



Salvatore J. Zimmitti
Of Counsel

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Admissions

State Bar of California

Affiliations

Los Angeles County Bar Association
California Association for Healthcare Attorneys

Education

UCLA School of Law, J.D., (*UCLA moot court honors*)
University of Connecticut, M.S.
University of Connecticut, B.A.

PROFILE

A member of Nelson Hardiman's Litigation and Compliance groups, Sal Zimmitti represents healthcare professionals, facilities and organizations in state and federal courts on issues ranging from complex civil litigation, white collar fraud and provider reimbursement issues, FDA and digital health regulation, licensing board accusations, medical marijuana defense and general business disputes.

Applies Scientific Discipline to Complex Legal Issues

Before the law, Sal earned an undergraduate degree in Biology and a Master of Science degree in Physiological Ecology and served as a consulting biologist on public and private large-scale land development projects throughout San Diego, Los Angeles and San Bernardino counties. He brings the rigor and attention to detail gained through his life science background to his legal advocacy and representation of healthcare clients on highly technical and complex litigation and compliance matters.

A Litigator from the Start

Sal was a UCLA moot court honors member and represented UCLA in the 2006 Jessup International Moot Court Tournament. He also competed and placed in the finals of UCLA's 54th Annual Roscoe Pound Moot Court Tournament, where he argued before a panel state and federal appellate court judges, including the Honorable Alex Kozinski of the Ninth Circuit Court of Appeals.

Life Outside the Firm

When not advising clients, Sal enjoys creating niche websites and traveling in search of rare and unusual flora and fauna.

EXPERIENCE

- **Business Litigation** Successfully defended national health system client from \$40 million lawsuit filed in connection with failed purchase of five California non-profit acute care hospitals. Case settled favorably at the eve of trial after extensive discovery and motion practice.
- **Business Litigation** Obtained terminating sanctions and summary dismissal of case filed against client ambulatory surgery center seeking damages for alleged breach of written services contract.
- **Fraud and Abuse** Represented a large ambulance company in a government fraud investigation and response to subpoena involving over a million documents, and assisted with creating cost-analyses to rebut government theories of false claims liability.
- **Marijuana** Obtained complete dismissal of Proposition D charges filed against a marijuana dispensary worker based on a Kellett motion, emphasizing that the repetitive prosecution of the defendant was contrary to the law. The total victory for the client also served as a reminder to Los Angeles City and County prosecutors not to circumvent the Kellett bar against multiple prosecutions for related conduct in marijuana cases.
- **Marijuana** Obtained published appellate division ruling affirming a motion to suppress evidence based on an LAPD officer's lack of probable cause in connection with search and seizure conducted at client dispensary.
- **Telehealth/Medical Board Defense** Obtained a complete withdrawal of a California medical board accusation filed against an out-of-state physician practicing for the nation's largest telehealth provider after filing a motion for dismissal challenging medical board's statutory jurisdiction.
- **Provider Reimbursement** Helped recover tens of millions of dollars in unpaid/underpaid claims on behalf of a large hospital provider in arbitration involving numerous local and out-

of-state managed care plans concerning thousands of disputed facility claims.

- **Constitutional Right of Privacy** Successfully petitioned the California Supreme Court for review of psychotherapists' challenge to the invasion of patients' privacy rights in psychotherapeutic communications.
- **Administrative Litigation** Successfully appealed and obtained a dramatic reduction in penalties for a hospital following a self-reported privacy incident.
- **Sober Living Home** Successfully defended a sober living home against City of Los Angeles criminal charges based on the mischaracterization of the home as an unlicensed community care facility and misapplication of the Los Angeles City Municipal Code. Nelson Hardiman convinced the City to drop all licensing and occupancy charges, and to dismiss its case against the sober living home and the property owner, thereby enabling the home to continue to house individuals recovering from addiction.