



Debra Albin-Riley

PARTNER

Recently named a 2020 Top Health Care Lawyer by Daily Journal and recognized by Legal 500, Debra specializes in helping clients navigate sophisticated health care-related disputes.



Industries

Health Care

Practices

Complex Litigation

Languages

English

Education

University of Southern California JD, 1983

University of California, Los Angeles BA, Art History, cum laude, 1980

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Debra is a skilled and experienced trial lawyer, successfully serving as the lead attorney on numerous high-profile matters in jurisdictions and courts across the country. Her significant experience before judges, juries, administrative panels and other decision-makers allows her to take matters through trial and appeal, or skillfully negotiate positive resolutions for her clients.

Debra's practice focuses on complicated health care and medical staff peer review hearings and litigation. Over the years she has gained extensive experience in sophisticated commercial contract disputes, class actions, Proposition 65, and trust and estate matters.

She has been rated among the "Top Health Care Lawyers" and "Top Women Lawyers" in California by *Daily Journal* as a result of her impressive track record of success. Debra is a Fellow of the Litigation Counsel of America, a trial lawyer honorary society composed of attorneys selected based upon excellence and accomplishment in litigation, and superior ethical reputation.

Health Care Litigation

Debra counsels and represents hospitals, health systems, and medical staffs in matters relating to peer review, including physician corrective action, bylaws revision, exhaustion of administrative remedies, California Evidence Code Section 1157, and Anti-SLAPP issues.

She successfully convinced the California Supreme Court to accept review of an appellate decision involving a retaliation claim by a physician whose privileges to perform surgeries at two Orange County hospitals had been suspended. The parties are briefing the matter and oral argument should be scheduled later this year.

Debra's representative health care matters include:

- Serving as the lead trial and litigation lawyer for a community-based teaching health system defending against whistleblower retaliation and other claims by a physician resident. Debra eviscerated most of the resident's claims by a summary adjudication motion, resulting in an extremely favorable settlement for the client.

Representing a major health care system serving Central California, handling medical staff peer review matters, including litigation. She serves as the lead lawyer in a medical staff hearing that has involved over 25 sessions, defending a Medical Executive Committee recommendation to terminate a physician's hospital privileges. Debra recently obtained a favorable settlement for one of the system's hospitals in a whistleblower retaliation case. This client also calls on Debra to lead confidential investigations on behalf of its medical staff.

- Handling medical staff and hospital-related litigation for an integrated Catholic health care delivery system that provides a full range of care facilities including 16 acute care hospitals, home health agencies, hospice care, and other services.
- Securing a rare victory in successfully dismissing a complaint without leave to amend for the medical staff of a hospital located in Indio, California.
- Negotiating numerous settlements between physicians, medical staffs and hospitals in contentious peer review matters.

Proposition 65, Product Liability and Consumer Fraud Litigation and Counseling

Debra has significant experience representing clients in product liability, toxic tort, consumer fraud, and Proposition 65 matters. Debra also has experience in claims involving the use of "natural" in labeling and advertising food products.

For several years, Debra traveled throughout the country defending class action and opt-out cases brought against a major international pharmaceutical company. She also has defended claims based on California Business and Professions Code Section 17200 and the California Consumer Legal Remedies Act for clients in the food, computer and technology industries, defeating several of those claims at the pleading stage.

Debra's representative experience includes:

- Defending Chevron U.S.A. Inc. and Chevron Corp., in connection with claims filed by the City of Richmond related to a 2012 refinery fire in Richmond, California. She was a key player in the expert discovery, drawing on her skill in selecting, developing and presenting expert testimony. After expert discovery and successful pre-trial motions eliminated most of the City's claims and damage theories, the case settled for a nominal amount.
- Representing several manufacturers and distributors in claims brought pursuant to California's Proposition 65. Her clients hail from a wide variety of industries, including beauty supplies, cosmetics, food products and automobile accessories.
- Obtaining a rare summary judgment victory in the Los Angeles County Superior Court for a food manufacturer, defeating claims based on allegations of consumer confusion and deception.

Class Actions

Throughout her career, Debra has developed expertise in class action matters, including matters in the state and federal courts.

Debra's representative class action experience includes:

- Representing a major telecommunications company in defending a putative class action involving claims of text message "cramming." Her client was dismissed from the litigation without payment to the class.
- Representing clients in developing complex settlement structures for resolution of multi-party and class action claims. In years-long litigation involving a prescription medication, she not only tried several cases, but played a pivotal part in devising a settlement scheme for the efficient and effective resolution of tens of thousands of claims.
- Securing victories for clients in the computer industry, defeating claims in putative class actions prior to class certification.

