

Anthony P. La Rocco

Managing Partner, Newark Office

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OVERVIEW

Anthony La Rocco focuses his practice on a wide range of complex commercial and insurance coverage litigation, including unfair competition, contract disputes, and healthcare and ERISA disputes. He is an AV-rated lawyer–the highest available rating by Martindale-Hubbell for legal ability and professional ethics.

Currently, Anthony leads a team of lawyers from firm offices across the country who are involved in significant reimbursement litigation matters. This team represents healthcare providers in cases against various insurance companies' health benefit plans and their third-party administrators, addressing issues related to the under-payment and non-payment of claims for a variety of covered medical testing procedures conducted nationwide.

Insurance Coverage

Anthony exclusively represents corporate and individual policyholders and has recovered hundreds of millions of dollars from insurance companies involving claims pertaining to numerous types of policies and a variety of areas of insurance coverage, including significant provider-side healthcare reimbursement claims, property damage coverage for environmental site remediation, bodily injury and property damage for construction and manufacturing events, advertising injury, intellectual property coverage for trademark/unfair competition claims, product liability, toxic tort and laboratory malpractice claims, and claims involving directors and officers and errors and omissions liability, among others. He has been retained as an expert witness and consultant in insurance matters and is a frequent speaker on insurance law topics. Anthony has been listed in *Best Lawyers in America*® in the area of Insurance Law (Dispute Resolution) since 2008.

Business Litigation

Anthony's commercial and business litigation experience includes antitrust (Sherman and Clayton Acts), trade secret misappropriation, trade libel and disparagement, software licensing litigation involving the Digital Millennium Copyright and Lanham Acts, lost profits, fraudulent conveyance, and corporate veil piercing. He was lead trial counsel in a groundbreaking antitrust jury verdict which was the first antitrust claim of its type to make it to trial and to a successful verdict since the plaintiffs in *Eastman Kodak v. Image Technical Services* in 1992. Anthony has also defended companies and executives against online defamatory attacks by competitors, former employees and customers in connection with internet defamation, trade libel and unfair business practices litigation.

Healthcare and ERISA Disputes

Anthony's healthcare and ERISA disputes experience includes representing healthcare providers, ranging from major hospital systems to medical device companies, in disputes with payor insurance companies, health benefits plans, and third-party administrators. Anthony also has substantial experience counseling healthcare providers by evaluating contracts with payors (network contracts and participation agreements), patients (assignments of benefits and ERISA rights), and internal procedures to ensure compliance with regulations and carrier guidelines. He also advises on public relations strategies associated with the in- or out-of-network status affecting the communities served by his healthcare provider clients.

PROFESSIONAL BACKGROUND

Anthony served as the chair of the insurance law department at one of New Jersey's largest law firms prior to joining the firm.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Insurance in New Jersey, 2023-2026
- Listed in *The Best Lawyers in America*® for Commercial Litigation and Insurance Law in New Jersey, 2008-2020, 2022

PROFESSIONAL / CIVIC ACTIVITIES

- Knight in the Order of St. Gregory the Great and a member of The Association of Knights and Ladies of the Equestrian Order of the Holy Sepulchre of Jerusalem (Eastern Lieutenancy of the United States)
- American Bar Association (Litigation Section, Insurance Coverage Litigation Committee)
- National Diocesan Attorneys Association
- New Jersey State Bar Association (Insurance Law Committee)

SPEAKING ENGAGEMENTS

Anthony has presented numerous programs and continuing legal education seminars and written on commercial disputes and insurance coverage law topics, including the following selection of recent presentations and publications:

- “An Ounce of Prevention—The Importance of Early Review of Assignment of Benefits and Powers of Attorney,” *Bloomberg Law*, *Health Law & Business News Insight*, 21 June 2018
- “An Ounce of Prevention: Supporting Healthcare Providers in the Commercial and Government Revenue Cycle,” K&L Gates Healthcare Webinar, June 2018

