

Winston & Strawn Wins Sole Acquittal In \$40M Kickback Row

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The world was moving in slow motion for Winston & Strawn Partner Tom Melsheimer as he sat in a Dallas courtroom in early April listening to a district judge read out “guilty” after “guilty” while he waited to find out if he had successfully defended his client, one of several surgeons accused of taking kickbacks from a hospital.

When U.S. District Judge Sidney Fitzwater got to the sixth defendant, Dr. William Nicholson, he paused and then punched out the words Tom was hoping for his client: “Not guilty.”

Prosecutors alleged in 2016 that 21 people had engaged in a fraudulent scheme in which Forest Park Medical Center in Dallas used sham marketing agreements as cover to give doctors millions of dollars in kickbacks for sending surgical patients to the hospital. Ten defendants pled guilty. Charges were dropped against an 11th individual and a 12th defendant was severed from the group and is awaiting trial.

Dr. Nicholson was the only defendant acquitted of the nine professionals associated with Forest Park brought to trial, including the hospital’s managing partner, five doctors, a nurse, and an investor in the hospital.

How did Tom, Partner Scott Thomas, and the rest of the Winston team do it?

[Read the Law 360 article](#) to find out.

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Thomas M. Melsheimer



Scott Thomas