Summary of Professional Credentials

**Unger & Associates** is a healthcare advisory group which provides consulting services to hospitals, healthcare systems, medical groups, manufacturers, law firms and others in the areas of finance, insurance, reimbursement, marketing, strategic planning, litigation support and expert witness services.

We are experts in Medicare, Medicaid and other third-party health insurers’ coverage, coding and reimbursement policies. We have significant experience in dealing with cardiovascular, orthopedic and oncology services and devices. Our practice consultants include Walter J. Unger, MBA; Wade M. Aubry, MD; Sherman E. DeForest, PhD; Thomas Lane, MBA; Colonel Barrie Von Smith, MD; John F. Zack, Jr., PhD, and other highly-experienced healthcare experts.

Walter J. Unger founded **Unger & Associates: A Healthcare Advisory Group** in 1985. Mr. Unger has 41 years experience in the healthcare industry including 25 years of experience advising hospitals, medical practices and medical manufacturers on strategy, tactics, organization, and financial management. He also has 22 years of experience assisting law firms in healthcare cases where litigation support and expert witness services are needed.

The following credentials of Walter J. Unger are comprised of four parts:

- Biographical Sketch (see page 2)
- Books and Reports (see page 3)
- Selected Articles (see pages 4-5)
- Examples of Consulting Projects (see pages 6-16)

Our professional references and consultants’ biographical sketches are available upon request.

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Biographical Sketch of Walter J. Unger

Walter J. Unger is a veteran consultant to healthcare providers, manufacturers, law firms, and others in the areas of finance, insurance, reimbursement, marketing, strategic planning, litigation support and expert witness services. He specializes in cardiovascular, musculoskeletal and oncology services as well as clinical laboratory services, integrated delivery systems, managed-care organizations, Medicare prepaid health plans, and Medicare payment policies.

Prior to launching his consulting practice in 1985, he spent more than a decade in Washington, D.C. serving the National Academy of Sciences’ Institute of Medicine (IOM) and the Healthcare Financial Management Association (HFMA). The IOM provides advice on public health matters to the United States Congress and the executive branch of the U.S. federal government, and HFMA is a professional association that represents chief financial officers, accountants, attorneys, consultants and investment bankers who work in the healthcare field.

He graduated from the University of Southern California (USC) in 1969 with a master’s degree in business administration (MBA) and in 1967 with a bachelor’s degree cum laude in finance. He has devoted his entire professional career to the healthcare field.

During his 41-year career, he has published more than 40 articles on aspects of healthcare finance, organization, and delivery. He is the co-editor of two books published by HFMA — one on long-term care and the other on capital management. In addition, he has written five major reports:

- The Academic Medical Center and the Teaching Hospital Marketplace was published by Biomedical Business International (BBI) in 1987.
- Payment of Hospital Cardiac Services was published by the American Hospital Association (AHA) in 1991.
- Medicare Reimbursement Trends and Outlook was published by Medical Data International (MDI) in two volumes — the first in 1991 on the cardiology and cardiovascular surgery marketplace, and the second in 1992 on the implications of PPS and RBRVS on U.S. medical and surgical markets.
- A Practical Guide to Obtaining Third-party Coverage and Reimbursement for Medical Technologies was published by MDI in December 1993.
- Managed Care, Medicare and Third-Party Payers was published in two volumes by MDI in December 1996. These reports were substantially updated in December 1998 and published by MDI. For further details, please see the next page.

During the past three decades, Mr. Unger has been an invited speaker on the economics and politics of healthcare services in the USA at more than 150 national and regional healthcare meetings.

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• **Managed Care, Medicare and Third-Party Payers.** This series of two reports includes: (1) *Quest for Achieving and Demonstrating Value in Medical Technologies* (216 pages, 44 exhibits), and (2) *Identifying Reimbursement Problems and Solutions* (349 pages, 45 exhibits). Medical Data International, Inc. (MDI) published these reports in December 1998. These reports were co-authored with Paul Kenkel, Esq., and Ralph W. Schaffarzick, M.D.

• **Managed Care, Medicare and Third-Party Payers.** This guide consists of two modules: (1) *Proactive Corporate Strategies* and (2) *Obtaining Payer Coverage and Reimbursement.* Medical Data International, Inc. (MDI) published these reports in December 1996. Co-authored with Anne Findlay Vail, Esq., Ralph W. Schaffarzick, M.D., and Elke Trick. The two reports combined contain approximately 400 pages and more than 90 exhibits.


• **Medicare Reimbursement Trends and Outlook: Implications of PPS and RBRVS on U.S. Medical and Surgical Markets** [Irvine, CA: Medical Data International, Report #1210, March 1992, 516 pages]. PPS is an acronym for Prospective Payment System. RBRVS is an acronym for Resource-Based Relative Value Scale, which is the foundation on which the new Medicare Fee Schedule for physicians’ services was built.


• **Payment of Hospital Cardiac Services** [Chicago, IL: American Hospital Association, AHA Hospital Technology Series Guideline Report Vol. 10, No. 26, November 1991, 148 pages].

