

Conejo, Healthcare Integrity file suit against RMCHCS

Written by By Beth Blakeman Associate Editor
Friday, 07 August 2020 04:20



Was it a conspiracy? Wrongful termination? Inside politics? Lack of communication?

A complaint filed against Rehoboth McKinley Christian Health Care Services by former CEO David Conejo and his management company Healthcare Integrity in U. S. District Court July 23 indicates it was a mix of these and more.

Conejo said July 29 that he could feel the shifting winds at the hospital early in 2020. He said he brought his contract with him to a February meeting and said he “had a sense that ... maybe they wanted to make a change in who the CEO was.”

At the meeting he said he offered a couple of suggestions to members of the hospital board.

“You can allow me to finish out my contract and pay off the balance. Or you can just pay off the balance and we can leave on good terms,” he said. “But what you cannot do [is to] just terminate the contract and expect to not pay me.”

Conejo added that he still had 19 months on his contract, and he “didn’t expect to have it short-circuited because somebody decided to make a change.”

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He also said he was blamed for a lot of things that were not his fault, including the COVID-19 pandemic.

“They terminated me for my responses and actions during a pandemic. Hospitals everywhere are scrambling for supplies, equipment,” he said. “They accused me of not having done my job because we were short of supplies or staff. And that is ridiculous in a pandemic situation.

“They drug [sic] my name through the mud,” he continued. “They questioned my competency; at this stage I’m not about to say, just pay me what you owe me and I’ll be on my way ...”

Conejo believed he was not given the opportunity to respond to the situation he was facing. So he decided to file suit.

He hired Luis Robles of Robles, Rael & Anaya, P. C. to defend him and his management company, Healthcare Integrity.

Robles put together a 61-page complaint calling for a jury trial. The complaint goes back through Conejo’s recent history with the hospital, including issues that arose prior to the novel coronavirus pandemic.

Robles told the Sun on July 30, that he filed the complaint in federal district court rather than McKinley County District Court because one of the claims is being brought under the Lanham Act, 15 U. S. C. § 1125 (a) (1) (B).

He said the Lanham Act in this case refers to social media posts and petitions that reflect negatively on the character of Conejo and HCI. Since Facebook, Change.org and YouTube’s messages travel through interstate commerce, the case was filed in federal district court.

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Another reason for filing in federal district court, Robles explained, is that the structure of the federal court pushes the process along automatically. Each step in the legal process of the case triggers the next thing that is supposed to happen in the case.

For instance, defendants in the case are being served this week. After that takes place they have 20 days to respond, and then a U.S. magistrate judge will put the case on a track for discovery, so parties from both sides can ask questions and file motions.

Defendants named in the complaint include Valory Wangler, Laura Hammons, Neil Jackson, Felicia Adams, Andrea Walker, Christopher Hoover, Mary Poel, Jaylyn Ellis and John Does 1-10 and Jane Does 1-10.

Robles explained that John Does 1-10 and Jane Does 1-10 are simply placeholders that will allow him to add the names of other defendants at a later time.

In addition to claims of defamation and false light, the complaint addresses issues of “breach of contract, breach of covenant of good faith and fair dealing, [and] civil conspiracy.”

The complaint mentions closed door meetings and private communications and says the defendants “conspired and waged a campaign to intentionally and or negligently interfere with HCI’s contract with RMCHCS.”

Conejo and HCI are asking for actual, compensatory, punitive and treble damages, as well as pre-and post-judgment interest, attorneys’ fees, costs, and expenses incurred, and any other relief the court deems proper.

Treble damages, although not a common legal term, allows for a court to triple the amount of the actual or compensatory damages to a plaintiff who wins this case.

Members of the RMCHCS management team, and their attorney, were contacted multiple times

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for comment on the lawsuit, but there have been no responses as of press time.

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