



J. Clark Pendergrass

Bar admissions: Alabama, 1997

Practice Areas

- 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
- Health-care and hospital law
- Health-care compliance
- Health-care contracts
- Health-care fraud and abuse
- Health-care regulation
- Physician practices and contracts
- Employment contracts
- Commercial contracts
- Federal government and defense contracts

Profile

Mr. Pendergrass practices primarily in the areas of mergers and acquisitions, corporate and business law, and health-care law. Mr. Pendergrass has extensive experience in complex transactions involving the health-care industries and defense and government contractors.

In the area of health-care law, Mr. Pendergrass regularly advises hospitals and physicians concerning regulatory compliance and fraud and abuse issues, such as the Stark Law and the Anti-Kickback Statute. Mr. Pendergrass has represented health-care clients in complex transactions, such as hospital-physician joint ventures and other arrangements involving radiation therapy, sleep laboratories, and orthopaedic-sports therapy; the acquisition, development, and leasing of medical and physician office buildings; and the divestiture of a home health division.

In the area of government contract law, Mr. Pendergrass regularly advises clients about issues involving the Federal Acquisition Regulation (FAR), the Department of Defense Federal Acquisition Regulation Supplement (DFARS), Section 8(a) program, small disadvantaged business (SDB) program, the women-owned business program, and the service-disabled, veteran-owned small business program.

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

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.

Profile (continued)

agreements; employee handbooks; and employee severance agreements. Mr. Pendergrass also has experience litigating business and minority-shareholder disputes and commercial and contractual transactions.

Professional Associations

American Bar Association
Alabama Bar Association
American Health Lawyers 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., 1991, University of Tennessee, Knoxville, TN
Phi Beta Kappa

Publications

- “Discovery and Claims Alleging Police Misconduct,” *For the Defense*, June 2003 (with George W. Royer).
- “Unitary Status: A New Wave of Litigation,” *Alabama School Boards*, August 1999 (with J. Russell Gibson, III).
- “The Real Estate Consumer’s Agency and Disclosure Act: The Case Against Dual Agency,” *Alabama Law Review*, 1996.

Presentations

- “Structuring Your LLC for Resale or Closure,” Small Business Development Center, Alabama A&M University, 2009.

Community Involvement

- Member, Huntsville Hospital Foundation Development Council (2006-2009).

Other Experience

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

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