• **The Academic Medical Center and Teaching Hospital Marketplace** [Tustin, CA: Biomedical Business International/Macmillan, Report #7066, July 1987, 475 pages].

• **Long-term Care: Challenges and Opportunities** [Oak Brook, IL: Healthcare Financial Management Association, 1984, 102 pages], co-edited with Thomas C. Fox, Esq., of Reed Smith Shaw & McClay, Washington, D.C., counsel to the American Health Care Association [Reprinted in 1989].

• **Capital Management in Healthcare Organizations: Investment and Financing Strategies** [Oak Brook, IL: Healthcare Financial Management Association, 1983, 166 pages], co-edited with J.B. Silvers, Ph.D., Treuhaft Professor of Management, Case Western Reserve University, Cleveland, Ohio.
Selected Articles by Walter J. Unger


Integrated Health Care Systems: Alliances for Integration (Part 2) in Group Practice Journal, Vol. 43, No. 4, July/August 1994 [co-authored with Anne Findlay Vail, Esq.].


Strategies for Healthcare Reform, a brochure printed by Biosound, Inc., Indianapolis, IN, November 1993.


Medicare Physician Fee Schedule in MedProMonth, September 1991.


Hospital Strategic Growth through Mergers, Acquisitions and Alliances in Decisions in Imaging Economics, Autumn 1990.

New Approaches to Preventing Preterm Birth: Solving A Common and Costly Problem in the Journal of Insurance Medicine, Fall 1990 [co-authored with John C. Morrison, M.D., professor of obstetrics and gynecology at the University of Mississippi].

Medical Technology Assessment: Gaining New Momentum in Decisions in Imaging Economics, July 1990.


Toward Measurement of Health Care in Decisions in Imaging Economics, September 1989 [co-authored with John L. Smith, M.D., former president of the Scripps Medical Group in La Jolla, California].


Implementation of the Prospective Payment System: Business Implications and Strategies for Success in the proceedings from an American Association for Clinical Chemistry (Northern California Section) symposium, January 1984.

The Coming Capital Crunch in Community Hospitals in Citicorp Industrial Credit’s Asset Based Finance Journal, Spring 1983.


Have HMOs Finally Come of Age? in Foundation News, September-October 1980.


Examples of Consulting Projects

This part is organized in eight sections:

- Engagements involving Medical Groups (see page 6)
- Engagements involving Hospitals and Health Systems (see pages 6-8)
- Engagements involving Medical Device Companies (see pages 8-9)
- Engagements involving Healthcare Associations (see page 9)
- Engagements involving Other Types of Entities (see pages 10-11)
- Engagements involving Litigation Support and Expert Witness Services (see pages 11-14)
- Speeches and Presentations (see pages 14-16)
- Other Consulting Projects (see page 16)

1. Engagements involving Medical Groups

Since 1985, Walter J. Unger has provided consulting services for medical practices. For example, the following engagements involved cardiovascular services:

- **Minneapolis Cardiology Associates**, Minneapolis, MN (1997) — strategic planning retreat with emphasis on practice opportunities and integration options.
- **Cardiology Consultants, P.A.**, Pensacola, FL (1997) — strategic planning retreat with emphasis on conflict resolution and consensus development leading to a new model for physician compensation.
- **Foothill Cardiology Medical Group**, Pasadena, CA (1993) — strategic planning retreat with emphasis on growth opportunities.
- **Stark County Cardiologists, Inc.** (dba Ohio Heart Care), Canton, OH (1991) — strategic planning retreat with emphasis on growth opportunities.

The following engagements involved other physician organizations:


2. Engagements involving Hospitals and Health Systems

Since 1985, Walter J. Unger has provided consulting services for hospitals and health systems. For example, the following engagements involved cardiovascular services:
Mercy Heart Institute, Sacramento, CA (1998) — advice on hospital risk-sharing ventures with physicians.

Heart Specialists of Southern California, Pasadena, CA (1997) — advice on professional services contracts.

Allina Health System, Minneapolis, MN (1996) — conducted a study of possible organizational structures for aligning incentives among the cardiology groups associated with Allina Health Systems, a major integrated healthcare delivery and financing system in Minnesota.

Aultman Hospital, Canton, OH (1996) — developed package prices for cardiovascular services.

Health Alliance of Greater Cincinnati, Cincinnati, OH (1996) — advice on the development of package prices for cardiovascular services provided by cardiovascular surgeons, anesthesiologists, cardiologists and other providers associated with the Christ Hospital and the University of Cincinnati Medical Center.

Lancaster General Hospital, Lancaster, PA (1995) — developed package prices for cardiovascular services.

Sparrow Health System, Lansing, MI (1995) — developed a three-year business plan for a cardiac physician-hospital organization (PHO) at Sparrow Hospital.

Southern California Healthcare Systems, Pasadena, CA (1994) — created a strategic plan for the formation of a regional heart program for the San Gabriel Valley and surrounding areas.

St. Francis Regional Medical Center, Wichita, KS (1994) — strategic planning retreat with emphasis on reorganization options (including service-line management).

