

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ALBEMARLE

DR. K. CRAIG KENT )

*Plaintiff,* )

v. )

JONES SWANSON HUDDALL LLC, )  
GLADSTONE JONES, LYNN SWANSON, )  
and LES BOWERS )

*Defendants.* )

Case No. )

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**COMPLAINT**

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Plaintiff, Dr. K. Craig Kent, for his Complaint against Defendants, Jones Swanson Huddell LLC (a law firm), and individuals Gladstone Jones, Lynn Swanson, and Les Bowers, states as follows:

**OVERVIEW**

1. Dr. Kent files this litigation in response to Defendants’ defamatory campaign to oust him from his position as CEO of the University of Virginia Health System (“**UVA Health**”) through the publication of shocking -- and demonstrably false -- accusations about him to the UVA Board of Visitors and later, to the news media. Dr. Kent asserts claims for defamation *per se* and tortious interference with his employment contract with UVA Health.

2. The purpose of Defendants’ campaign was to remove Dr. Kent as the apex leader of UVA Health and then capitalize monetarily on his removal, by filing a federal lawsuit that echoes many of the same defamatory accusations and uses Dr. Kent’s ouster to validate them. The campaign laid the groundwork for a lawsuit to be brought by all Defendants on behalf of a group of plaintiffs. Defendants have also used press media to convey threats to file additional suits,

ostensibly to pressure UVA Health and its insurers to settle all claims and produce and an outsized financial award for Defendants.

3. As a result of Defendants' acts, Dr. Kent is entitled to compensation for the monumental injuries he suffered to his business and personal reputations, for his humiliation, emotional and mental anguish, and embarrassment, as well as for pecuniary losses (including millions of dollars in lost wages and future employment opportunities), and punitive damages.

4. At the time the Defendants' defamatory campaign began, Dr. Kent was a nationally renowned leader of medical health systems who had worked for forty years to reach the pinnacle of his profession.

5. On February 24, 2025, Defendants Jones Swanson Huddell LLC, a Louisiana law firm, Mr. Gladstone Jones (the firm's founding member), and Ms. Lynn Swanson (the firm's managing member), published a 26-page letter "report" that defamed Dr. Kent (the "**Letter Report**") to at least 23 recipients, most of whom were members of the University of Virginia Board of Visitors. (See **Exhibit A** hereto.). The publication date (February 24, 2025) was one day before the UVA Board of Visitors was scheduled to meet for briefing by Williams & Connolly attorneys on the results of their investigation of Dr. Kent (and others at UVA Health).

6. The Letter Report made shocking and false factual accusations against Dr. Kent, including that he had "ordered" a pediatric oncologist to perform an unsafe bone marrow transplant on a child patient and caused patients to become blind and suffer strokes by mismanaging UVA Health's funds.

7. The Letter Report was published on Jones Swanson Huddell letterhead, was authored by Defendants Mr. Jones and Ms. Swanson, and was attached to an email blast Defendant Mr. Jones sent from the jonesswanson.com e-mail server.

8. Defendants Jones Swanson Huddell LLC, Mr. Jones, and Ms. Swanson designed the Letter Report to appear as if it were the result of an official, objective investigation by UVA, although they were neither engaged by UVA nor directed to prepare any report. The only investigation sanctioned by UVA was performed by Williams & Connolly, and Defendants drafted the Letter Report to create the false impression that it was prepared in collaboration with the Williams & Connolly lawyers performing the investigation. The Letter Report did not result from any legitimate investigation; what Board members received was a biased and spiteful polemic against Dr. Kent based on a host of demonstrably false “facts.”

9. The Letter Report was followed by a threatening message: within twenty-four hours of its delivery, a Board of Visitors member warned the remaining board members and UVA President James Ryan that if Dr. Kent was not gone by 6:00 p.m. that day (February 25, the day of the Board meeting), it would be sent to *The Washington Post*.

10. On the afternoon of the February 25 meeting, Dr. Kent received an urgent phone call from President Ryan, who asked Dr. Kent to resign. President Ryan said the urgency was related to a threat to release the Letter Report to *The Washington Post* if Kent did not resign by 6:00 p.m. that evening.

11. Just over a year before receiving President Ryan’s call, Dr. Kent had declined the opportunity to become the CEO of a major top-twenty academic health system. His contract would have included a five-year term and more than \$6 million in total annual compensation. Dr. Kent chose to stay to finish the good work that was being accomplished at UVA Health, and out of loyalty to all of the team members that had rallied around UVA Health’s strategic plan.

12. The motive for the takedown of Dr. Kent became evident several months later when a 105-page complaint with thousands of pages of attachments was filed against him (and others)

on October 3, 2025. It makes many of the same accusations as in the Letter Report (adding, for good measure, that he had “illicitly caused the deaths of two patients”), and features Dr. Kent’s ouster as lending credence to them. Sure enough, lead counsel for the plaintiffs in that lawsuit are the Jones Law Firm Defendants, and local counsel is Defendant Les Bowers. It became clear that Defendants had been laying the groundwork in the Letter Report for a series of lawsuits that would potentially produce great financial gain for them—which meant they had every incentive to publish knowingly false information, or at the least, recklessly ignore the possibility that it was false.

13. The splashy and spurious allegations made against Dr. Kent in the complaint generated media attention, which Defendants Messrs. Jones and Bowers used as a platform to further disseminate their false messages about Dr. Kent outside the judicial proceedings and to defame Dr. Kent in the process.

14. In news articles published in October and November 2025, Messrs. Jones and Bowers were quoted as making false statements of purported fact that Dr. Kent engaged in “criminal acts” and “illegal” and “unethical” practices, all related to billing fraud, including that he had implemented a Medicare “scam.” These gratuitous, public-facing statements were neither material to nor made during a judicial proceeding.

15. Defendants published statements in the Letter Report and in the press that were defamatory *per se* because the statements imputed an unfitness to perform or lack of integrity in Dr. Kent’s performance of his job, falsely asserted that Dr. Kent committed a criminal offense involving moral turpitude, and necessarily prejudiced Dr. Kent in his profession.

