

Sheppard Mullin Secures \$41.38 Misdemeanor Plea Deal In Alleged \$70 Million Fraud Case

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Sheppard Mullin announced that Dr. Robert B. Scott, a physician who has long served underprivileged communities in rural Oklahoma, has resolved federal allegations against him arising from a purported \$70 million fraud scheme by pleading to a single misdemeanor charge for misapplying \$41.38 relating to one insurance claim.

Last week, Judge Amos Mazzant of the United States District Court for the Eastern District of Texas accepted the plea agreement, which includes restitution of \$41.38 and no jail time.

Prosecutors originally charged Dr. Scott in January 2024 with multiple felony conspiracy counts related to work performed for Vivature, a medical billing company. The indictment alleged that Dr. Scott allowed Vivature to use his credentials to submit more than \$70 million in false insurance claims. Prosecutors also alleged that Vivature executives and co-defendants including Dr. Scott used the proceeds to fund lavish lifestyles. Charges against two Vivature executives remain pending with trial scheduled for February 2026.

Dr. Scott consistently maintained his innocence. Given the seriousness of the original allegations, Dr. Scott faced potential prison time and tens of millions of dollars in restitution. The final resolution, which involves a single misdemeanor with no jail time, represents a significant defense victory. The plea allows Dr. Scott to continue practicing medicine and to move forward with his professional and personal life.

"We are thrilled to achieve this result for a very deserving client," said Gene Besen, lead counsel for Dr. Scott and a partner at Sheppard Mullin. "Dr. Scott should never have been indicted. Our team was confident a jury would have reached that conclusion at trial. However, trials carry risk and a conviction on the indicted charges would have had devastating consequences for Dr. Scott and his family. This pre-trial resolution removes those risks and gives Dr. Scott his life back."

The Sheppard Mullin team, led by Besen and including former federal prosecutors Scarlett Nokes and Stephen Moulton, drew on decades of experience to protect Dr. Scott's rights throughout the case. The team developed and executed a strategy that positioned the matter for trial while preserving every opportunity for a favorable outcome. The team won a major procedural victory when the court severed Dr. Scott's case from his co-defendants and set it for a separate trial. The plea agreement reflects more than a year and a half of consistent and strategic advocacy.

Attorneys

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Practice Areas

Governmental