

Dimitri Zgourides



Partner

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Dimitri's commercial litigation practice has focused primarily on managed care and employee benefits matters since 1995. He has represented managed care entities and administrators in all aspects of insurance litigation including ERISA and Medicare benefits disputes, contractual and extra-contractual disputes with providers and hospitals, prompt pay litigation, insurance fraud and medical liability claims. He has tried cases in state and federal courts throughout Texas and has handled numerous complex commercial arbitrations. Before entering private practice, Dimitri served as a briefing attorney for the Chief Justice of the State's Fourteenth Court of Appeals.

REPRESENTATIVE EXPERIENCE

- Represented managed care company in arbitration proceeding in which a physician group sought in excess of \$6,000,000 arising from alleged prompt pay violations on 30,000 claims for services provided over a five-year period. The physician group also alleged that the managed care company made misrepresentations in connection with the applicable fee schedules and failed to adequately disclose fee schedules and changes to those schedules. Following a five-day arbitration hearing, the arbitrator found that the managed care company had properly paid all claims except for a small number that were corrected and paid before the arbitration hearing. The arbitrator also found that no misrepresentations had been made and that fee schedules were properly disclosed. (2008)
- Obtained take-nothing jury verdict for health insurance/managed care company in a suit filed by a local hospital in Gulfport, Mississippi, alleging breach of a managed care agreement, breach of the duty of good faith and fair dealing, and mutual and unilateral mistake seeking damages of \$1.6 million. The hospital demanded new contract terms after determining that a pricing amendment that it signed had not yielded the increase in revenues that its Director of Managed Care, CEO and Board of Trustees expected. When the managed care company client refused to meet the hospital's demands, the hospital terminated the agreement and filed suit. The jury returned a unanimous verdict in favor of the firm's client. (2007)
- Represented insurance company in business disparagement, tortious interference with business relations case filed by a provider seeking unspecified actual and exemplary damages arising from insurance fraud investigation. After removal from state to federal court, the case was transferred to multi-district litigation and all claims against the firm's client were ultimately dismissed. (2007)
- Represented insurance company in jury trial on defamation claims filed by a provider in which federal district judge granted judgment as a matter of law during the plaintiff's case in chief. (2005)

INDUSTRIES

Insurance

PRACTICES

Commercial Litigation
Litigation
Managed Care and
ERISA

EDUCATION

JD, 1992, *with honors*,
South Texas College of
Law

BA, 1989, The
University of Texas

ADMISSIONS

Texas 1992

US District Courts for
the Northern, Southern,
Eastern and Western
Districts of Texas

US District Court for the
Western District of
Oklahoma

US Court of Appeals for
the Fifth Circuit

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PROFESSIONAL RECOGNITION

- Texas Rising Star, *Texas Monthly* (2004, 2006)

AFFILIATIONS

- Houston Bar Association
- Federal Bar Association