16. Defendants made their defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements’ probable falsity, and/or entertained serious

doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. Defendants also published the defamatory statements with common law malice, in that Defendants acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

### **THE PARTIES**

17. Plaintiff, Dr. Craig Kent, is a resident of Charlottesville, Virginia. Immediately prior to becoming the CEO of UVA Health in 2020, Dr. Kent served as Dean of The Ohio State University College of Medicine and Vice President for Health Services. He oversaw the physician practice, increased faculty by several hundred, made significant advancements in faculty culture, and created a new physician compensation plan. In addition, Dr. Kent significantly improved the research rankings of the college and expanded its research infrastructure. For most of Dr. Kent's tenure at Ohio State, he reported directly to the university President and co-led the health system with the hospital CEO. In that role, Dr. Kent significantly expanded the clinical enterprise and enhanced the health system's national reputation.

18. Prior to Ohio State, Dr. Kent served as Chair of the Department of Surgery at the University of Wisconsin. Over eight years, Dr. Kent doubled the department's surgical volume and grew its National Institute of Health (NIH) ranking to fifth in the nation.

19. Dr. Kent began his almost thirty years of health system leadership as Chief of the Combined Division of Vascular Surgery at Weill Medical College at Cornell University and Columbia College of Physician and Surgeons. He also led the Vascular Service Line at New York Presbyterian Hospital. Dr. Kent also has served in other major national leadership roles, including President of the Society of Vascular Surgery, Chair of the American Board of Surgery, President of the Society of Surgical Chairs, and Chair of the Surgery and Bioengineering study section of

the NIH. In 2019, Dr. Kent was elected by his peers to become a member of the National Academy of Medicine, a group of 2,500 of the nation's foremost scholars, innovators, and academic leaders committed to scientific excellence and public service in medicine.

20. An NIH-funded researcher for over thirty years, Dr. Kent has authored more than 360 articles, 65 book chapters, served on multiple medical journal editorial boards, and lectured nationally and internationally at over 130 institutions. His work has been cited over 25,000 times in medical literature. He earned his medical degree and completed surgical training at The University of California, San Francisco, followed by a research and clinical fellowship in vascular surgery at The Brigham and Women's Hospital in Boston. Dr. Kent began his career in Boston where he rose to become an Associate Professor of Surgery at Harvard Medical School.

21. Defendant Jones Swanson Huddell LLC ("JSH") is a law firm based in New Orleans, Louisiana. JSH maintains its principal offices at 601 Poydras Street, Suite 2655, New Orleans, Louisiana 70130.

22. Defendant Gladstone Jones ("Jones") is an attorney and the founding member of JSH. On information and belief, Jones resides at 4130 Cove Garden Road, North Garden, Virginia 22959.

23. Defendant Lynn Swanson ("Swanson") is an attorney and the managing member of JSH. On information and belief, Swanson resides at 5701 Sutton Place, New Orleans, Louisiana 70131. (JSH, Jones, and Swanson are sometimes collectively referenced as "Jones Law Firm Defendants").

24. Defendant Les Bowers ("Bowers") is an attorney who resides in Charlottesville, Virginia at 512 Rookwood Place, Charlottesville, Virginia 22903.

## JURISDICTION AND VENUE

25. This Court has original and general jurisdiction of this case pursuant to Va. Code § 17.1-513.

26. Venue is proper pursuant to Va. Code §§ 8.01-262(1), -262(2), -262(3), and -262(4).

27. The court has personal jurisdiction over JSH, Jones and Swanson pursuant to Va. Code § 8.01-328.1(1) and (3) because the causes of action arise out of their transaction of business in this Commonwealth and causing tortious injury by acts or omissions in this Commonwealth.

## BACKGROUND

### **In 2020, UVA Health hired Dr. Kent to turn around a flagging health system.**

28. In February of 2020, UVA hired Dr. Kent to serve as the CEO of University of Virginia Health and Executive Vice President of Health Affairs at UVA for a five-year term under an employment agreement. When Dr. Kent arrived in 2020, morale was poor across the organization. His initial review revealed a lack of unity among the various health system entities (hospitals/physician organization/school of medicine), no strategic plan, poor economic performance, and a billing and collection crisis that had garnered national attention. UVA Health was decades behind benchmarks for modern healthcare, with long wait times, poor patient access, and a lack of operating practices and efficiencies. Six weeks after Dr. Kent arrived, the COVID pandemic began.

29. Despite the abrupt onset of the pandemic, UVA Health rallied under Dr. Kent's leadership. He created and implemented a comprehensive strategic plan using input from more than 3,000 team members. The initiatives focused on modernizing operations and infrastructure, achieving superior patient outcomes, and improving resource stewardship and philanthropy. The comprehensive plan was intended to foster a healthier workplace, achieve distinction in education,

lead statewide and regional expansion, and develop destination programs for clinical care. It aimed to establish UVA Health as the nation's leading public academic health system.

30. Five years later, it was clear that Dr. Kent's execution of the plan was successful.

31. Patient access to care at UVA Health increased dramatically over Dr. Kent's tenure: outpatient encounters increased by 55% to 1.3 million, surgeries by 65%, hospitalizations by 60%, emergency room visits by 300%, and cancer care by more than 70%.

32. The expansion in care volume did not come at the expense of quality, which also improved dramatically, as measured by two well-recognized metrics. Mortality rates (as measured by Vizient) dropped to their lowest levels in ten years under Dr. Kent's leadership, and all four UVA Health hospitals achieved a Leapfrog Hospital Safety Grade of "A" (the highest possible grade) by the Spring of 2024.

33. UVA Health had historically used national survey organization Press Ganey to measure engagement scores for its 18,000 team members. These scores had been low and stagnant for years prior to Dr. Kent's arrival, but increased by over 15% during his tenure. Dr. Kent's work also improved retention of existing employees and boosted recruitment of new talent: nursing and staff turnover rates were amongst the lowest in the nation at 9% and 11%; the annual faculty departure rate in the School of Medicine was one of the lowest in the nation at 5.1%; and there was the successful recruitment of over 550 new faculty, sixteen new department chairs, and thousands of new staff. These dedicated team members made possible the significant expansion of clinical care, education and research that Dr. Kent planned to achieve with the comprehensive plan. This success was related to multiple new health system initiatives focused on culture.

34. To develop the scale necessary for long term success, UVA Health acquired three hospitals and a physician practice and became a minority owner of a large, private five-hospital system in Eastern Virginia.

35. Health system philanthropy dollars tripled, with UVA Health raising over \$1 billion as part of the university's most recent campaign. Research funding in the School of Medicine grew by over \$60 million, revenue from intellectual property doubled, and two new centers were formed from major gifts: the Harrison Center for Neurodegenerative Translational Research (a \$30 million gift) and the Paul and Diane Manning Institute of Biotechnology designed to develop new therapeutics for Virginians and beyond (a \$100 million gift).

