



# RACHEL M. LAMONTAGNE

PARTNER

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Rachel M. LaMontagne is a partner in the Miami office of Shutts & Bowen LLP, where she is a member of the Mass Litigation Practice Group.

Rachel is an experienced litigator and concentrates her practice on handling personal injury protection litigation. She has coordinated precedent-setting, complex insurance litigation at the state and national level, including constitutional challenges and insurance policy and coverage interpretation matters relating to coverage, Medicare, fraud, coding and fees issues.

Rachel is also experienced in handling ERISA matters involving disputes over long-term disability benefits, individual disability claims, group and individual life insurance disputes, housing matters, coverage issues, attorney and accountant malpractice matters. She has first chaired numerous civil and criminal jury trials and served as lead counsel in ERISA matters throughout Florida.

## Practice Areas

Insurance

Litigation

## Industry Focus

Insurance

## Education

- St. Thomas University School of Law, J.D., 1996
- Florida State University, B.S., 1993

## Rachel M. LaMontagne

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### Bar Admissions

Florida

### Court Admissions

- Florida Supreme Court
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Middle District of Florida
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Bankruptcy Court for the Southern District of Florida

### Languages

Spanish

### Presentations

- Speaker, "*Valuable Techniques when Dealing with Medicare Advantage and Prescription Drug Plans*," 6th Annual Medicare Secondary Payer Master Class, February 2021
- Speaker, "*Medicare Conditional Payments Case Law Update*," Medicare Secondary Payer Conditional Payment Forum Presented by RISE, June 2020
- Speaker, "*Case Law Update on Liability, No-Fault, and Workers' Compensation Medicare Secondary Payer Issues*," Medicare Secondary Payer Master Class Presented by RISE, February 2020
- Speaker, "*Call to Action on the Private Cause of Action*," NAMSAP's 2019 Annual Meeting and Educational Conference, September 2021
- Speaker, "*Are MAP and PDP Assignees Also Allowed to Recover Double Damages?*" Medicare Secondary Payer Conditional Payment Forum, June 2018
- Speaker, "*More Bad News: Assignees are Allowed Double Damages*," Medicare Secondary Payer Conditional Payment, Healthcare Education Associates, June 2017
- Speaker, "*Defining Conditional Payments for Primary Payers*," Second Annual Medicare Secondary Payer Master Class, Healthcare Education Associates, January 2017