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AREAS OF PRACTICE

- Administrative and Regulatory Appeals
- Corporate and Business Transactions
- Estate Planning and Administration
- Health Care Law for Providers

RECENT BLOG POSTS

- Analyzing Authority Under a Power of Attorney
- Dealing with Appropriate Parties to Avoid Liability Following the Death of a Bank Account Holder
- Department of Health and Human Services Increases Pace of HIPAA Enforcement Penalties

Matthew Yanovitch

ATTORNEY, PARTNER

Matt Yanovitch's practice focuses on trust and estate disputes and litigation. His practice includes representation of executors, administrators, trustees, heirs, and creditors in disputes involving wills, trusts, and inherited property. He is experienced in probate matters, guardianship and conservatorship proceedings, elective share and augmented estate proceedings, constructive trust cases, petitions for aid and direction of the court, and matters involving powers of attorney. He has testified as an expert witness on attorney fees in trust litigation. He also advises and guides fiduciaries through the estate and trust administration process.

Matt also practices in the area of health care law, representing skilled nursing and other long-term care facilities, physician practice groups, home health agencies, and other health care businesses. He represents health care clients in court and in administrative proceedings before government agencies. He advises clients on compliance with state licensure rules, Certificate of Public Need (COPN) regulations, Medicare regulations and conditions of participation, HIPAA, and the Stark and Anti-Kickback laws.

Matt's commercial litigation practice consists of representing banks, mortgage companies, commercial real estate developers, and various other businesses in contractual disputes. He has represented national and regional banks in numerous credit line default cases. He routinely represents commercial landlords in litigation against tenants.

EDUCATION

- Catholic University of America, Columbus School of Law, Washington, District of Columbia (J.D., 2007) Law Review: Catholic University Law Review, Staff Member
- University of Virginia, Charlottesville, Virginia (B.S., Chemistry, 1999)

BAR ADMISSIONS

- Virginia
- U.S. District Court Eastern District of Virginia
- U.S. District Court Western District of Virginia
- U.S. Court of Appeals 4th Circuit

CLERKSHIPS

- Hon. William D. Hamblen, 31st Judicial Circuit of Virginia, Judicial Clerk, 2007 - 2008

REPRESENTATIVE EXPERIENCE

- Represented nonprofit educational institution in \$30 million suit against estate and trust of a decedent (*Fork Union Military Academy v. Cook, et al.*, Fairfax County Circuit Court, No. 2016-14934)
- Represented mortgage bank in indemnification lawsuits against mortgage originator regarding defaulted mortgage loans (*SunTrust Mortgage, Inc. v. North Shore Bank*, No. 3:14CV385, 2015 U.S. Dist. LEXIS 20691 (E.D.Va. Feb 20, 2015); *SunTrust Mortgage, Inc. v. Mortgage Financial Services, LLC*, 2015 Va. Cir. LEXIS 48 (Henrico County Circuit Court, May 6, 2015))
- Represented heirs of a decedent in the recovery of \$4 million in a dispute with the executor over interpretation of the will (*Pohl v. Latane, et al.*, Henrico County Circuit Court, No. 11-62)
- Represented national commercial real estate developer against adjacent parcel owner in lawsuit involving maintenance costs and property ownership rights (*DDR Southeast Short Pump, LLC v. Sledd Properties*, Henrico County Circuit Court, CL11-3513)
- Represented family member of a decedent against the decedent's estate in the successful recovery of life insurance proceeds wrongfully paid to the estate (*Bennett v. Bennett*, Richmond Circuit Court, CL09-2558-5)
- Successfully defended administrator of decedent's estate in circuit court after his qualification was challenged by his siblings (*Parker v. Taylor*, Richmond Circuit Court, No. 10-1412)
- Represented medical supply company in an administrative challenge to a Medicaid overpayment demand before the Department of Medical Assistance Services (*Rehab Health Care v. DMAS*, Appeal ID P2014-4147)
- Guided client through HIPAA's breach notification process and federal investigation after theft of protected health information
- Successfully represented physician practice in dispute over and termination of billing services contract
- Defended long-term care facility in dispute with medical services contractor

PUBLISHED WORKS

- *Comment: Dissecting the Constitutional Admissibility of Autopsy Reports after Crawford*, 57 Cath. U.L. Rev. 269, 2008

PUBLICATIONS

- Analyzing Authority Under a Power of Attorney
- Dealing with Appropriate Parties to Avoid Liability Following the Death of a Bank Account Holder
- Department of Health and Human Services Increases Pace of HIPAA Enforcement Penalties

PAST EMPLOYMENT POSITIONS

- City of Charlottesville, VA, Professional Firefighter, 2000 - 2004
- Hill Neuroscience Laboratory, Laboratory Specialist, 1999