36. UVA became the first Comprehensive Cancer Center in Virginia, UVA Health Children was recognized as the #1 Children's Hospital in Virginia, and *Newsweek* named UVA Medical Center as the #1 Hospital in Virginia (and 46th in the country). In the 2024 *Forbes* rankings of America's Best Large Employers, UVA Health ranked No. 117 overall and No. 24 among health systems in the nation. It was the only Virginia-based health system named to the list.

37. Dr. Kent built enduring partnerships with other institutions which could affect the achievement of the comprehensive plan objectives. Increased collaboration with the Commonwealth of Virginia yielded an \$18 million increase in annual state funding for the cancer center, resources for the institute of biotechnology, and resources for indigent care. UVA Health excelled in community engagement by holding over 200 outreach events each year focused on identifying and connecting with those in need of care. Growth and service level improvements of this scale required intensive investment, but UVA Health remained fiscally stable throughout Dr. Kent's tenure due to excellent financial management. Annual operating revenue nearly doubled from \$2.5 billion in 2019 to \$4.7 billion in 2025.

38. In December 2023, UVA honored Dr. Kent's achievements with a new five-year contract extension through February 1, 2030. Dr. Kent's new contract included, annually, \$1.6 million in base salary plus an additional \$500,000 in bonus and deferred compensation. In its public announcement of the contract extension on December 8, 2023, UVA underscored the performance of UVA Health under Dr. Kent's leadership:

Under Kent's leadership, all four UVA Health medical centers earned "A" Hospital Safety Grades for fall 2023 from The Leapfrog Group, a national nonprofit that rates hospitals on how well they provide high-quality patient care. Kent and his team have also maintained financial stability despite the pandemic, staffing shortages and inflation, while many hospital systems throughout the country suffered substantial financial losses.<sup>1</sup>

Dr. Kent's achievements for UVA Health during the pandemic were exceptional, even by the standards of the nation's leading hospital systems that UVA Health had identified as its future peers.

**A vocal minority of UVA doctors resisted change and accountability.**

39. When Dr. Kent arrived in February 2020, virtually every aspect of UVA Health was in a state of crisis. As Dr. Neal Kassell, former Co-Chair of Neurosurgery at UVA Health, observed:

*When Kent and Kibbe commenced their leadership, UVa Health was an institution in decline, saddled with negative momentum. Once, UVa's School of Medicine boasted 10 departments in the U.S. News & World Report's top 50 health systems. When they arrived, there were none. The headwinds they faced included:*

- *Fragmented organization with friction between the UVa Physicians Group and the health system and billing dysfunction.*
- *Low productivity.*
- *Poor morale.*
- *Faculty resistant to change and accountability.*

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<sup>1</sup> *Board Extends Contract of UVA Health CEO*, UVA Today, Dec. 8, 2023. Available at: <https://news.virginia.edu/content/board-extends-contract-uva-health-ceo>. Accessed February 21, 2026. Permanent link: <https://perma.cc/PKH4-GA8C>.

- *Vocal opposition from a fraction of the clinical faculty hostile to the new CEO selection.*
- *Clinics with extraordinarily long wait times for appointments.*
- *Severe staff shortages of nurses and technologists.*
- *Coding and billing dysfunction.*
- *Public controversy over billing and collection practices.*
- *Financial instability.*
- *A Board of Visitors and administration that lacked the bandwidth, experience and expertise to manage the complexities of an academic health system. (Dealing with the issues of higher education and athletic enterprises is challenging enough even without the issues of academic medicine.)*
- *A health system operating board that lacked authority to drive meaningful change.*
- *And the COVID-19 pandemic.*

*A seismic shift with systemic reform was necessary, and the leadership acted with great alacrity. They have implemented cultural and operational changes to align UVa Health with other leading academic medical centers.<sup>2</sup>*

40. Dr. Kent's predecessor, Dr. Rick Shannon, who also was an outsider, had attempted reforms, including greater control over physician billing and accountability. A small group of vocal and well-connected doctors, led by a surgeon who was central in the ouster of both Drs. Shannon and Kent, started a campaign against Dr. Shannon. That campaign included letter writing and complaints accusing Dr. Shannon of being dictatorial, autocratic, incompetent, and responsible for compromised safety standards. Their unjustified criticisms and internal sabotage efforts eventually caused Dr. Shannon's resignation.

41. The same physician group, with the same surgeon leader who was passed over for the job Dr. Kent now held, began organizing their group's complaints against Dr. Kent even before his arrival in 2020. In September of 2021, in the middle of the COVID crisis, that same group sent

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<sup>2</sup> *Dr. Neal Kassell: Kent and Kibbe are the best leaders Uva Health has had in 40 years, The Daily Progress, Mar. 14, 2025. Available at: [https://dailyprogress.com/opinion/column/article\\_c18c89ba-0017-11f0-8a73-37b9db5815d6.html](https://dailyprogress.com/opinion/column/article_c18c89ba-0017-11f0-8a73-37b9db5815d6.html). Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/MC73-PCEH>.*

a letter to UVA President Ryan, complaining that Dr. Kent exhibited behaviors identical to his predecessor, Dr. Shannon.

**UVA hired Williams & Connolly to investigate and report on complaints concerning Dr. Kent made by a small minority of disgruntled doctors.**

42. The drumbeat of this disgruntled group of doctors continued and culminated in a letter of no confidence concerning Dr. Kent, dated September 5, 2024, which was left unsigned by 128 anonymous physicians and employees (out of 1,475 faculty physicians and 18,000 employees of UVA Health). To at least three former Rectors of the University of Virginia, the letter appeared as a second act to the tactic previously used to pressure Dr. Shannon. The letter of no confidence was organized by the same core group of doctors and contained the same complaints levied at Dr. Kent's predecessor. These Rectors wrote as follows in reaction to the September 5, 2024, no confidence letter:

The blowback from all these changes was predictable. Dr. Kent's strategic reforms had produced some winners; but also, some losers. Letters of protest were sent to Dr. Kent's superior, President Jim Ryan

In the Fall 2024, a group of 128 physicians signed a letter calling for the dismissal of Craig Kent and the Dean of the School of Medicine, Dr. Melina Kibbe. They alleged mismanagement, endangerment of patients and even suggested possible financial fraud....