Portland Adventist Medical Center, Portland, OR (1991-92) — assessed this hospital’s cardiology and cardiovascular programs and the potential for growth in the Portland metropolitan market.

White Memorial Medical Center, Los Angeles, CA (1991) — developed a strategic business plan for the cardiac services unit.

The following engagements involved hospitals and health systems in various service-line areas other than cardiovascular services:

Arcadian Health Management Corp., Oakland, CA (1997) — assessment and analysis of the rural hospital market in the U.S.

Community Health Systems, Inc. (CHS), Brentwood, TN (1995-96) — assessment of market opportunities for selected CHS hospitals and their affiliated physicians and surgeons; creation of a management report on “Managed Care and Medicare: A Changing Marketplace and the Resulting Business Opportunities;” and a presentation to the CHS Physician Advisory Council meeting.

Barstow Community Hospital, Barstow, CA (1996) — strategic planning advice for competing in a mature managed-care environment.


Callaway Community Hospital, Fulton, MO (1996) — assessment of strategic options for this rural hospital located in central Missouri.

Transitional Care of America (now Intensiva Healthcare Corporation), St. Louis, MO (1995) — analysis of the long-stay hospital market in the U.S.

Southeast Arizona Medical Center, Douglas, AZ (1994) — assessment of strategic options for this rural hospital located in southern Arizona adjacent to the Mexican border.

Medical Center of Winnie, Winnie, TX (1994) — assessment of strategic options for this rural hospital located in southern Texas.

Colusa Community Hospital, Colusa, CA (1994) — assessment of strategic options for this rural hospital located in northern California.

Pacific Hospital, Long Beach, CA (1989) — selection, acquisition and implementation of a clinical laboratory information system for this community hospital.

3. **Engagements involving Medical Device Companies**

Since 1985, Walter J. Unger has provided consulting services for a wide variety of medical device, pharmaceutical, and biotechnology companies. For instance, the following engagements involved cardiovascular products:


**TheraCardia Inc.**, San Clemente, CA (1998-99) — conducted primary and secondary market research concerning the incidence and prevalence of sudden cardiac arrests in the United States and selected European nations; analyzed health insurance coverage, coding and payment issues associated with a new interventional therapeutic device for treating cardiac arrest patients.

**BioSound, Inc.** (an Esaote subsidiary), Indianapolis, IN (1996) — strategic planning advice for this manufacturer and distributor of ultrasound equipment.

**TomTec Imaging Systems, Inc.**, Boulder, CO (1993-96) — advice concerning (a) acquisition of Prism Imaging Systems and (b) health insurance reimbursement and coverage issues for 3D and 4D echocardiography, emerging medical technologies in the diagnostic imaging field.

**Teletronics Pacing Systems, Inc.** (a Pacific Dunlop Limited subsidiary), Englewood, CO (1995-96) — strategic planning advice for this manufacturer and distributor of cardiac pacemakers; strategic assessment of the U.S. pacemaker market.

**EP Technologies Inc.**, Sunnyvale, CA (1994-95) — analyzed health insurance coverage, coding and payment issues associated with RF catheter ablation, a new electrophysiology procedure for the detection of cardiac tachyarrhythmias.

**Heart Technology**, Redmond, WA (1994-95) — analyzed health insurance coverage, coding and payment issues associated with a new interventional cardiovascular device.

**Cardiovascular Imaging Systems Inc.**, Sunnyvale, CA (1994) — analyzed health insurance coverage, coding and payment issues associated with intravascular ultrasound.

**Alliance Medical Technologies, Inc.**, Irvine, CA (1993-94) — performed a worldwide economic and strategic assessment of the marketplace for heart valves, a major implantable cardiovascular device.

The following engagements involved medical device, pharmaceutical, and biotechnology companies in market areas other than cardiovascular products:


**Integrated Medical Systems, Inc.**, Signal Hill, CA (2001-02) — health insurance coverage, coding and reimbursement of medical services performed on the LSTAT™ (Life Support for Trauma and Transport) Platform.

**ATRAX U.S.A., Inc.**, Fort Wayne, IN (2000-01) — economic justification and patient satisfaction study of ATRAX’s proprietary MEDIZIP™ Surgical Zipper in certain orthopedic surgery applications.

**NeuroControl Corporation** (NCC), Valley View, OH (1999-2000) — various health insurance reimbursement projects involving third-party health insurance coverage, coding and payment issues associated with NCC’s Freehand™ System (FHS).

**Autocath Vascular Access, Inc.**, Lake Forest, CA (1999) — analysis of intravenous catheter market in U.S.

**Soma Research Corporation**, Corte Madera (now San Diego), CA (1998-99) — assessment of the refractive surgery marketplace in the U.S. and selected European and South American markets, and the development of a multi-year business plan for entry into this marketplace using an innovative healthcare services model.

**Kinex IHA Corporation**, Phoenix, AZ (1997-99) — analysis of musculoskeletal market in the U.S. and opportunities for a new medical device to measure biomechanical dysfunction.

