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AGAPE LITIGATION ENDS

United States ex rel. Michaels v. Agape Senior Community, Inc., et al
12-cv-3466
District of South Carolina

On August 23, 2017, Agape settled a four and a half year legal battle with two disgruntled whistleblowers and the federal government for \$275,000. Ninety-nine percent (99%) of the case was dismissed by the Court in the weeks prior to the settlement. On July 24, 2017, the Court granted partial summary judgment for Agape and dismissed more than 60,000 claims for more than 10,000 patients that the relators claimed were allegedly false. Then on July 31, 2017, the Court dismissed on summary judgment grounds the relator's retaliation claim. These dismissals, along with the settlement are significant victories for Agape. In settling this matter, Agape strongly denies any wrongdoing and is confident that it would have prevailed at trial. The settlement was purely a business decision based upon the cost of going to trial on the small amount of claims remaining at issue. Agape can now return all of its' focus to doing what it does best – supporting South Carolina's senior citizens and their families.

Agape is a faith based company. Its values reflect the qualities described in the nine fruit of the Spirit found in Galatians 5:22-23. Agape has always been a leader in the effort to improve the care and support provided to South Carolina's senior citizens and their families. Currently, Agape employs over 1200 South Carolinians (including over 100 physicians and nurse practitioners) who proudly provide the highest quality of care and services to tens of thousands of residents and patients in our over 100 other entities across the state.

The Michaels and Whitesides civil lawsuit was brought by two disgruntled former employees—one of whom was a brand new nurse who was terminated after spending less than six months at Agape. The federal government did not intervene in the case after thoroughly investigating these allegations. A federal judge also dismissed another similar civil lawsuit in August of 2014 in which the federal government also investigated and, likewise, did not intervene.

From the beginning of this litigation, Agape has firmly denied all of these allegations and has vigorously defended itself. Agape has a strong corporate compliance program and the policies are to comply with all state and federal laws. Numerous governmental audits have consistently shown that their actions clearly fall within the parameters established by these regulations, and we will continue to provide the highest quality of care in accordance with these requirements.

Agape has always placed the interests of its patients above any self-interest, and maintains its commitment to the seniors of South Carolina. Agape responded to the good news today; “We are very proud of the work and accomplishments of our employees and we will always vigorously defend these types of allegations. We are committed to our mission, vision and focus.”

The case has been handled by attorneys Deborah B. Barbier and Mark C. Moore of Nexsen Pruet.

Please address any questions to Deborah B. Barbier (803) 730-6290.