Longer serving members of the Health System Operating Board who had witnessed the defenestration of Dr. Shannon saw something familiar. Many of these allegations against Dr. Kent could well have been lifted -- nearly verbatim -- from the complaints made against Dr. Shannon by some of the same physicians 6 years earlier.<sup>3</sup>

43. What most readers did not realize is that the majority of the complaints against Dr. Kent and his team, beginning with his arrival and extending through his five-year tenure, had

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<sup>3</sup> *Physicians who ousted UVA Health CEO motivated by greed, officials say*, The Daily Progress, Mar. 31, 2025. Available at [https://dailyprogress.com/news/local/business/health-care/article\\_1c3bbd65-95d1-4df8-9779-8bdf1524ff79.html](https://dailyprogress.com/news/local/business/health-care/article_1c3bbd65-95d1-4df8-9779-8bdf1524ff79.html). Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/D8V5-3ZTY>.

already been investigated by internal UVA entities, including compliance, legal, and human resources— and all were found to have no merit. This included an internal investigation of the accusations regarding billing malfeasance.

44. Following receipt of the no confidence letter, the UVA Board of Visitors retained the law firm of Williams & Connolly to investigate and report on the complaints made in that letter. Williams & Connolly was the only firm retained by UVA to investigate the complaints.

45. At or around this time, the Jones Law Firm Defendants began their defamatory campaign against Dr. Kent. It was later revealed that one of the disgruntled doctors was connected to the Jones Law Firm Defendants; he was the stepbrother of Defendant Jones.

#### **THE DEFAMATION OF DR. KENT BY DEFENDANTS**

##### **The Jones Law Firm Defendants hijacked the official Williams & Connolly investigation with their own unauthorized “report.”**

46. In mid-January 2025, the Jones Law Firm Defendants learned that Williams & Connolly in their initial report to the Board of Visitors had found no evidence of financial malfeasance. The Jones Law Firm Defendants also learned that Williams & Connolly, instead of issuing a formal, written report, would make only an oral presentation to the Board in late February. The Board meeting was set for February 25, 2025.

47. The February 25, 2025, meeting (which was an in-person meeting at which some board members could not be present) was simply for the purpose of receiving Williams & Connolly’s findings, as opposed to taking any formal action on them. As outlined in an email from the Board Chair, these findings would then be discussed a little over a week later, at the regularly scheduled quarterly Board meeting on March 6, 2025. At this March meeting the entire Board of Visitors would be present, as well as members of the Health System Committee, and all could discuss the findings and possible actions.

48. The Jones Law Firm Defendants feared that Williams & Connolly’s oral report to the Board would not be sufficient to cause Dr. Kent and his team’s ouster. They also feared that waiting until March 6 to act on any findings presented by Williams & Connolly at the February 25 meeting would give Dr. Kent the opportunity to rebut them. Their solution was to preemptively shock the Board into action by sending them a false, but seemingly official, letter report. Concurrently, they would create time pressure with a conveyed ultimatum that Dr. Kent’s employment needed to end that day—or a media firestorm would ensue caused by release of the unsolicited Letter Report to *The Washington Post*. The timing would leave Dr. Kent no meaningful opportunity to defend himself.

49. Thus, on February 24, 2025, the Jones Law Firm Defendants published their Letter Report, which was a 26-page letter, with 212 pages of attachments, and which falsely accused Dr. Kent of egregious misconduct, such as:

- *“Order[ing] a pediatric oncologist to perform a bone marrow transplant on a child - one of the rarest and most high-risk procedures in medicine -- without the necessary staffing, equipment or supplies.... .”*
- *“Mismanagement of funds”*
- *Causing “patients going blind, suffering strokes, and other catastrophic health failures.”*
- *“Retaliat[ing] against physicians who questioned their policies, even when their questions included patient safety and protection for medical providers at UVA Health during COVID.”*

50. The Letter Report was published on Jones Swanson Huddell letterhead (suggesting institutional authorization), was authored by Defendants Mr. Jones and Ms. Swanson (who authorized its publication), and was attached to an email blast sent by Defendant Mr. Jones (from the jonesswanson.com e-mail server) to 23 recipients, most of whom were members of the University of Virginia Board of Visitors.

51. The Jones Law Firm Defendants published their Letter Report to the Board of Visitors 24 hours in advance of the in-person meeting, to ensure both that board members had the time to read, review, and assimilate all of the accusations, and that Dr. Kent had no opportunity to respond.

52. The Jones Law Firm Defendants timed, structured, and phrased their Letter Report in such a way as to lead recipients to believe it was UVA's official report (i.e., a result of the Williams & Connolly investigation), or a collaboration with Williams & Connolly.

53. The Jones Law Firm Defendants, however, had never been commissioned by UVA to perform any investigation or report. The only investigation sanctioned by UVA was Williams & Connolly's. Their strategy was successful; at the Board meeting the next day, several members expressed their belief that the Letter Report was the result of Williams & Connolly's months-long investigation.

54. The Jones Law Firm Defendants achieved that effect by, in their Letter Report, conflating their "investigation" with Williams & Connolly's investigation—even though they had no official role whatsoever in that latter investigation. For example:

- They stated that the factual support for most of the statements in the letter are from "interview(s) with W&C."<sup>4</sup>
- They stated that JHS "assisted 35 doctors ... who provided information and documentation to Williams & Connolly in the context of those interviews."<sup>5</sup>
- They even went so far as to refer to their letter as "this investigation by Williams and Connolly" ("In the midst of ... **this investigation by Williams and Connolly.**")<sup>6</sup>

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<sup>4</sup> See Ex. A, fn. 1-196 (179 of the 196 footnotes in the Letter Report rely on such an interview for support).

<sup>5</sup> *Id.* at p. 1.

<sup>6</sup> *Id.* at p. 3 (emphasis added).

- For good measure, they closed their letter with a conclusion titled “**Answering Questions from Williams and Connolly.**”<sup>7</sup> At a minimum, the efforts made it appear that their letter was a collaboration with Williams & Connolly.

55. The Jones Law Firm Defendants also deliberately structured their Letter Report in a manner to make it appear that their statements of purported fact were well documented and supported—when they were not. The Letter Report includes an Appendix of 32 exhibits (totaling 212 pages), but the footnotes in the 26-page letter that reference the supposedly supporting documents in the appendix do not include the exhibit number where the referenced document can be found. A reader attempting to check the cited source would need to navigate through the entire Appendix to identify the referenced document. This method of citation could scarcely be useful to a reader, would be foreign to any trial attorney, and helped disguise the fact that the Letter Report, in actuality, does not attach any transcripts, summaries or other records of the cited interviews. Indeed, while the Letter Report cites dozens of “interview(s) with W&C,” nowhere in the Appendix are there any statements from these interviews.

