



# Kevin D. Pierce Of Counsel

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## Related Practices

Corporate, Business and Finance

Entity Formation and Governance

Labor, Employment and Benefits

Litigation

Alternative Dispute Resolution

Appellate

Class Actions and Mass Torts

Commercial

Product Liability

Professional Liability

Torts / Personal Injury

## Related Industries

Construction and Design

Healthcare / Senior Care Facilities

Manufacturing

## OVERVIEW

Kevin Pierce focuses his practice in the areas of healthcare, employment, and litigation. He represents clients ranging from individuals and local businesses to international corporations.

Kevin’s healthcare practice includes representing providers and health plans in regulatory matters, and advising a variety of healthcare entities (including providers, health plans, and software developers) on compliance issues related to HIPAA, 42 CFR Part 2, the Anti-Kickback Statute, Medicaid, Medicare, and other state and federal statutes and regulations.

Kevin’s litigation experience includes handling commercial litigation, employment discrimination, wrongful death, product liability, personal injury, and insurance coverage. He has successfully defended clients in jury and non-jury trials, represented clients at mediation, argued discovery and dispositive motions, and briefed appeals.

Kevin’s experience also includes previously serving as the General Counsel and Chief Administrative Officer for one of New Mexico’s largest child- and family-focused behavioral health providers. In that capacity, Kevin oversaw and advised the company on healthcare compliance issues, complex employment issues, contracting, and general governance.

While attending law school, Kevin was an editor on the *New Mexico Law Review* and participated on the Health Law Moot Court team. He also served as an extern in the Second Judicial District Attorney’s Office in Albuquerque where he had an opportunity to try two felony cases, assist in the preparation of numerous other cases for trial, argue motions, and participate in sentencing hearings. Kevin practiced as a student attorney in the University of New Mexico’s Business and Tax Law Clinic where he represented low-income tax payers in disputes with the IRS and the State of New Mexico and assisted low income entrepreneurs and non-profit corporations with a variety of business law issues.

Immediately following law school, Kevin served as a judicial clerk to the Honorable James A. Parker in the United States District Court for the District of New Mexico.

A graduate of Albuquerque Academy, Kevin currently serves as the President of the Alumni Association and is a member of the Board of Trustees. Also, from 2003-2017 he coached football at the school in various capacities.

## Education

University of New Mexico School of Law, J.D., 2009, *magna cum laude*, Order of the Coif; *New Mexico*



*Law Review* Student Articles Editor 2008-2009; National Health Law Moot Court Team; Raymond W. Schowers Writing Prize in Constitutional Law; Wall Street Journal Award in Business and Corporate Law; Health Law Scholar

University of New Mexico, B.A. in Political Science, 2006, *summa cum laude*

### Bar Admissions

New Mexico, 2009

U.S. District Court for the District of New Mexico, 2010

### EXPERIENCE

- Obtained a defense verdict following a week-long jury trial in U.S. District Court on claims alleging employment discrimination and violation of the Whistle Blower Protection Act
- Successfully defended a New Mexico construction company during a bench trial and subsequent appeal of a negligence claim
- Secured dismissal with prejudice in client's favor based on the opposing party's and the party's representative's misconduct during the case
- Member of the appellate team that successfully overturned a district court's order awarding default judgment as a discovery sanction for discovery issues that arose under the client's former counsel
- Served as General Counsel and Chief Administrative Officer for one of New Mexico's largest child- and family-focused behavioral health providers

### HONORS

- *Southwest Super Lawyers®*, selected as a Southwest Rising Star, 2014-2015