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## SUMMARY

Nicholas John is an associate director with BRG's Health Analytics practice in Washington, D.C. He has over 10 years of experience providing strategy, data analytics, and litigation support services to clients and their counsel in the healthcare industry. His expertise is in designing and executing sophisticated but efficient solutions that address complex financial and economic questions. He accomplishes this through the acquisition, integration, and analysis of electronic data from healthcare companies, Medicare and Medicaid, surveys, and other publicly available healthcare data.

Mr. John has broad experience working with pharmaceutical sales, reimbursement, and transactional claims data to inform clients and their counsel of potential liability and exposure related to allegations of false advertising, consumer fraud, and other misrepresentations. He has worked with clients across the healthcare continuum, including pharmaceutical manufacturers, pharmacy benefit managers, pharmacies (including compound and specialty pharmacies), diagnostic laboratories, managed care organizations, medical supply companies, and hospitals.

## PROFESSIONAL EXPERIENCE

### *PBMs*

- ❖ Provided discovery assistance and performed data analytics related to state and federal subpoenas regarding drug pricing, pharmaceutical manufacturer rebates, pharmacy reimbursement rates, and pharmaceutical manufacturer coupon programs.
- ❖ Assisted counsel and performed data analytics in disputes with pharmaceutical manufacturers over rebate payments.
- ❖ Performed data analytics and assisted counsel in antitrust litigation related to compound pharmacy contracting and network access.
- ❖ Assisted counsel with appeals related to retail and compound pharmacy terminations from a pharmacy network.

- ❖ Provided support to testifying expert in international arbitration related to alleged breach of contract and theft of trade secrets by a party of a PBM joint venture.
- ❖ Provided discovery assistance and performed data analytics related to proposed acquisitions of retail and specialty pharmacies.
- ❖ Performed potential damages calculations and supported testifying expert regarding allegations of operational issues related to prescription prior authorizations that led to \$100M+ in overpayments.
- ❖ Assisted counsel in analyzing allegations of breach of fiduciary duties made by members of ERISA plans.

### ***Pharmacies***

- ❖ Provided discovery assistance and performed data analytics related to DOJ second requests for proposed acquisition of a nationwide retail pharmacy chain and specialty pharmacy operations.
- ❖ Assisted outside counsel in an internal investigation of alleged fraudulent conduct by a specialty pharmacy. Led a team of consultants in the design and execution of analysis of claims, enrollment, and inventory data to develop fact patterns used by counsel to assess validity of the allegations.
- ❖ Performed data analytics and potential damages assessment for counsel to a specialty pharmacy facing a qui tam action that alleged millions of dollars in government reimbursements for products were induced by kickbacks the pharmacy provided to members.

### ***Manufacturers***

- ❖ Performed data analytics and assisted counsel in antitrust litigation related to drug pricing.
- ❖ Designed and developed model to forecast market penetration for orphan products in preclinical and clinical testing.
- ❖ Provided discovery assistance and performed data analytics related to State and Federal subpoenas regarding pharmaceutical manufacturer sales.

### ***Insurers***

- ❖ Assisted expert appointed by the Office of Attorney General of the State of New York, Health Bureau Section (OAG) as the independent monitor of a settlement between the OAG and a New York health insurer related to reported inaccuracies in the health insurer's online provider directory.

- ❖ Performed reviews of federal and state regulations related to network adequacy, cost transparency, and provider directories for health plans and healthcare transparency solution providers.
- ❖ Performed potential damages calculations and supported testifying expert for plan sponsor alleging their managed care organization of breach of contract.
- ❖ Designed and developed model to quantify potential overpayments for prescription drug claims associated with inaccurate pharmacy usual and customary charges reported to the PBM.
- ❖ Managed project team tasked with analyzing Medicare Advantage risk-adjustment data for potential overpayment by CMS.

### ***Providers***

- ❖ Assisted outside counsel in an internal investigation of alleged fraudulent conduct by physicians of a California based hospital system.
- ❖ Forecasted network needs and created market development strategy for hospital and provider groups interested in launching ACOs in Connecticut and Florida.
- ❖ Provided discovery assistance and supported testifying expert for provider of senior fitness programs to Medicare Advantage plans in litigation involving multi-year exclusivity and post-termination non-compete provisions. Developed model to analyze the impact of the contractual arrangement on competition and performed natural experiments to evaluate competitive effects

## **EDUCATION**

B.S. Economics, The George Washington University

## **PRESENT POSITION**

Associate Director, Berkeley Research Group, 2011 - Present

## **PREVIOUS POSITIONS**

Senior Consultant, KCIC, LLC, 2008 – 2011