56. Likewise, the Letter Report states that the Jones Law Firm Defendants, as part of their investigation, worked with 35 doctors interviewed by Williams & Connolly (and one UVA Physicians Group board member). Yet the Jones Law Firm Defendants never interviewed Dr. Kent, their prime target, or any other target, even though they were interviewed by Williams & Connolly as well. Moreover, they did not interview the remainder of the 1,450 faculty in the school of medicine, or the remainder of the 18,000 employees of UVA Health. They interviewed only 36 individuals, who represented a very small minority of the individuals at UVA Health.

57. The Jones Law Firm Defendants engaged in this partisan effort to sway Board members eager to read findings of a supposed official report. And they emailed their Letter Report

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<sup>7</sup> *Id.* at p. 26 (emphasis in original).

on February 24 not only to all Board members, but also to the Williams & Connolly attorneys, ostensibly in the hope of influencing the tenor or content of their oral presentation to be made the following day.

58. As a result of those efforts, some Board members believed that they had received the official investigation of the university (*i.e.*, the Williams & Connolly report), or at least a report from a law firm who was objectively collaborating with the official investigator. What they received instead was a biased and partisan denunciation of Dr. Kent, based on false facts. Even for the Board members that did not have that understanding, the egregious accusations with certainty influenced their views of Dr. Kent and his leadership team.

59. The Board members also became aware that the Letter Report would be given to *The Washington Post* if Dr. Kent was not ousted immediately, which President Ryan directly cited in his telephone call to Dr. Kent.

60. This forced a hasty and precipitous decision that day (February 25), depriving Dr. Kent and his team the opportunity to address the Williams & Connolly findings and to review the unsolicited Letter Report and prove its falsehoods.

#### **THE DEFAMATORY STATEMENTS IN THE LETTER REPORT PUBLISHED BY THE JONES LAW FIRM DEFENDANTS**

- ***The false statements of purported fact that Dr. Kent ordered a pediatric oncologist to perform a bone marrow transplant on a child without the necessary resources.***

61. At page 26 of their Letter Report, the Jones Law Firm Defendants published the statement that Dr. Kent had “ordered” a pediatric oncologist to perform an unsafe bone marrow transplant on a child:

*But would other healthcare executives order a pediatric oncologist to perform a bone marrow transplant on a child—one of the rarest and most high-risk procedures in medicine—without the necessary staffing, equipment, or supplies? Would they badger that oncologist to go ahead with a transplant even after he objected that it would be dangerous*

to the child? \* \* \***Dr. Kent... ha[s] done all these things**, which is why so many physicians have risked their careers to call for their resignation.<sup>8</sup>

62. Likewise, earlier in their Letter Report, the Jones Law Firm Defendants published many times the statement that Dr. Kent had “repeatedly pressured” this pediatric oncologist to perform such unsafe procedures on children with cancer:

- a. **“How Dr. Kent has repeatedly pressured a pediatric oncologist to conduct unsafe procedures on children with cancer.”<sup>9</sup>**
- b. **“Dr. Kent’s constant pressure to perform unsafe bone marrow transplants on children”<sup>10</sup>**
- c. *“Meanwhile, Dr. Lee said, Dr. Kent has repeatedly pressured him [Dr. Lee] to go ahead with transplants using staff who don’t have the required training.”<sup>11</sup>*
- d. *“Since the three oncologists left over the summer, he [Dr. Lee] told Williams & Connolly, Dr. Kent has actually pushed him to go ahead and perform a transplant on a child as the sole physician.”<sup>12</sup>*
- e. *“Dr. Kent has also asserted pressure on Dr. Lee’s supervisors. Mike Engel, Dr. Lee’s division chief, wrote to him in June 2023 that his program was ‘under considerable scrutiny...The health system leadership team seems willing to make abrupt changes when programs to which they have committed resources are underperforming... I have heard it mentioned that some have suggested pulling the plug on pediatric transplant.’”<sup>13</sup>*
- f. *“He [Dr. Lee] described how he worried that ‘harm will come to these kids’ if he - - the only barrier to Dr. Kent’s insistence of conducting an unsafe marrow transplant on a child -- were taken down.”<sup>14</sup>*

63. These appalling statements of purported fact – that Dr. Kent “ordered” Dr. Lee to perform, without the necessary resources, one of most high-risk surgeries on children – were of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants

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<sup>8</sup> *Id.* at p. 26.

<sup>9</sup> *Id.* at p. 6 (twice) (emphasis in original).

<sup>10</sup> *Id.* at p. 8 (emphasis in original).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at p. 9.

are liable. Dr. Kent had no communication with Dr. Lee during his entire tenure at UVA Health about any medical procedure, much less pediatric transplants or resources to support these procedures.

64. The Jones Law Firm Defendants also made these defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements' probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. The Jones Law Firm Defendants also published the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

65. Their Letter Report cited no support whatsoever for the statement that Dr. Kent had "ordered" Dr. Lee to perform such surgeries. It identifies no such communications and none of the documents attached to their letter reference any such communications.

66. Their Letter Report also cited no support for their first three statements of Dr. Kent "pressuring" Dr. Lee to do so (quoted above in Paragraphs 62(a), (b), and (c)). Further, instead of citing to its own interview of Dr. Lee (referenced in footnote 47 of their Letter Report), the Jones Law Firm Defendants cite Dr. Lee's "interview with W&C" as factual support for statements (d) and (f) above yet they do not include any notes, summaries, or transcript of that interview. As support for the purported statement in ¶ above, the Jones Law Firm Defendants cite to an email exchange<sup>15</sup> which does not reference Dr. Kent.

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<sup>15</sup> *Id.* at p. 8, fn.56.

67. Having interviewed Dr. Lee, and reviewed his emails about transplants, the Jones Law Firm Defendants knew that there was no evidence of any communication between Dr. Kent and Dr. Lee about transplants, or anything else.

68. At best, the Jones Law Firm Defendants blindly relied on the assertions of Dr. Lee, which itself was in reckless disregard as to whether the statements were true or false. Apparently, they never asked for documentation of any actual communications between Drs. Kent and Lee or made an effort to interview Dr. Misra (Chair of Pediatrics) or Dr. Engel (Chief of Pediatric Oncology). Nor did they try to interview Dr. Kent who, after all, was the target of the shocking claims.