**VascA, Inc.**, Topsfield, MA (1997-98) — assessment of health insurance coverage, coding and payment issues affecting the vascular access device market for end-stage renal disease (ESRD) dialysis patients.


**Wasserstein & Perella & Co.**, Los Angeles, CA (1993-94) — advice to this investment banking firm on the identification of prospective buyers for, and the sale of, Prism Imaging, Inc. (aka Freeland Systems) of Boulder, CO, to several venture capital funds.

**CytoCare, Inc.**, Irvine, CA (1992) — developed a three-year business plan for CytoCare Clinical Laboratories.

**CompuMed, Inc.**, Manhattan Beach, CA (1990) — economic and reimbursement analysis and market research pertaining to CompuMed's OsteoGram diagnostic test.

**Tokos Medical Corporation**, Santa Ana, CA (1990) — assessment of the costs of, and techniques for preventing, preterm births.

**Medstone International, Inc.**, Aliso Viejo, CA (1988-90) — analyze and report on reimbursement issues affecting the lithotripsy marketplace; develop a database for analyzing hospitals’ charge data; analyze the mobile medical services market for CT, MRI, and lithotripsy equipment; research and write the company’s first annual report to shareholders; advice on structuring limited partnership offerings; monitor Congressional bills on physician self-referrals; counsel customers and prospective customers concerning reimbursement, certificate of need (CON), fraud and abuse, and other government regulations; and train and support sales force on reimbursement issues.

**International Remote Imaging Systems, Inc.** (IRIS), Chatsworth, CA (1984-88) — member of the Board of Directors and chairman of the Audit Committee of this publicly-traded medical device company that manufactures and markets automated clinical laboratory instruments.

**Metriflow Medical Systems, Inc.**, Milwaukee, WI (1985) — reimbursement analysis for this medical device company.

### 4. Engagements involving Healthcare Associations

*Since 1985, Walter J. Unger has provided consulting services for various healthcare associations including:*

**Alliance of Cardiovascular Professionals (ACVP)**, Fredericksburg, VA, and **American Academy of Medical Administrators (AAMA)**, Des Plaines, IL (2000) — develop strategic options for the governing boards of the American College of Cardiovascular Administrators (ACCA) and ACVP to consider possible future collaboration and/or integration endeavors.

**California Society of Industrial Medicine and Surgery (CSIMS)**, Sacramento, CA (1992) — research and preparation of report on “Comprehensive Medical Care: The Impact of Ethical and Legal Obligations on Seamless Integrated Care in the In-office Setting.”
5. Engagements involving Other Types of Entities

Since 1985, Walter J. Unger has provided consulting services for many other types of healthcare entities including:


**Arizona State University (ASU) School of Health Management and Policy (W. P. Carey School of Business)** – Advisor to Health Sector Supply Chain Initiatives program, Eugene S. Schneller PhD, Professor, School of Health Administration and Policy, Department of Supply Chain Management, Tempe, AZ (*pro bono* work, 2005-06).

**University of Southern California (USC) School of Dentistry** – Member, Board of Councilors, Los Angeles, CA (2005-07) — appointed by USC President Steven B. Sample to provide strategic advice to Dean Harold C. Slavkin and the faculty of the USC School of Dentistry on its research, education and service programs (*pro bono* work).

**Healthcare Performance Institute Inc.** (dba Stratos Institute for Healthcare Performance, Inc.), Laguna Niguel, CA (1998-2008) — strategic planning, organization and development of a distance-learning company serving the continuing education needs of physicians, nurses and other healthcare professionals in the United States, Canada and England, and the creation of Oncology Nursing Today®, Surgical Focus® and Medical Group Focus® continuing education (CE) programs.

**Monitor Group LP**, New York, NY and Cambridge, MA (2003) — professional support for a national study involving the acquisition of medical products by hospitals in the USA and the negotiating dynamics and hospital receptivity to different bundling and contracting strategies used by medical manufacturers.

**International Marketing Ventures, Ltd.**, Greenbelt, MD (1999) — assessment of strategic marketing opportunities in selected healthcare markets.


**Acuma International, Inc.**, Toronto, Ontario, Canada (1992-93) — business planning advice to Acuma’s management on the market opportunities for its IQ Now Corporation subsidiary and its remote computer graphics communications software.

**The Codman Research Group, Inc.** (CRG), Lebanon, NH (1991-92) — assisted CRG in the market development and positioning of its Pandora® software information management tool to aid hospital managers in strategic decision making.

**Medical Arts Laboratory, Inc.**, Longview, WA (1991) — assessment of business opportunities for this pathologist-owned clinical reference laboratory.

**PBS Building Systems, Inc.**, Anaheim, CA (1990-91) — assessment of strategic opportunities in the healthcare field for this modular construction company.

**HealthChoice Administrators, Inc.**, and **HealthChoice, Inc.**, Portland, OR (1990) — facilitated strategic planning processes for this multi-state third-party administrator (TPA) and insurance agency.

