SQUIRE PATTON BOGGS

Max Czernin



Partner

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Languages spoken
English | German

About Max

Max Czernin is an experienced litigator who routinely litigates contract, commercial and complex business disputes in state courts, federal courts and arbitration proceedings throughout the country.

Max is a member of the firm's Healthcare Industry Group and has extensive experience representing clients in disputes involving managed care companies and healthcare providers. He regularly counsels and consults with clients on emerging issues in the healthcare industry, including, but not limited to, reimbursement disputes, the No Surprises Act, Medicare, Medicaid, fraud, waste and abuse laws, provider contracting and network issues. In addition, Max frequently assists healthcare clients with business and structural issues, both in litigation and in formulating pre-litigation strategy and dispute resolution. Max brings a common sense approach to the complex issues arising in healthcare disputes and helps clients achieve their goals through zealous advocacy and creative solutions to their problems.

Max is also a cryptocurrency lawyer that has represented a number of cryptocurrency projects and other entities operating in the cryptocurrency space.

In addition to his experience at the firm, Max has in-house experience serving as Associate General Counsel and the Director of Contracting at a leading academic health system.

Prior to joining the firm, Max spent one year clerking for the Honorable Karen K. Caldwell of the US District Court for the Eastern District of Kentucky.

Experience

- Defeating a preliminary injunction sought against client involving a dispute regarding recoupment of provider overpayments and reimbursements.
- Obtaining dismissal of claims against managed care company for failure to exhaust administrative remedies.
- Defending various payor-provider disputes concerning UCR calculations for out-of-network services, including emergency services.
- Defending payors in disputes with providers regarding Medicaid reimbursements for services performed in emergency rooms.
- Representing a payor in an arbitration regarding medical necessity and coding issues, resulting in a favorable settlement.
- Obtaining a more than US$20 million judgment at trial on behalf of a real estate investment and asset management company against a borrower and loan guarantors and successfully arguing appeal, resulting in verdict being affirmed by Ohio Court of Appeals.
- Representing a medical center in a dispute with a third party vendor regarding the preparation of cost reports, resulting in a favorable pretrial settlement.
- Successfully obtaining dismissal of various warranty, Ohio Deceptive Trade Practices and negligent misrepresentation claims brought against a nationwide bakery-café chain in a putative class action, resulting in a favorable pre-certification pre-discovery settlement.
- Preparing a successful clemency petition on behalf of a *pro bono* client, which was granted by President Obama in 2016, resulting in a life sentence being commuted.

Credentials

Education

- Pepperdine University, J.D., *cum laude,* Order of the Coif, lead articles editor, *Pepperdine Law Review*, 2009
- University of California, Los Angeles, B.A., 2005

Admissions

- Florida, 2019
- Ohio, 2011
- Kentucky, 2010

Courts

- U.S. Ct. of App., Sixth Circuit
- U.S. Dist. Ct., N. Dist. of Ohio
- U.S. Ct. of App., Second Circuit
- U.S. Dist. Ct., S. Dist. of Ohio
- U.S. Dist. Ct., E. Dist. of Kentucky
- U.S. Dist. Ct., W. Dist. of Kentucky

Recognitions

- Recognized in *Best Lawyers: Ones to Watch in America* 2023-2025 for Commercial Litigation
- Recognized in *Ohio Super Lawyers – Rising Stars*

Expertise

Services

- Litigation
- Government Investigations & White Collar

Publications & Speaking Engagements

- Presenter, "Status Report on Surprise Billing Legislation," ACI Managed Care Disputes and Litigation Conference, 2021.
- Presenter, Document Retention and Destruction CLE seminar, Lorman, 2013.
- Co-author, "Revisiting Iqbal & Twombly: Is the Sixth Circuit Creeping Toward Fact Pleading?," *Cleveland Metropolitan Bar Journal*, November 2011.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.