- ***The false statements of purported fact that Dr. Kent hired and promoted unqualified surgeons.***

69. The Jones Law Firm Defendants repeatedly published in their Letter Report the statement that Dr. Kent hired and promoted unqualified surgeons:

- a. *“It has been Dr. Kent's hiring strategy, ..., that has caused the most distress among UVa physicians and the most harm to UVa patients. Time and again, Dr. Kent [has] dismissed UVa policy and the findings of their own protocol-established search committees, in order to force the hire of their own, hand-picked choices. Worse, once they've chosen their candidates, they have tried to control any due diligence about them by warning other physicians to support their choices, whether or not they agreed with them. And when these new physicians have shirked their duties, or proved to be unqualified, Dr. Kent ...ha[s] not only turned a blind eye to these problems, but retaliated against other physicians who reported the risk they presented to patients.”<sup>16</sup>*
- b. *In the fall of 2024, UVa's Credentials Committee initiated an investigation of multiple questionable patient outcomes associated with two cardiac surgeons that Dr. Kent ... had hired and championed throughout the past year. They continued to promote these surgeons not only through their hiring process, but even after UVa residents, senior surgeons, nurses, quality officers, and Credentials Committee members had warned that these surgeons had exhibited bizarre behaviors in the operating room and put patients' lives in 'grave risk.' Indeed, they continued to promote at least one of these physicians publicly as one of UVa's best, at the time*

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<sup>16</sup> *Id.* at p. 2-3.

*an internal investigation was ongoing.*"<sup>17</sup>

- c. *"How Dr. Kent's ...insistence on hiring and promoting unqualified cardiothoracic surgeons—despite clear warnings from UVA's own search committees—set the stage for chaos in the department and poor outcomes for patients."*<sup>18</sup>
- d. *"How Dr. Kent's ...insistence on hiring and promoting unqualified cardiothoracic surgeons—despite clear warnings from Uva's own search committees -- set the stage for chaos in the department and poor outcomes for patients."*<sup>19</sup>
- e. *"In their interviews with Williams & Connolly's attorneys, several physicians described how, time and again, Dr. Kent and Dean Kibbe have hired whomever they wanted, even over the objections of their own search committees."*<sup>20</sup>
- f. ***"How Dr. Kent ignored the findings of Uva's own search committee, its quality officers, and its Credentials Committee when he hired Dr. Preventza, and thereafter, Dr. de la Cruz."***<sup>21</sup>
- g. *"Michael Ragosta, Chair of Uva's Credentials Committee, explained in his Williams & Connolly interview that the search committee 'categorized the candidates into three buckets... Dr. Preventza was in bucket three, the 'don't hire' bucket.' And yet, Dr. Kent and his leadership team decided to hire Dr. Preventza."*<sup>22</sup>
- h. ***"Kim de la Cruz hired despite warnings** Not long after Dr. Preventza became UVA's chief of cardiothoracic surgery, Dr. Kent and Dean Kibbe, along with chair of surgery Allan Tsung, worked with her to recruit Dr. Kim de la Cruz. And, just as they had done earlier with Dr. Preventza, Dr. Kent ... again bypassed their own search committee, dismissed other surgeons' concerns, and ignored their own quality officers' reports in order to hire him."*<sup>23</sup>
- i. *"Would other healthcare executives force the hire of an incompetent cardiac surgeon over the 'resounding objection' of their own search committee, continue to support her, and dismiss numerous staff warnings about how that surgeon was endangering patients? Would they make that surgeon chief of cardiothoracic surgery, and let her hire other surgeons? \* \* \* Dr. Kent ...have done all these things, which is why so many physicians have risked their careers to call for their resignation."*<sup>24</sup>

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<sup>17</sup> *Id.* at p. 3.

<sup>18</sup> *Id.* at p. 6.

<sup>19</sup> *Id.* at p. 9 (emphasis in original).

<sup>20</sup> *Id.* at p. 9.

<sup>21</sup> *Id.* (emphasis in original).

<sup>22</sup> *Id.* at p. 10.

<sup>23</sup> *Id.* at p. 12-13 (emphasis in original).

<sup>24</sup> *Id.* at p. 26.

70. These statements of purported fact were of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants are liable. Dr. Kent did not make the decision to hire Dr. Preventza or Dr. de la Cruz. Nor did he participate in, or direct, the search committee for either hire. In the case of Dr. Preventza, the decision to hire her was made by Dr. Allan Tsung (Department Chair of Surgery) and Dr. Chad Hoyt (chair of the search committee).

71. Recruitment of a division chief and or a faculty member was two and three levels below Dr. Kent's role as CEO of UVA Health. The Jones Law Firm Defendants could easily have found an organizational chart of UVA Health and known that Dr. Kent was not the hiring agent for a division chief or a faculty member. Moreover, the Jones Law Firm Defendants were aware that UVA health was a multibillion-dollar organization with multiple hospitals, two physician organizations, over a hundred clinics, a school of medicine (with 1,475 faculty) and a school of nursing. The notion that the CEO of this organization would be the decision maker regarding individual faculty recruitment defied common sense.

72. Moreover, it was the role of the Credentials Committee – a body made up of sixteen UVA Medical Center physicians – to investigate Dr. Preventza's credentials and prior experience, a process in which Dr. Kent played no role. The Credentials Committee determined that Dr. Preventza had the requisite background, relevant training, experience, and competence for the position. Indeed, she could not have been hired without such a determination.

73. The Clinical Staff Executive Committee (which also did not include Dr. Kent) thereafter reviewed the Credentials Committee's approval of Dr. Preventza's candidacy and formally voted to approve it. The Clinical Staff Executive Committee is comprised of approximately 37 members, whose duties include "control[ing] and monitor[ing] the memberships

of the Clinical Staff through oversight of the appointment, credentialing and privileging process.” That duty includes the review of the Credentials Committee report about candidates.

74. After the Credentials Committee and the Clinical Staff Executive Committee approved Dr. Preventza’s hire, the UVA Health System Board Committee approved the hiring by a vote in which Dr. Kent did not participate.

