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U.S. District Court Vacates in Full a Nearly $50 Million Arbitration Award Against Client OptumRx

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On October 2, 2026, the U.S. District Court for the Middle District of Florida, Jacksonville Division unsealed a rare order vacating in full a nearly $50 million arbitration award against a Gibson Dunn client. The ruling concludes a decade-long dispute over unpaid commissions for pharmacy claims and other payments under a 2013 agreement between United Networks of America, Inc. (UNA) and OptumRx PBM of Illinois, Inc. and OptumRx, Inc. (collectively, OptumRx).

In the unsealed order, Senior U.S. District Judge Timothy J. Corrigan held that UNA's "story" about acquiring its competitor National Benefit Builders, Inc.'s (NBBI) business was "a lie" and that OptumRx had carried its burden to show that the arbitration "award was procured by…fraud." Judge Corrigan further held: "The weight of the evidence points clearly and convincingly to fraudulent conduct by UNA. The timeline shows not only that UNA withheld documents and lied in the arbitration. It also shows the broader picture of fraud…and it conveys how after the alleged acquisition took place, UNA and NBBI were still negotiating and drafting other agreements, under which NBBI would own its claims—entirely inconsistent with what they had represented to [OptumRx]."

UNA is a "value-added healthcare products and services" provider that administers and markets prescription drug discount card programs directly to consumers. OptumRx provides pharmacy benefit management (PBM) and recordkeeping services to third party payors and health plan sponsors. Under the 2013 agreement, OptumRx agreed to pay UNA a higher per-claim commission rate and extended that higher rate to any discount card business that UNA subsequently acquired. Shortly after entering into that agreement, UNA told OptumRx it had acquired NBBI, with whom OptumRx had a separate contract.

In 2016, UNA commenced arbitration against OptumRx's predecessor, Catamaran, for its "refusal" to pay certain fees, including for claims where OptumRx collected PBM revenue, pursuant to the 2013 agreement. OptumRx responded that the agreement was void "because UNA fraudulently induced [OptumRx] to sign [it]." The arbitrator noted the case involved "perhaps the most extensive discovery process undertaken in an arbitration" and, on October 5, 2023, ordered OptumRx to pay UNA a total of $48,362,033.

In November 2023, OptumRx sued NBBI and its principals in the U.S. District Court for the District of Colorado, arguing discovery "exposed UNA's and NBBI's fraud" by uncovering undisclosed documents in the custody of NBBI's outside counsel. OptumRx moved to pierce the attorney-client privilege under the crime-fraud exception, which was granted by the presiding judge, U.S. Magistrate Judge Reid Neureiter.

Also in November 2023, OptumRx petitioned the Florida district court to vacate the arbitration award, arguing UNA defrauded "the arbitrator and arbitration proceeding itself" by concealing documents and offering false testimony to cover up an alleged scheme to backdate the UNA/NBBI partnership agreement.

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