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Gibson Dunn Secures Trial Victory for Five Hospitals Against Leapfrog Group

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A Gibson Dunn team recently secured a sweeping bench-trial victory for five South Florida hospitals in a case against The Leapfrog Group, the nonprofit organization that publishes widely distributed A–F “Hospital Safety Grades.” The decision halts a widely disseminated hospital rating system the court found deceptive and punitive and reinforces limits on private organizations presenting ratings as measures of healthcare safety.

Following a five-day trial, the U.S. District Court for the Southern District of Florida ruled that Leapfrog’s grading methodology for non-participating hospitals violated the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). Judge Donald Middlebrooks held that Leapfrog’s methodology “has no scientific basis, unfairly penalizes non-participating hospitals, and misrepresents hospital safety,” concluding that Leapfrog’s conduct constituted “an unfair and deceptive business practice.”

The ruling provides significant relief for Gibson Dunn’s clients—Tenet Healthcare Corporation-owned hospitals Delray Medical Center, Good Samaritan Medical Center, Palm Beach Gardens Medical Center, St. Mary’s Medical Center, and West Boca Medical Center—and addresses the use of ratings presented to the public as measures of hospital safety when, as the court found, they did not reflect actual hospital performance.

The court granted broad injunctive relief tailored to the conduct it found unlawful. The order requires Leapfrog to stop assigning grades to the five hospitals under the challenged or similar methodology, withdraw the Fall 2024, Spring 2025, and Fall 2025 grades from its websites, send corrective disclosures to entities that licensed the grades, and include corrective disclosures in future licensing materials

The injunction also prohibits Leapfrog from circumventing the relief by implementing substantially similar grading practices.

The Gibson Dunn team was led by partners Mary Beth Maloney, Sydney Scott, and Lee Crain, with Mary Beth serving as lead trial counsel. Partners Scott Hvidt and Daniel Chung played key roles in the trial presentation, and Helgi Walker, co-chair of the firm’s global Litigation Practice Group, helped shape the legal strategy and briefing. Of counsel Christine Buzzard played a central role in the briefing and trial presentation and delivered her first trial-court argument at the close of plaintiffs’ case.

The broader team included associates Kevin Simmons, Marc Aaron Takagaki, and Emily Cardone, who examined witnesses at trial; Kevin Reilly, who argued numerous deposition-designation disputes; Adam Garnick, Allyson Parks, Andrew Kuntz, Mary Otoo, Karsyn Archambeau, Noah Delwiche, Monica Grover, Robert Batista, and Christian Talley; and additional lawyers across Gibson Dunn offices who supported discovery, briefing, and trial preparation.

Related Capabilities

Litigation

Related People

Mary Beth Maloney

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