

Colm Ryan

Partner

Albany, New York
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Education

- Boston College Law School, JD
- Boston College, BA

Practices & Industries

- Health Care Controversies
- Torts & Products Liability Defense
- Commercial Litigation & Complex Trials
- Construction & Surety
- Health Care

Admitted to Practice

- New York

Court Admissions

- US District Court for the Northern District of New York

Biography

Colm primarily concentrates his practice on commercial litigation, construction litigation, and torts and insurance-litigation matters. He represents corporations, partnerships, individuals, and school districts in a variety of matters, including negligence and liability claims as well as commercial litigation matters related to breach-of-contract claims.

For health care providers, Colm provides guidance and compliance checks for Medicaid providers subject to Office of Medicaid Inspector General (OMIG) audits and works with providers to minimize exposure from Medicaid for claims of overpayments. He also represents providers and employees subject to NYS Justice Center civil and criminal abuse and neglect investigations, including investigations into deaths and serious injuries involving developmentally disabled individuals.

Representative Experience

- First-chaired a bench trial representing a municipal housing authority in a suit against its former executive director for rescission of contract and breach of fiduciary duty. The trial resulted in a judgment requiring the defendant to repay the entirety of compensation she received during 19 months of employment as the executive director.
- Second-chaired an OMIG administrative hearing defending a health care provider from a claim for over $2 million in alleged overpayments. The hearing resulted in the complete dismissal of the OMIG's claim for overpayments.
- First-chaired a jury trial defending a drilling and blasting contractor against a claim for property damage. The jury returned a no-cause defense verdict.
- Represented owners of a lifestyle and entertainment agency in an arbitration proceeding against a former employer concerning the breach of a separation agreement. The

arbitrator awarded all owners separation payments and attorneys' fees totaling over $400,000. The arbitrator's award was confirmed by the NY Supreme Court.

- Assisted in obtaining an injunction on behalf of energy-service companies, delaying the implementation of NYS Public Service Commission (PSC) rule until the completion of the public comment and review period.
- Represented a psychologist in an Article 78 proceeding challenging the Justice Center's refusal to disclose an investigative file in an administrative proceeding challenging a substantiated abuse finding.
- Reclaimed a website for a client in an UDRP proceeding against a cyber-squatter.
- Obtained temporary restraining orders and injunctions for providers subject to immediate exclusion from Medicaid, permitting providers to continue operations during pendency of the administrative proceeding.
- Represented the Albany County Airport Authority in an Article 78 proceeding challenging an award of a concessionaire contract.
- Obtained an injunction prohibiting the NYS Workers' Compensation Board from suspending a physician's ability to render treatment and care to injured workers.
- Represented owners, contractors, and sub-contractors in connection with construction litigation in actions related to mechanics' liens, breach-of-contract claims, public bidding, labor law, insurance, indemnity, construction disputes, and design-related issues.
- Representing nationwide hospital and health care provider and its entities in suit brought by former nurses and doctors regarding retirement and agreed-upon pension.

Prior Experience

- Bond, Schoeneck & King, PLLC, Associate

Selected Honors

- *The Best Lawyers in America*®: Commercial Litigation, 2027; Product Liability Litigation – Defendants, 2027
- Selected to *Super Lawyers* Upstate New York Rising Stars: Business Litigation, 2015–2023

Selected Alerts & Blog Posts

- A Rule of Reason Dictated for OMIG "System Match" Desk Audits
- Practitioners Now Required to Use Electronic Prescriptions

- Aggressive CIRB Audits Can Result in Dramatic Increases to Workers' Compensation Premiums