75. Thereafter, Dr. Preventza made the decision to hire Dr. de la Cruz after a national search, by a search committee in which Dr. Kent played no role. The Credentials Committee once again made the determination that the chosen candidate had the requisite background, relevant training, experience, and competence for the position. And once again, after both the Credentials Committee and the Clinical Staff Executive Committee approved Dr. de la Cruz’s candidacy, the UVA Health System Committee approved the decision to hire him by a vote in which Dr. Kent did not participate.

76. The Jones Law Firm Defendants also made these defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements’ probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. The Jones Law Firm Defendants also published the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

77. Even a cursory investigation would have revealed that Drs. Preventza and de la Cruz could not have been hired absent approval of their “background, relevant training, experience and competency” by the Credentials Committee, and thereafter, approval of the Credentials

Committee's report by the Clinical Staff Executive Committee.<sup>25</sup> After that process, the UVA Health Board Committee had to approve the hires by vote of members, a vote in which Dr. Kent did not participate.

78. Given that the hiring process required three levels of approval, Dr. Kent could not have "hired" either candidate "over the objections of [his] own search committees," much less "forced" such hires.

79. The Jones Law Firm Defendants interviewed Dr. Tracci<sup>26</sup>, so they knew that the Credentials Committee and the Clinical Staff Executive Committee (of which Dr. Tracci was Chair) had approved the hires of Drs. Preventza and de la Cruz. Dr. Tracci was also present when the UVA Board Committee approved the hiring of Dr. de la Cruz by a unanimous vote (in which Dr. Kent did not participate).

80. Despite the fact that Dr. Kent was not on the search committee and had no role in its composition, the Jones Law Firm Defendants varyingly describe the search committee as "UVA's own search committee"<sup>27</sup>, "their own [Plaintiff's] search committee"<sup>28</sup>, "the search committee"<sup>29</sup>.

81. The Jones Law Firm Defendants' imprecision on this point was deliberate; they did not want the facts to get in the way of its false narrative. These facts are critical to the Letter Report's false statements that Plaintiff "insisted" and "force[d] the hire" of Dr. Preventza "over the objections of their own search committee," or "bypassed their own search committee."

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<sup>25</sup> See UVA Health Amended and Restated Bylaws of the Clinical Staff, p. 13, 50. Available at: <https://www.medicalcenter.virginia.edu/clinicalstaff/quick-links/clinical-staff-bylaws>. Accessed Feb. 22, 2026. Permanent link: <https://perma.cc/WH8P-RVWY>.

<sup>26</sup> See Ex. A, p. 13, fn. 95 (citing to "Megan Tracci interview with Jones Swanson").

<sup>27</sup> *Id.* at p. 9.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.* at p. 10.

82. The Letter Report also reveals no effort by the Jones Law Firm Defendants to speak to Dr. Hoyt, who chaired the search committee and recommended the hiring of Dr. Preventza. Nor did they make any attempt to interview Dr. Tsung, who made the decision to hire Dr. Preventza, or Dr. Preventza, who made the decision to hire Dr. de la Cruz. And, of course, they made no effort to interview Dr. Kent, the target of the statements.

83. Nor did the Jones Law Firm Defendants cite any communication from or to Dr. Kent showing either that he pushed that (or any other) hiring, or that *anybody* sent him an email, text or letter objecting to that (or any other) hiring. Nor did they cite, quote, or attach the supposed “quality officers reports” that Plaintiff supposedly ignored.<sup>30</sup>

84. As for Plaintiff “promoting” Dr. Preventza, such statements are likewise false, and the Jones Law Firm Defendants knew them to be false. Dr. Preventza was not promoted after her hiring, and the only “promotion” of Dr. Preventza referenced in the “report” is a footnote: “interview with Williams & Connolly re Dr. Preventza being touted by UVa at basketball halftime show. 2023-23 press releases and articles re Dr. Preventza”.<sup>31</sup> The “evidence” in the letter shows no connection with Dr. Kent.

- ***The false statements of purported fact that Dr. Kent mismanaged funds, which caused patients to go blind and suffer strokes.***

85. The Jones Law Firm Defendants repeatedly published in their Letter Report the statement that Dr. Kent mismanaged funds of the university, and that this mismanagement caused catastrophic health failures such as patients going blind and suffering:

- a. ***“In the five years since he started, Dr. Kent... has run UVa Health in a manner in which they have dismantled systems and protocols that were designed to ensure patient safety. Their failure to pay bills for essential supplies and services is ongoing. When their physicians warned Dr. Kent and his leadership that these changes were endangering patients, Dr. Kent ...e often dismissed their warnings***

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<sup>30</sup> *Id.* at p. 12-13.

<sup>31</sup> *Id.* at p. 3, fn. 13.

*and often, in return, disciplined them for not being 'team players.'*"<sup>32</sup> (Ex. A at p. 2; emphasis added).

- b. ***"How the mismanagement of funds by Dr. Kent ... has created an atmosphere of chaos and resulted in patients going blind, suffering strokes, and other catastrophic health failures."***<sup>33</sup>
- c. ***"How the mismanagement of funds by Dr. Kent... has created an atmosphere of chaos and resulted in UVa patients going blind, suffering strokes, and other catastrophic health failures."***<sup>34</sup>
- d. ***"One reason for the chaos at UVa Health is simply that Dr. Kent... ha[s] mismanaged UVa's money."***<sup>35</sup>

86. These statements of purported fact were of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants are liable.

87. Dr. Kent was not directly involved in the manner in which vendors were paid, and the Letter Report cites no communication, act, or directive by Dr. Kent vendor invoices should not be paid.

88. Likewise, nothing in the Letter Report or any of the attached documents identify any instance in which Dr. Kent "dismantled systems and protocols that were designed to ensure patient safety."

89. The Jones Law Firm Defendants also made these defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements' probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. The Jones Law Firm Defendants also published the statements with common law malice, in that they acted from personal spite or ill

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<sup>32</sup> *Id.* at p. 2 (emphasis added).

<sup>33</sup> *Id.* at p. 6 (emphasis added).

<sup>34</sup> *Id.* at p. 16 (emphasis in original).

<sup>35</sup> *Id.* (emphasis added).

will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

90. The appalling statements by the Jones Law Firm Defendants – that Dr. Kent’s purported mismanagement of funds caused patients “going blind, suffering strokes, and other catastrophic health failures” – make for sensational headlines, but were false, which they knew or should have known.

