



NICOLE RODRIGUEZ VAN DYK

PRINCIPAL

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EDUCATION

Harvard Law School, J.D., 2008

University of California, Los Angeles, B.A., 2005

OVERVIEW

Nicole Rodriguez Van Dyk concentrates her practice on the defense of white collar criminal prosecutions, government and regulatory investigations, and complex civil litigation. Nicole leverages her strong litigation experience to advise clients on navigating the unique challenges of parallel criminal, civil, and regulatory proceedings.

A significant portion of Nicole's practice is devoted to the representation of health care providers in state and federal criminal investigations and prosecutions, and parallel civil proceedings. She has successfully defended clients in a variety of related areas, including workers' compensation fraud, false billing, improper referrals, compound medications, and physician-owned distributorships.

Nicole also has extensive experience defending clients in criminal matters related to government contracting fraud, mortgage fraud, and labor violations, as well as civil qui tam actions and business disputes.

Prior to joining Bird Marella in 2012, Nicole served as law clerk to the Honorable Josephine Staton of the United States District Court for the Central District of California and practiced for three years as a litigation associate at Skadden, Arps, Slate, Meagher & Flom LLP.

EXPERIENCE

Achieved dismissal of federal criminal complaint charging executive with participating in government contracting fraud scheme.

Achieved complete dismissal of civil complaint alleging company executive engaged in fraud, misrepresentations, and civil conspiracy in connection with government contracts, and dismissal of all fraud and misrepresentation counts against the company.

Achieved dismissal of 26 felony counts on behalf of employee of construction firm charged with wage theft and fraud.

Won dismissal of 24 charges in a high profile grand jury indictment described by the Los Angeles County District Attorney's Office as the largest health care fraud in California history. Twenty-one of the now-dismissed counts carried a potential life sentence.

Obtained dismissal of 89 out of 90 counts, including counts of insurance fraud and involuntary manslaughter, on behalf of a client accused of allegedly masterminding a \$100 million medical workers' compensation fraud scheme. After obtaining an order from the California Supreme Court requiring the review of the Orange County District Attorney's grand jury practices, the Court of Appeal granted a writ petition, resulting in the Court dismissing all but one count.

Represented a physician accused of accepting kickbacks and falsifying billing records in a federal health care fraud investigation. The client was granted immunity as a result of Nicole's efforts.

Achieved dismissal of claims brought against the Chairman and CEO of a health care company in a civil case involving alleged improper billing, unfair competition, and fraud.

Obtained complete dismissal of a federal action seeking contribution from an international law firm under Section 18(b) of the Securities Act of 1934.

HONORS & AWARDS

Health Care Law Trailblazers, *National Law Journal*, 2019

Best Lawyers in America, Health Care Law, 2019, 2020

Under 40 Hot List, *Benchmark Litigation*, 2018-present

Southern California Rising Stars (Up-and-Coming 100), *Los Angeles Magazine*, 2018

Women Southern California Rising Stars (Up-and-Coming 50), *Los Angeles Magazine*, 2018

Most Influential Women Lawyers, *Los Angeles Business Journal*, 2017

Southern California Rising Stars, *Los Angeles Magazine*, 2016-2017

Women's Summit Nominee, *Los Angeles Business Journal*, 2016

AFFILIATIONS

Member, Women's White Collar Defense Association

Member, Advisory Board for the Western Center on Law & Poverty

Fellow, Leadership Council on Legal Diversity

ADMISSIONS

California, 2008