

# Landmark Verdict in Federal Healthcare Fraud Trial Sets Stage for Broader Conversations

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As discussions about healthcare fraud and anti-kickback enforcement continue to dominate headlines, the defense verdict in *United States v. Chad Beene* offers critical insights into legal strategies that can challenge federal prosecutions in this space.



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*Michael Wynne*

On November 22, 2024, a federal jury in Newark, New Jersey returned a favorable defense verdict for Chad Beene, acquitting him on six counts related to healthcare fraud and violations of the federal anti-kickback statute. The jury could not reach a verdict on the remaining counts. This outcome is particularly significant as acquittals in federal criminal white-collar cases, especially high-profile

healthcare fraud trials, have become increasingly rare.

Mr. Beene, who served as the National Sales Manager for Main Avenue Pharmacy—a subsidiary of Scripts America, Inc.—was charged alongside three other executives with conspiracy, healthcare fraud, and anti-kickback violations. While his co-defendants pled guilty and testified against him, the [Gregor Wynne Arney](#) trial team, led by [Michael Wynne](#) with Jon Muschenheim as second chair, successfully argued that Mr. Beene acted in good faith.

Central to the defense was a “good faith” jury instruction, which allowed jurors to consider whether Mr. Beene lacked the understanding that certain business practices, such as commission-based payments to marketers or insufficient oversight of prescription authorizations, could be considered unlawful.

“The case against Mr. Beene highlights the importance of carefully examining the intent behind business practices, especially in highly regulated industries like healthcare,” said Michael Wynne of Gregor Wynne Arney. “Our success demonstrates the vital role that thorough preparation and the right legal strategy play in achieving justice.”

The trial lasted three weeks, with the jury deliberating for five days before reaching its decision.

The charges stemmed from allegations that Main Avenue Pharmacy had engaged in fraudulent sales of compounded creams used to treat chronic pain, allegedly resulting in over \$35 million in billings to federal payors, including Medicare and Tricare, which serves veterans.

This verdict arrives at a pivotal moment for healthcare providers, sales professionals, and legal practitioners navigating increasingly aggressive enforcement of anti-kickback and healthcare fraud statutes.

“Our hope is that this case sheds light on the complexities of compliance and the need for clear guidelines in this field,” [Wynne added](#). “It also underscores that defendants deserve a fair trial and the opportunity to demonstrate their good faith.”

As the implications of this case continue to unfold, the defense team’s achievement serves as a critical reminder of the importance of challenging assumptions in federal criminal prosecutions.

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