

# Kyle W. Eiselstein

**Member**
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## PRACTICE AREAS

Business Litigation | Insurance Litigation | White Collar & Corporate Investigation | Litigation | Professional Services Litigation | Investigations & Special Projects | Crisis Management | Life Sciences

Kyle Eiselstein is Vice-Chair of the Litigation Department and concentrates his practice in the area of civil litigation with an emphasis in complex commercial disputes. He represents business clients in a wide range of federal and state court cases, including matters involving alleged misrepresentation and fraud, breach of contract, business torts, and insurance coverage. Kyle's practice includes representing healthcare providers in the defense of federal False Claims Act litigation.

## EDUCATION

- J.D., *summa cum laude*, University of Tennessee College of Law, 2000
  - Order of the Coif
  - Student Materials Editor, *Tennessee Law Review*
- B.S., *magna cum laude*, Florida State University, 1994
  - Phi Beta Kappa

## BAR ADMISSIONS

- Tennessee

## COURT ADMISSIONS

- U.S. District Court, Eastern and Middle Districts of Tennessee
- U.S. Court of Appeals, Sixth Circuit

## ACCOLADES

- *Chambers USA Legal Guide – Litigation: General Commercial (Tennessee), since 2024*
- *Best Lawyers* "Lawyer of the Year" (Chattanooga, Tennessee) – Insurance Litigation, 2027
- *Best Lawyers* "Lawyer of the Year" (Chattanooga, Tennessee) – Insurance Law, 2022
- *The Best Lawyers in America*® – Commercial Litigation; Insurance Law; Insurance Litigation; Healthcare Litigation, since 2018
- *Mid-South Super Lawyers*® – Business Litigation; Civil Litigation; Insurance Coverage, since 2024

## MEMBERSHIPS

- American Bar Association
- Chattanooga Bar Association
- Federal Bar Association
- Tennessee Bar Association

## COMMUNITY

- St. Paul's Episcopal Church – Former Vestry Member and Outreach Chairman
- The McCallie School, Board of Trustees
- Boys and Girls Clubs of Chattanooga, Board of Directors

## EXPERIENCE

- Represented national skilled nursing facility company in False Claims Act litigation, and related third-party litigation, concerning the medical necessity of rehabilitation therapy.
- Represented national healthcare provider in contractual dispute concerning third party administrator's investigation of claims.
- Represented international pharmaceutical distributor in opioid litigation in Tennessee.
- Represented consumer product manufacturer in multi-state product litigation involving ranitidine.
- Represented global chemical company to recover damages from engineering firm for defective design of processing equipment.
- Represented chemical manufacturer in responding to explosion and chemical release at a client facility.
- Represented international manufacturer and distributor of beverages in recovering, under its property policy, losses resulting from a recall of its products in Europe.
- Represented beverage distributor in recovering, under its property policy, losses resulting from a defective automated storage and retrieval system.
- Represented insurance companies in providing coverage opinions under CGL, D&O, EPL and other policies.
- Represented banking client in presenting claims against accounting firms for failure to detect fraud during audits.
- Represented entities and individuals in partnership and LLC-member disputes.
- Represented attorneys in alleged malpractice actions.
- Represented nation's largest producer of construction aggregates in personal injury and wrongful death claims as well as property damage and nuisance claims.
- Represented manufacturer in recovering losses suffered during a hurricane due to defective design and construction of its facility.
- Represented religious and educational institutions in investigations of sensitive claims and provided special counsel in crisis management efforts.
- Serves as outside general counsel to an independent school.
- Has been involved in representing clients charged with criminal immigration violations and tax fraud.










