



Gordon H. Copland | Member

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LICENSURE WV
EDUCATION J.D. William & Mary

Gordon Copland concentrates his practice in complex litigation and health care matters. He routinely represents clients before the Health Care Authority (HCA) and other state regulatory boards on certificate of need, licensure, and related health care matters. He has extensive experience in antitrust litigation and in intellectual property litigation, including patents and trademarks.

REPRESENTATIVE EXPERIENCE

Represented and defended hospitals in antitrust claims brought by physicians under state and federal law

Successful representation in certificate of need matters in Kentucky, Maryland and West Virginia including acquisitions and sales, construction of new facilities, addition of services, and opposition to duplicative services

Regular advice on medical staff issues, including scope of physician rights and the public, quasi-public and private hospital distinctions and HCQIA immunity requirements

Defended credentialing claims (common law and antitrust) by physicians

Representation in Medicaid rate setting and disallowance administrative proceedings for nursing facilities, at administrative and appeal levels

Advise regarding hospital-related organizations on liability, antitrust and compliance issues

Represented client in jury trial on antitrust claims under state antitrust statute and sales below cost statute against national coal company

Defended a hospital on claims of antitrust violations (exclusive dealing and tying) arising from exclusion of CRNA's as a class

Acted as local counsel to a major pharmaceutical manufacturer in claims of legal malpractice by mishandling of the defense of a case in state and federal antitrust claims

Represented hospital in antitrust claims brought by physician

Represented a chemical manufacturer in a case brought by excluded piping contractor against area chemical plants involving numerous Sherman Act and West Virginia antitrust claims

Represented chemical company in defense of antitrust case in West Virginia federal court

Represented numerous clients in antitrust investigations by the West Virginia Attorney General, including coal companies in statewide investigation of alleged monopoly pricing

Defended pharmaceutical company in monopolization and related antitrust claims

WORK EXPERIENCE

1983 Steptoe & Johnson PLLC

RECENT PUBLICATIONS / SPEAKING ENGAGEMENTS

The Rollback of Immunity for Healthcare Institutions under Mahmoodian

"Government and Antitrust Enforcement in the Health Care Market: The Regulators Need an Update,"
West Virginia Law Review

"Advance Medical Directives in West Virginia, Part Two," West Virginia Law Review

MEMBERSHIPS AND AWARDS

PROFESSIONAL

The Best Lawyers in America®

Best Lawyers® 2019 Morgantown, WV, Health Care Law, Lawyer of the Year

Best Lawyers® 2016 Morgantown, WV, Litigation-Banking and Finance, Lawyer of the Year

Antitrust Section, American Bar Association

Health Care Committee, American Bar Association

National Health Lawyers Association

Graduated cum laude, Washington & Lee University

INDUSTRY/CIVIC

Former Member, West Virginia Health Care Task Force's "Certificate of Need Panel," which was responsible for drawing up the draft State Health Plan for 1992