Trust & Estates Litigation

Debra represents individuals and entities in complicated trust and estate litigation. Her recent work in this area includes:

- Negotiating a hefty settlement for a California non-profit health clinic in a matter involving a 65-year old trust.
- Representing a major charitable institution in an appeal involving trust and conservatorship issues, and advocating for members of a prominent California family in several complicated and contentious probate and civil matters.
- Obtaining a favorable settlement in a highly publicized dispute between family members owning the 11th largest winery in the nation. Brought into the case only eight weeks before trial, Debra quickly mastered the case, argued several key dispositive motions, and handled the execution of the complex settlement involving over 20 trust-related documents.

Professional Activities

Debra is a long-standing member of the Board and serves on the Executive Committee of the Library Foundation of Los Angeles. She is a past chair of the Litigation Section of the Los Angeles County Bar Association and also served on the board of governors of the Association of Business Trial Lawyers.

Debra serves on three firm-wide committees at Arent Fox, including the firm's Professional Conduct Committee, the Associate Evaluation Committee, and the Women's Initiative Committee. She chairs the Women's Initiative for Arent Fox's Los Angeles office.

Memberships

Debra is a member of the California Society of Healthcare Attorneys, the American Health Lawyers Association, California Association of Medical Staff Services, and the Litigation Counsel of America.

Publications, Presentations & Recognitions

California's legal publication *Daily Journal* has repeatedly named Debra as one of the "Top Health Care Lawyers" and "Top Women Lawyers" in California as a result of her in-depth knowledge of the health care sector and her impressive track record of success. Debra has served as a panelist during *Daily Journal*'s annual "Women Leadership in Law" conference, bringing together successful women trial lawyers serving as first chairs at significant trials.

She has been recognized by Legal 500 and was listed as a *Lawdragon Magazine* "Top 500 Leading Litigation Lawyers." She also has been named as a "Super Lawyer" by *Los Angeles Magazine* every year since 2004 and is rated "AV Preeminent" by *Martindale Hubbell*.

Debra's recent publications and presentations include:

- "Whistleblower Lawsuits & Interminable Hearings: Protecting Peer Review in an Increasingly Litigious State," California Association for Medical Staff Services (CAMSS) 2020 Education Series, Online, July 23, 2020.
- *Rescheduled due to COVID-19*: "Anti-SLAPP in Peer Review: The Evolution Continues," California Society for Healthcare Attorneys (CSHA) Spring Conference, Apr. 24, 2020.
- "The Corrective Action Tool Box: What Options Do You Have?," Medical Staff Leaders and the Law Conference, Costa Mesa and San Francisco, Feb. 28, 2020 and Mar. 6, 2020.

- California Association of Medical Staff Services Long Beach Chapter 21st Annual Education Conference, Oct. 2019 (Torrance, CA).
- "Teaming With Your Lawyers to Avoid Lawsuits: Strategies for Medical Staffs and Hospitals," Medical Staff Leaders and the Law 2019: Costa Mesa and San Francisco, Feb. 1 and Mar. 1, 2019.
- California Association of Medical Staff Services Long Beach Chapter 20th Annual Education Conference, Oct. 2018 (Torrance, CA).
- "Whistleblower Lawsuits and Peer Review," Medical Staff Leaders and the Law 2018: Costa Mesa and San Francisco, Feb. 2018 and Mar. 2018.
- "California Anti-SLAPP Motions in a Post-Fahlen World," *BNA's Health Law Reporter*, Nov. 2015 . The article covers a recent California Supreme Court ruling that significantly impacts the Anti-SLAPP motion's viability in cases involving hospital peer review actions.

In addition, Debra regularly contributes to Arent Fox's Health Care Counsel blog.

Life Beyond the Law

Debra enjoys travel and spending time with family and friends, particularly her two daughters and son-in-laws.

Bar Admissions

California

Court Admissions

US Court of Appeals, Federal Circuit

US Court of Appeals, 9th Circuit

US Court of Federal Claims

US Tax Court

US District Court, Northern District of California

US District Court, Central District of California

US District Court, Eastern District of California

US District Court, Southern District of California

US District Court, Northern District of Illinois

US District Court, Central District of Illinois

US District Court, Southern District of Illinois