**CLMG Inc.**, Los Angeles, CA (1988) — assessment of market options for, and value of, this clinical laboratory.

**Investors in Industry Ventures Corp.**, Newport Beach, CA (1988) — screening of business plans submitted to this venture capital firm by various healthcare entities.

**FHP, Inc.**, Fountain Valley, CA (1987) — analysis of alternative methods for meeting this health maintenance organization’s clinical laboratory requirements in the most cost-effective manner.
Hospital Satellite Network, Inc. (HSN), Los Angeles, CA (1985-87) — assessment of potential strategic alliances and acquisition opportunities; assessment of the academic health center market in the U.S.; training and support for the HSN sales and marketing team.

Nichols Institute, San Juan Capistrano, CA (1984-85) — examination of business development opportunities — including joint ventures and other collaborative efforts — between this major esoteric clinical reference laboratory company and large acute-care hospitals in the USA.

6. Engagements involving Litigation Support and Expert Witness Services

Since 1988, Walter J. Unger provided expert witness and litigation support services for the following law firms:

- Acker & Whipple, Los Angeles, CA
- Ball Hunt Hart Brown & Baerwitz, Long Beach, CA
- Berkley, Gordon, Levine, Goldstein & Garfinkel LLP, Las Vegas, NV
- Bereny & Wallace, Encino, CA
- Bokelman & Benjamin, San Francisco, CA
- Brobeck, Phleger & Harrison LLP, San Francisco, CA
- Clark & Carter, Yuma, AZ
- Finkelstein & Finkelstein, San Diego, CA
- Foley Lardner Weissburg & Aronson (now Foley & Lardner LLP), Los Angeles, CA
- Gardner & Booth, Los Angeles, CA
- Gibson, Dunn & Crutcher LLP, Los Angeles, CA
- Gibson, Dunn & Crutcher LLP, Irvine, CA
- Gillock, Markley & Killebrew, Las Vegas, NV
- Grant & Morasse, APC, Newport Beach, CA
- Haight Brown & Bonesteel, Santa Monica, CA
- Harrington, Foxx, Dubrow & Canter, LLP, Los Angeles, CA
- Harris · Ginsberg LLP, Los Angeles, CA
- K&R Law Group LLP (formerly Konowiecki & Rank LLP), Los Angeles, CA
- Lanak & Hanna P.C., Santa Ana, CA
- Lewis Brisbois Bisgaard & Smith LLP, Los Angeles, CA
- Lynn Tillotson & Pinker, LLP, Dallas, TX
- McNamara & Spira, Santa Monica, CA (now McNamara, Spira & Smith, Los Angeles, CA)
- Morgan Lewis & Bockius LLP, Los Angeles, CA
- O'Melveny & Myers, Newport Beach, CA
- Proskauser, Rose, Goetz & Mendelsohn, Los Angeles, CA
- Robie & Matthai, Los Angeles, CA
- Salmas Law Group, Los Angeles, CA
- Stanton T. Mathews & Associates – A Law Corporation, Laguna Hills, CA
- The Law Offices of Bridget Baynes, Santa Ana Heights, CA
- The Law Offices of Edi M.O. Faal, Los Angeles, CA
- The Law Offices of Eric S. Hartman, Long Beach, CA
- The Law Offices of John S. Chou, MD, JD, Gardena, CA
- The Law Offices of Marc J. Wodin, Woodland Hills, CA
- The Law Offices of Nicholas S. Nassif, Los Angeles, CA
- The Law Offices of Paul E. Greenwald & Associates, Orange, CA
- The Law Offices of Paul W. Wong, South Pasadena, CA
- The Law Offices of B. Paul Husband, Burbank, CA
- The Law Offices of Peter M. Appleton, Los Angeles, CA (now Salem, OR)
- The Law Offices of Robert M. Moss, Inc., Santa Monica, CA
- Thompson & Knight, Houston, TX
- Tyre Kamins Katz & Granof, Los Angeles, CA
- Van Etten, Suzumoto & Haag, LLP, Los Angeles, CA
- Vorys, Sater, Seymour and Pease LLP, Cincinnati, OH
- Wilson & Reitman, Los Angeles, CA (subsequently Cotkin & Collins and the Cotkin Law Group)
Since 1988, Walter J. Unger has been designated as an expert witness in approximately 50 legal cases. For instance, his opinion was sought in these cases involving physician practices:


**Burton v. Thomas/Advanced Orthopedic Care**, Clark County District Court case, Las Vegas, NV (2005) — opinions pertained to the professional duties and obligations of surgeons and medical groups to their patients.


**Gough v. Webb et al.**, Superior Court of the State of California for the County of Los Angeles (1999) — opinions pertained to the economic value and viability of California Pro Health Medical Group, Inc., valuation methods for medical groups and independent practice associations (IPAs), and interpretation of medical directorship and managed-care agreements.

**Wilson v. Schemmer et al.**, Superior Court of the State of California for the County of Orange (1998) — opinions pertained to the financial and economic incentives and disincentives affecting physicians under various types of health maintenance organization (HMO) and independent practice association (IPA) contractual arrangements.

