



J. Clark Pendergrass

Shareholder

Bar admissions: Alabama, 1997

Practice Areas

- Healthcare and hospital law
- Healthcare compliance
- Healthcare contracts
- Healthcare fraud and abuse
- Healthcare regulation
- Physician practices and contracts
- Corporate and business law
- Business formation and organizations
- Mergers and acquisitions
- Business and commercial transactions
- Venture capital
- Emerging, entrepreneurial, and start-up businesses
- Minority and small businesses
- Joint ventures
- Strategic alliances
- Employment contracts
- Commercial contracts

Profile

Mr. Pendergrass practices primarily in the areas of mergers and acquisitions and general corporate and business law in the healthcare industry.

Mr. Pendergrass has represented healthcare clients in complex transactions, such as ambulatory surgery centers (formation and reorganization), hospital-physician joint ventures, and other arrangements such as radiation therapy, sleep laboratories, and orthopaedic-sports therapy; the acquisition, development, and leasing of medical and physician office buildings; and the acquisition and divestitures of home health agencies. He is also experienced in preparing and negotiating physician employment agreements, subscription agreements, and shareholders' buy-sell agreements for physician practice groups.

Mr. Pendergrass also regularly advises hospitals, physicians, and other healthcare providers concerning regulatory and compliance issues, such as the Health Insurance Portability and Accountability Act (HIPAA), the Stark Law, and the Anti-Kickback Statute.

Mr. Pendergrass has represented emerging and start-up companies and been involved in venture capital and other private equity transactions. Mr. Pendergrass has experience in negotiating and preparing merger and acquisition agreements and related transaction documents; stock-purchase agreements; asset-purchase agreements; organizational documents for corporations and limited liability companies (LLCs); shareholder agreements; financing agreements; non-competition, non-disclosure, and confidentiality agreements; employment agreements; employee handbooks; and employee severance agreements.

No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.

Honors and Awards

- Selected by his peers in 2021 for inclusion in *The Best Lawyers in America*, Mr. Pendergrass is listed in the area of mergers and acquisitions.
- The Martindale-Hubbell Legal Directory has awarded Mr. Pendergrass an AV rating, indicating that his peers rank him at the highest level of professional excellence.

Court Admissions

- United States Court of Appeals for the Eleventh Circuit
- United States Court of Federal Claims
- United States District Courts, for the Northern, Middle, and Southern Districts of Alabama
- All Alabama state courts

Professional Associations

American Health Lawyers Association
Alabama Bar Association
Huntsville-Madison County Bar Association

Education

J.D., *summa cum laude*, 1997, University of Alabama, Tuscaloosa, AL
Managing Editor (1996-1997) and Junior Editor (1995-1996), *Alabama Law Review*
Order of the Coif
Dean M. Leigh Harrison Award
Hugo L. Black Scholar

B.A., *summa cum laude*, 1991, University of Tennessee, Knoxville, TN
Phi Beta Kappa

Presentations

- Affordable Care Act: 2015 Transition Rules, Tax Developments 2014 (continuing professional education program or certified public accountants), sponsored by the Lanier Ford Technology Practice Group, July 2014.
- “Play or Pay” Under the Affordable Care Act (with Scott Faulkner and Christopher Pape), Tax Developments 2013 (continuing professional education program or certified public accountants), sponsored by the Lanier Ford Technology Practice Group, July 2013.
- Selected Tax Issues Under Patient Protection and Affordable Care Act (PPACA), Tax Developments 2012 (continuing professional education program or certified public accountants), sponsored by the Lanier Ford Technology Practice Group, July 2012.
- Structuring Your LLC for Resale or Closure, Small Business Development Center, Alabama A&M University, 2009.

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Community Involvement

- Member, Huntsville Hospital Foundation Development Council (2006-2009).
- Participant, Madison County Volunteer Lawyers Program (2011 to present).

Other Experience

- Senior Staff Attorney, Justice Harold F. See, Alabama Supreme Court (1999-2001).

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