- "The Rising Tide in Healthcare Criminal Investigations," *K&L Gates Healthcare Webinar Series*, 21 January 2016
- "Emerging Issues in Healthcare Litigation," *K&L Gates Healthcare Webinar Series*, 18 November 2015
- "An Ounce of Prevention is Worth a Pound of Cure: How Manufacturers Can Avoid Pitfalls in Contracts with Third Party Service Providers and Business Partners," *K&L Gates Webinar*, 17 June 2015
- "Litigation and Trial Lessons Learned from Avaya v. Telecom Labs," *Association of Corporate Counsel - New Jersey Chapter CLE seminar*, 13 January 2015
- "Commercial Litigation Concerns," *New Jersey Business interview*, November 2014
- "Are You Protecting Your Intellectual Property or Illegally Restraining Competition? Lessons from Groundbreaking Avaya v. TLI Case," *Association of Corporate Counsel - New Jersey Chapter CLE seminar, 4* June 2014
- "NJ Avaya Ruling Reminds Us That Kodak Is Alive And Well," *Law360.com*, 19 May 2014
- "*Kodak* Lives: New Jersey Jury Finds Antitrust Violation in the Aftermarkets for Maintenance of Avaya Products," *K&L Gates Antitrust, Competition and Trade Regulation Alert, 13* May 2014
- "Bayonne Medical Center Wins Insurance Fraud Case Against New Jersey's Largest Health Insurer," *K&L Gates Insurance Coverage/Healthcare Alert*, 3 October 2011
- "Navigating the Insurance Claims Handling Process: A Practical View With a Focus on D&O Insurance", *presented to the New Jersey General Counsel's Group on D&O*, 13 March 2008
- "Disaster Preparedness Insurance Coverage Considerations Relating to the National Standard on Disaster/Emergency Management & Business Continuity Programs recently recognized by Congress, endorsed by Dept. of Homeland Security, and promoted by 9/11 Comm.," *Insurance Coverage/Homeland Security Alert*, July 2005
- "Catastrophic Construction Accidents: General Contractors Working in New Jersey Can Recover Consequential Damages From Subcontractors' General Liability Insurance Policies," *K&LNG Insurance Coverage Alert*, December 2004
- "A Primer to Seeking Insurance Coverage For Certain High Exposure Intellectual Property and Business Tort Liabilities," *American Bar Association, Section of Business Law Spring Meeting*, 1999
- "Do PIBS Puncture Learned Intermediary Doctrine?," *New Jersey Law Journal*, 9 August 1993

EDUCATION

- J.D., Seton Hall University School of Law, 1982
- B.A., Rutgers University, 1979 *(magna cum laude, Phi Beta Kappa, Phi Alpha Theta)*

ADMISSIONS

- Bar of New Jersey
- Bar of New York
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the District of New Jersey
- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York

THOUGHT LEADERSHIP *POWERED BY HUB*

- April 2024, April 2024 Accolades - Part 1
- 26 July 2021, Surprise Billing Regulations: Impact on Out-of-Network Providers
- 14 June 2018, *American Orthopedic* — Third Circuit Addresses Anti-Assignment Clauses and Powers of Attorney in ERISA-Governed Health Insurance Plans

OTHER PUBLICATIONS

- "An Ounce of Prevention—Why Investigating a Health Plan's Grandfathered Status Matters to Providers," *Bloomberg Law*, 16 August 2018
- "An Ounce of Prevention—The Importance of Early Review of Assignment of Benefits and Powers of Attorney," *Bloomberg Law*, Health Law & Business News Insight, 21 June 2018
- "Select Reimbursement Issues for NJ Out-of-Network Hospitals," *New Jersey Law Journal*, 1 September 2015
- "Do PIBS Puncture Learned Intermediary Doctrine?," *New Jersey Law Journal*, 9 August 1993

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 14 November 2023, K&L Gates Expands Real Estate Practice With Newark Partner Addition
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide

- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch
- 15 August 2019, K&L Gates Welcomes Four-Lawyer Environmental and Mass Tort Litigation, Regulatory Team in Newark Office

AREAS OF FOCUS

- Insurance Recovery and Counseling
- Antitrust and Competition
- Commercial Disputes
- Healthcare and FDA
- Healthcare Fraud and Abuse (US)
- Healthcare Payor-Provider Disputes (US)
- International Arbitration

INDUSTRIES

- Consumer Goods and Services
- Franchising
- Healthcare