**Weaver v. Henderson et al.**, Superior Court of the State of California for the County of Los Angeles (1998) — opinions pertained to health maintenance organization (HMO) and independent practice association (IPA) contractual arrangements as well as physician compensation for IPA management services.

**Nephrology Medical Group Inc. of Orange County v. Rosen**, Superior Court of the State of California for the County of Orange (1998) — opinions pertained to the delivery of medical services, the market for nephrology services, physician compensation, medical group partner terminations, hospital privileges, and physician participation in independent practice associations (IPAs).

**Rice v. Harbor View Medical Center (Consolidated Cases)**, Superior Court of the State of California for the County of San Diego (1998) — opinions pertained to alleged unlawful, unfair and fraudulent business practices, intercompany relationships, and the financial management of a hospital.

In addition, Walter J. Unger provided opinions in the following legal cases:

**St. Vincent Medical Center v. Sierra Aluminum Company and EBA&M Corporation**, American Arbitration Association (2010) — opinions pertained to appropriate hospital verification of patient’s health benefit plan eligibility and coverage as well as the role of utilization review (UR) and a third-party administrator (TPA) in a self-funded employer-sponsored health benefit plan.

**U.S. ex rel. Fry v. The Health Alliance, The Christ Hospital, et al.**, U.S. District Court for the Southern District of Ohio (2009-10) — in this major Federal case, the U.S. Department of Justice (DOJ) alleged a multi-hospital system, a large acute-care hospital, a medical group and a billing company committed fraud and abuse against – and submission of false claims to – the Medicare, Medicaid and TRICARE programs. The DOJ sought restitution of hundreds of millions of dollars from these entities. Opinions pertained to many issues involved in this complex case.

**Rivas v. SSA Terminals LLC**, Superior Court of the State of California for the County of Los Angeles (2009) — opinions pertained to appropriate charges for hospital and physician services and other related matters.

**Shoreline Ambulance Corp v. American Medical Response et al.**, Superior Court of the State of California for the County of Los Angeles (2008) — opinions pertained to the economics and financial practices of the ambulance industry; industry customs, practices and standards; and government legislation and regulations.

**Toloei v. Green/Sina Medical Center**, Superior Court of California for the County of Los Angeles (2005) — opinions pertained to the expected future charges by various healthcare providers for a patient with metastatic carcinoma.
Thomas F. Winters, Jr, MD v. I-Flow Corporation, 11th Circuit of the United States District Court, Orlando, Florida (2005) — opinions pertained to methods for calculating royalty payments for intellectual property rights associated with medical device patents, the incidence of surgical (especially orthopedic) procedures in the USA, and rebuttal of plaintiff’s expert.

Quest Diagnostics Clinical Laboratories v. Golden State Health Centers, et al., Superior Court of the State of California for the County of Los Angeles (2005) — opinions pertained to Medicare, Medi-Cal and other third-party health insurance claim processes and requirements, clinical laboratory requisition ordering systems, financial and operating results of selected skilled nursing facilities (SNFs), and other matters.

Alta Health & Life Ins. Co. v. NDC Infrared Engineering, Superior Court of the State of California for the County of Los Angeles (2004) — opinions pertained to the statutory and regulatory requirements of the Employee Retirement Income Security Act of 1974 (ERISA), the California Insurance Code, the California Health and Safety Code, and the California Knox-Keene Act; health insurance industry standards and practices associated with Administrative Service Agreements (ASOs), group stop-loss policies, and terminal stop-loss protection policies; financial obligations of insurers and employers for employee and dependent health benefit plans; economic incentives of healthcare providers, and other matters.

NCO Financial Systems Inc. v. Estate of Betty DeYoung and Danielle Swisher, Superior Court of the State of California for the County of Los Angeles (2003) — opinions pertained to the appropriateness, length of stay, posted charges and payment amounts for several hospital inpatient admissions of an elderly woman.

Houston Northwest Partners, New Medical Horizons, Tenet Healthcare v. PacifiCare of Texas, Inc., American Arbitration Association, Dallas, TX (2002) — opinions pertained to the proper interpretation of various sections (including stop-loss, prior-authorization, pass-through and medical-necessity provisions) of a provider services agreement (PSA) between a major HMO and four acute-care hospitals as well as proper coding and billing procedures for ambulatory-surgery center (ASC) and skilled-nursing facility (SNF) services.

Sisters of Providence Saint Joseph Medical Center v. PacifiCare of California, Superior Court of the State of California for the County of Los Angeles (2001-02) — opinions pertained to the proper interpretation of various sections of provider services agreements (PSAs) between a major health maintenance organization (HMO) and various acute-care hospitals as well as reciprocity agreements among participating hospitals of the health plan.

Silva v. Pontarelli et al., Superior Court of California for the County of Los Angeles (1998) — opinions pertained to the operation of the Medi-Cal disproportionate share hospital (DSH) program, hospital licensing, hospital economics, the value and viability of small hospitals, and Medicare and Medi-Cal policies and procedures.

