

Oppose Nolan's nomination to the Vermont Supreme Court

ALBANY, N.Y.-Gov. Phil Scott's nomination of former U.S. Attorney of Vermont Christina Nolan to the state Supreme Court should be strongly opposed to safeguard public trust in our judicial system.

While serving as U.S. attorney of Vermont, Christina Nolan received from me detailed evidence of health care fraud at the Brattleboro Retreat. In my letter, I offered to testify before a federal grand jury, including waiving immunity, and provided Ms. Nolan with a USB drive containing supplemental evidence of commercial insurance losses exceeding \$500,000. The federal fraud litigation my attorneys filed in 2013 focused on losses to Medicare and other federal health benefit programs, as well as to multiple state Medicaid programs - including Vermont, which the complaint alleged suffered millions in losses. The \$11 million in alleged federal and state benefit program losses resulted from a double-billing scheme, where the hospital routinely wrote off credit balances generated by overpayments.

Despite the seriousness of these allegations, Christina Nolan's office never acknowledged my letter, never contacted me, and took no action regarding the supplemental evidence provided. This was in addition to the substantial body of evidence previously submitted to the United States Attorney's Office in Vermont when the federal litigation was filed in 2013.

Multiple entities - the Governor's Office, the Vermont Attorney General, and the Vermont State Auditor - also possessed significant evidence. The Brattleboro Retreat was under a multi-year criminal investigation from 2015 to 2018, and as recently as 2023, a second fraud investigation was reported in Vermont media, with no public resolution to date. Vermonters deserve a Supreme Court justice who upholds the law and public trust. Christina Nolan's record of inaction in the face of clear evidence of fraud makes her unfit for this critical role.

The Vermont Senate will soon vote on this nomination. I urge readers to contact their state senators at 802-828-2228 and the Governor's Office at 802-828-3333 immediately to oppose this confirmation. Public trust in our courts depends on accountability and integrity.

Thomas Joseph
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