

**FOR IMMEDIATE RELEASE**

**Litigation Note: Supreme Court Denies Certiorari in *Prime Healthcare Services, Inc. v. Service Employees International Union, et al.***

**Washington, D.C. – June 29, 2016:** On June 28, 2016, the U.S. Supreme Court denied certiorari in *Prime Healthcare Services, Inc. v. SEIU*, upholding the Ninth Circuit Court of Appeals decision in favor of SEIU, Crowell & Moring client Kaiser Foundation Health Plan, and related organizations. In the matter, Prime Healthcare Services, Inc. alleged an antitrust conspiracy between a health care workers' union and Kaiser to eliminate a competing hospital services provider from the market and asserted related monopolization claims against Kaiser.

On behalf of defendants Kaiser Foundation Health Plan, Inc., Kaiser Foundation Hospitals, and Southern California Permanente Medical Group, Inc., Crowell & Moring successfully moved for dismissal in the U.S. District Court for the Southern District of California before Judge Gonzalo P. Curiel. Prime Healthcare Services appealed Judge Curiel's order to the Ninth Circuit Court of Appeals. On appeal, Crowell & Moring served as co-counsel with Kellogg, Hubber, Hansen, Todd, Evans & Figel, PLLC and the dismissal order was upheld. The Supreme Court's decision to deny Prime Healthcare's petition for certiorari leaves standing the Ninth Circuit's decision affirming the district court's dismissal of Prime Healthcare's complaint. The case began in 2011.

District Court team: The Crowell & Moring team for the Kaiser parties was led by [Jason C. Murray](#) and Arthur N. Lerner, and included Van Nguyen, Angela J. Yu, [Thomas P. Gies](#), [Glenn D. Grant](#), and [Robert B. McNary](#).

Ninth Circuit Court of Appeals team: Crowell & Moring served as co-counsel for Kaiser along with Kellogg Huber, whose team was led by David Charles Frederick and Scott Attaway.

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