abuse issues.

**Construction Litigation.** Soni represents owners and contractors involved in construction disputes. She is currently the lead counsel defending a billion-dollar construction management company against a \$20 million construction claim brought in a multi-party arbitration. Her construction practice involves trial and appellate litigation and larger-scale arbitrations involving contractor claims for delay, inefficiency, acceleration, schedule compression, changed conditions and contract abandonment.

**General Commercial Litigation.** In addition to the above areas, Soni maintains a broad general commercial litigation practice. Her cases include disputes over the enforcement of non-compete and confidentiality provisions, insurance coverage work, securities litigation and scores of business-to-business breach of contract matters. These commercial litigation cases range in value from seven-to eight figures. Her commercial litigation practice covers matters not only in trial courts but appellate courts, as well, where she has frequently obtained favorable decisions either reversing or upholding trial court rulings. She also provides general legal advice to several clients including large corporations, mid-size businesses, private schools and non-profit organizations.

**Healthcare Litigation.** Soni represents healthcare entities (including nursing homes, diagnostic groups, hospitals and DME suppliers) and healthcare practitioners (including physicians, pharmacists and nurses) in a variety of matters ranging from licensing investigations, contract disputes, peer review hearings, challenges to medical staff decisions, government investigations, claims for reimbursement and responses to subpoenas requesting information or testimony. She has worked with physician groups and other healthcare entities to ensure that they are properly reimbursed by payors for work performed. She has also successfully

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defended hospitals against claims brought by physicians alleging wrongful termination of privileges.

### PROFESSIONAL ACTIVITIES

- American Bar Association, 1995-present, Forum on the Construction Industry, 2011
- State Bar of Michigan, 1994-present, District G Character and Fitness Committee, 2004-2009, Standing Committee on Character & Fitness, Advisory Member, 2011
- District of Columbia Bar Association, 1996-present
- Washtenaw County Bar Association, 1999-present, Board of Directors, 2004-2006; Judiciary Committee, 2001-2004; Co-chair, 2003-2004

### HONORS + AWARDS

- Harvard Law School, J.D., cum laude
- University of Michigan, B.B.A., with high distinction, Phi Beta Kappa
- Michigan Super Lawyers, Civil Litigation Defense, 2011, Rising Star 2008
- Best Lawyers in America, Commercial Litigation 2009-present, Real Estate Litigation and Construction Litigation 2012-present
- Michigan State Bar Foundation, Fellow
- Litigation Counsel of America, Fellow

### CIVIC, CULTURAL + SOCIAL ACTIVITIES

- Washtenaw Community College Foundation, Board of Directors, July 2007-present
- 2004 Democratic National Convention, At-Large Delegate
- Neighborhood Senior Services, Ann Arbor, MI, Board of Directors, February 2001-April 2006; Secretary, January 2003-December 2004; Chair, January 2004-April 2006; Marketing Committee, 2006
- Ann Arbor Hands-On Museum, Ann Arbor, MI, Board of Trustees, October 2002-September 2008
- Ann Arbor City Housing and Human Services, Advisory Board, 2008-present
- Leadership Ann Arbor, 2001 Graduate

**SEMINARS + EVENTS**

- Preserving + Enforcing Your Non-Competes
- Preserving + Enforcing Your Non-Competes
- Morning Update: Preserving and Enforcing Your Non-Competes
- Health Law Update for Physicians
- The Latest in Aggressive Healthcare Fraud Investigation and Law Enforcement

**ARTICLES**

- Healthcare Litigation News Winter 2008

**NEWS**

- Miller Canfield Names Two Litigation and Trial Deputy Group Leaders
- Miller Canfield Lawyer Soni Mithani Inducted into Litigation Counsel of America