Rochin v. Foundation Health et al., Superior Court of California for the County of Los Angeles (1997) — opinions pertained to enrollment, disenrollment and marketing practices of prepaid health plans participating in the Medi-Cal program.


Endocrine Sciences v. Oltmans Construction Co., Superior Court of California for the County of Los Angeles (1996) — opinions pertained to the cost of moving and relocation expenses, which might be incurred during anticipated construction repairs of a clinical reference laboratory.

Integrated Clinical Laboratories v. Waked Corporation (dba Advanced Medical Laboratory), et. al., Superior Court of the State of Arizona for the County of Yuma (1994) — opinions pertaining to the effect of the Medicare and Medicaid Anti-fraud and Abuse Statute (42 U.S.C. §1320a-7b) on certain business transactions.

Advanced Home Care, Inc. v. Integrated Care Systems, Inc. et al., Superior Court of the State of California for the County of Orange (1991) — opinions pertained to the financial performance of plaintiff, market trends and conditions experienced by home health agencies (HHAs) in the 1980s, and the use of utilization review and case management techniques by health-benefit plans.

Berliner et al. v. Los Angeles Medical Management Corp. et al., Superior Court of California for the County of Los Angeles (1990) — opinions pertained to legislative and regulatory changes affecting hospitals in California during the 1980s.
Meris, Inc. v. Memorial Health Technologies, Superior Court of California for the County of Santa Clara (1989-90) — opinions pertained to alternative investment opportunities, physician office laboratories (POLs), Medicare and Medi-Cal reimbursement, private health insurance reimbursement, legislative changes affecting POLs, and excess capacity in the medical laboratory industry.

7. Speeches and Presentations

Walter J. Unger is a frequent public speaker at national and regional healthcare meetings on the politics and economics of healthcare services. During the past 2½ decades, he has made presentations to the following cardiovascular-related organizations:

- Advanced Cardiovascular Systems (ACS), Inc./Eli Lilly & Company, Santa Clara, CA
- Alliance of Cardiovascular Professionals (ACP), Midlothian, VA
- American College of Cardiovascular Administrators (ACCA), Southfield, MI
- American College of Cardiology (ACC), Bethesda, MD
- Aultman Hospital, Canton, OH
- Cordis (a Johnson & Johnson company), Miami, FL
- Indiana Heart Institute (at St. Vincent Hospital), Indianapolis, IN
- Mercy Heart Institute (at Mercy General Hospital), Sacramento, CA
- Morton Plant Hospital, Clearwater, FL
- San Francisco Heart Institute (at Seton Medical Center), Daly City, CA
- Society for Cardiovascular Management (SCM), Fredericksburg, VA
- The Hospital of the Good Samaritan (HGS), Los Angeles, CA
- The Queen’s Medical Center Heart Institute, Honolulu, HI
- Transcatheter Course VI Intravascular Ultrasound (IVUS) Workshop, Washington, D.C.
- University of California Davis (UCD) School of Medicine, Davis, CA

During the past three decades, Walter J. Unger has made numerous other presentations to a wide variety of healthcare groups on the organization, financing and delivery of healthcare services in the U.S. For instance, presentations have been given to the following organizations:

- American Academy of Medical Administrators (AAMA), Des Plaines, IL
- American Association for Clinical Chemistry (AACC), San Francisco, CA
- American Association of Critical-Care Nurses (ACCN), Boston, MA
- American College of Cardiovascular Administrators (ACCA), Southfield, MI
- American Group Practice Association (AGPA) — now American Medical Group Association (AMGA), Alexandria, VA
- American Health Care Association (AHCA), Washington, D.C.
- American Hospital Association (AHA), Chicago, IL
- American Monitor Corporation, Indianapolis, IN
- American Protestant Hospital Association (APHA), Washington, D.C.
- American Society for Medical Technology (ASMT), Houston, TX
- Applied Medical Education, Inc., Randallstown, MD
- Association for the Advancement of Medical Instrumentation (AAMI), Arlington, VA
- Association of periOperative Registered Nurses (AORN), Denver, CO
- Biomedical Business International (BBI), Tustin, CA
- Biomedical Marketing Association (BMA), Mondelein, IL
- Biosound Experts’ Forum, Indianapolis, IN
- California Association of Medical Products Suppliers, Sacramento, CA
- California Society for Medical Technology, Santa Clara, CA
- CHAMA, Inc., Scottsdale, AZ
- Citicorp Industrial Credit, Inc., New York, NY
- Cleveland Regional Medical Center, Cleveland, TX
- Community Health Systems, Inc. (CHS), Brentwood, TN
- CompuMed, Inc., Manhattan Beach, CA
- Creative Strategies International, San Jose, CA
• D.H. Blair MedTech Financial Forum, New York, NY
• Dallas-Fort Worth Hospital Council, Dallas, TX
• E.I. du Pont de Nemours & Company, Wilmington, DE
• Federation of Associations of Schools of the Health Professions, Washington, D.C.
• Florida International University, North Miami, FL
• Forum for Healthcare Planning, Anaheim, CA
• Frontiers in Perioperative Myocardial Management, Montreal and New York City
• Frost & Sullivan Home/Self Healthcare Conference, St. Petersburg, FL
• GEM Communications, Inc./Genesia, Inc., Norwalk, CT
• Healthcare Financial Management Association (HFMA), Washington, D.C.
• Healthcare Information Systems Sharing Group (HISSG), Arlington, VA
• Healthcare Management Bureau, Inc., Union City, CA
• Health Affiliates, Inc., Wichita, KS
• Health Care Property Investors, Inc., Los Angeles, CA
• Health Industry Distributors Association (HIDA) Education Foundation, Alexandria, VA
• HealthWest Foundation, Chatsworth, CA
• Highland Medical Center, Lubbock, TX
• Hill Regional Hospital, Hillsboro, TX
• Hillcrest Medical Center, Tulsa, OK
• Hillhaven Foundation, Memphis, TN
• Hospital Information Systems Sharing Group, Dallas-Fort Worth, TX
• Hospital Satellite Network (HSN), Los Angeles, CA
• Hybritech Corporation, La Jolla, CA
• Institute for Medical Studies, Laguna Niguel, CA
• International Remote Imaging Systems (IRIS), Chatsworth, CA
• Johnson & Johnson (J&J) Hospital Services, New Brunswick, NJ
• Laventhal & Horwath, Philadelphia, PA
• Marion Merrell Dow, Inc., Kansas City, MO
• McKnight Medical Communications, Inc., Northfield, IL
• Medical Data International, Inc. (MDI), Irvine, CA
• Medical Group Management Association (MGMA), Englewood, CO
• Medical Marketing Association (MMA), San Francisco, CA
• Medstone International, Irvine, CA
• Med-Tech Financial Forum, Monterey, CA
• Methodist Health Systems, Memphis, TN
• MIT Enterprise Forum, San Diego, CA
• Montgomery Securities, San Francisco, CA
• National Association for Hospital Development (NAHD), Falls Church, VA
• National Association of Rehabilitation Facilities (NARF), Washington, D.C.
• National Health Council, Inc., New York, NY
• National Health Lawyers Association (NHLA), Washington, D.C.
• National League of Cities’ Risk Information Sharing Consortium (NLC-RISC), Washington, DC
• New Jersey Institute of Technology, Newark, NJ
• Northeast Medical Center, Bonham, TX
• Orange County Medical Device Forum, Irvine, CA
• Orange County NewsChannel, Santa Ana, CA
• Pact Health Planning Center, Denver, CO
• PBS Building Systems, Anaheim, CA
• Pennsylvania Chamber of Commerce, Harrisburg, PA
• Philadelphia Occupational Medical Association, Philadelphia, PA
• Rhône-Poulenc Rorer (RPR) Pharmaceuticals, Collegeville, PA
• Roche Analytic Instruments, Inc., Nutley, NJ
• Roseville Community Hospital Medical Staff, Roseville, CA
• San Gabriel Valley Hospital, San Gabriel, CA
• Santa Fe Cardiology Symposium, Santa Fe, NM
• Scenic Mountain Medical Center, Big Springs, TX
• Scientific Apparatus Makers Association (SAMA), Washington, D.C.
• SMS (Shared Medical Systems), Malvern, PA
• Society for Cardiovascular Management (SCM), San Francisco, CA
• Southeast Nebraska Health Systems Agency, Lincoln, NE
• Spectra Medica, Inc., San Juan Capistrano, CA

Unger & Associates: A Healthcare Advisory Group
8. Other Consulting Projects

During 1978-81, Walter J. Unger provided consulting services for the following organizations:

- American Liver Foundation, Chevy Chase, MD
- American Monitor Corporation, Indianapolis, IN
- Boston University Health Policy Institute, Boston, MA
- Committee for Responsible Health Care, Washington, D.C.
- Health Care Financing Administration (HCFA), an agency of the U.S. Department of Health and Human Services (DHHS), Washington, D.C.
- Hospital Financial Management Association (HFMA), Washington, D.C.
- The John A. Hartford Foundation, New York, NY
- University of Massachusetts Medical Center (UMMC), Worcester, MA

9. Post-Graduate Education and Other Activities

- Post-graduate courses completed: Economics Institute for Health Care Policy Officials, University of Miami Law and Economics Center, Miami, FL (1977); and IBM Customer Executive School on Hospital Information Systems, San Jose, CA (1970)
- Editorial Advisory Board member: MedPRO Month, CORE (Cost, Coverage & Reimbursement), The Medical Business Journal, and Medical Laboratory Observer
- Director of Planning, Office of Health Science Development, University of Southern California (1970-73)
- Administrator, Good Hope Medical Foundation, Los Angeles, CA (1969-70)
- Completed all qualifying examinations for the Chartered Life Underwriter (CLU) diploma of the American College of Life Underwriters, Bryn Mawr, PA (1969)
- Member of Alpha Kappa Psi national professional business fraternity and former president of its Los Angeles Alumni Chapter

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