91. The unfortunate incident resulting in a patient’s blindness in one eye was the result of a call center error, not unpaid invoices or a lack of medical supplies—which the Jones Law Firm Defendants knew. Their Letter Report itself acknowledges that “a patient went blind because the call center mishandled his triage” (but only in a section of the letter far removed to where the defamatory statements are made).<sup>36</sup>

92. The Jones Law Firm Defendants also knew, or recklessly ignored, that “UVA patients suffering strokes” likewise had nothing to do with unavailable medical supplies. Elsewhere in their Letter Report, they falsely attribute the strokes to Dr. Kent’s purported forced hire of allegedly incompetent doctors.<sup>37</sup>

93. Nowhere in the Letter Report is there any evidence of a patient safety issue tied to the lack of supplies.

94. The Jones Law Firm Defendants also knew, or recklessly ignored, the objective criteria that showed an improvement in patient care during Dr. Kent’s tenure. Over the five-year period of his tenure, UVA Health (as well as every other health system in the country) was evaluated externally for its ability to provide high quality care, using well-established metrics.

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<sup>36</sup> *See id.* at p. 18.

<sup>37</sup> *Id.* at p. 11-13.

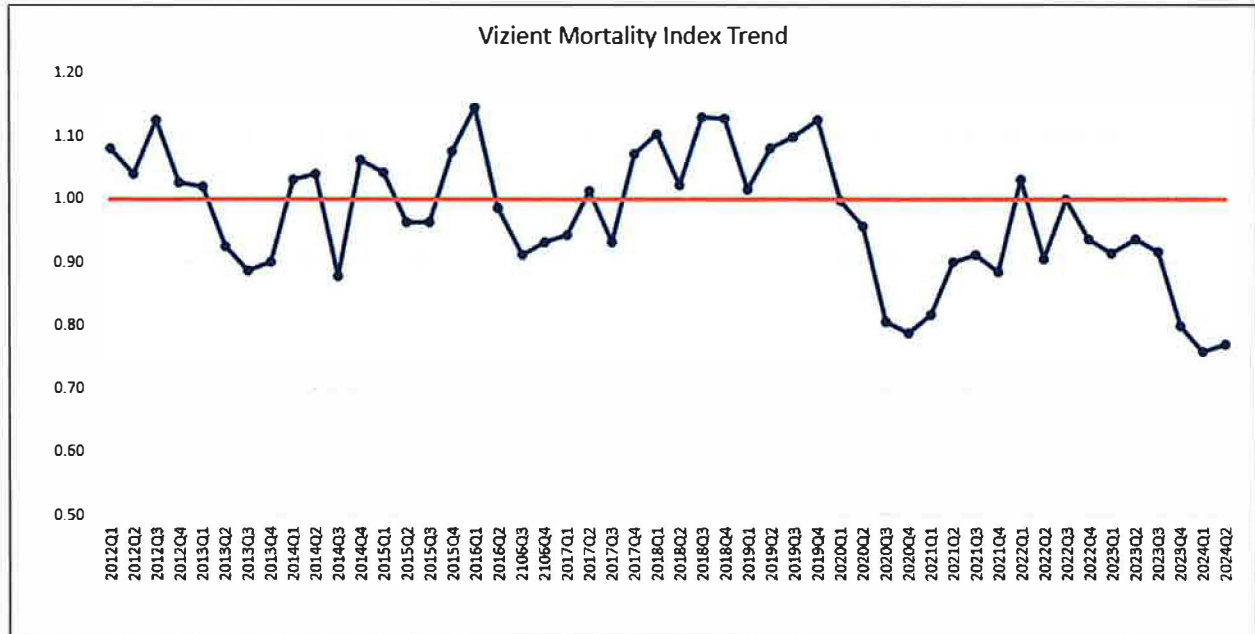
“Leapfrog” is one, which grades hospitals from A to F. In the fall of 2023 and the spring of 2024, all four UVA Health Hospitals achieved a grade “A” quality and safety status. Moreover, in December of 2023 UVA Health University Medical Center was awarded a TOP Teaching Hospital award by Leapfrog, which was celebrated throughout the organization.

95. Another well-trusted rating entity is Becker’s Healthcare. In 2024, it ranked UVA as once of the “top 30” most trusted health system brands nationally based on an online survey of over 26,000 households which received medical care in the prior two years. The Jones Law Firm Defendants knew this, unless they failed to review the public minutes of the UVA Health System Board.<sup>38</sup>

96. A second, key quality metric is the overall mortality achieved at the UVA Health University Medical Center. Mortality is measured by an external benchmarking organization called Vizient. The method of measurement is the use of a ratio of the actual number of deaths over the predicted number of deaths based upon data that stratifies the risk of hospitalized patients. A ratio greater than one demonstrates that more patients are dying than would be predicted, which is not the desired outcome. A value below one demonstrates that fewer patients are dying than would be expected. The diagram below demonstrates the risk adjusted mortality at UVA Medical Center over time:

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<sup>38</sup> See, e.g., June 6, 2024, Health System Board Minutes. Available at: <https://bov.virginia.edu/sites/g/files/jsddwu1171/files/2024-08/%2724%20JUN%20HSB%20MINUTES.pdf>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/MMD7-V5K9>.



This graph shows that prior to Dr. Kent’s arrival in 2020, the mortality at UVA Health Medical Center was very often significantly greater than one. After his arrival, the mortality consistently dropped below one (the desired outcome), and was .78 near the time of his departure, which is the lowest it had been over the previous ten years.

97. This information was routinely shared at UVA Health Board meetings as well at UVA Physician’s Group organization board meetings and included a “monthly score card.” “A good place to start is with the metrics you see on the monthly scorecard that our team assembles. These include the highest-level priorities of the organization, like mortality.... One of the most important uses for our data is to compare ourselves to our peer academic medical centers. For example, we’re able to see how our mortality rates compare to hospitals across the U.S.”<sup>39</sup> The

<sup>39</sup> *Data Helps Us Understand Our Performance*, UVA Vision and Voice, Sep. 19, 2022. Available at: <https://visionandvoice.uvahealth.com/2022/09/data-helps-us-understand-our-performance/>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/LVQ9-J8S7>.

Jones Law Firm Defendants either knew about these objective metrics or turned a blind eye to them.

- ***The false statements of purported fact that Dr. Kent withheld resources from emergency room patients, which resulted in the inhumane treatment of thousands of patients.***

98. The Jones Law Firm Defendants repeatedly published in their Letter Report the statement that Dr. Kent withheld resources from emergency room patients, resulting in the inhumane treatment of thousands of patients:

- a. *“How Dr. Kent's decision to withhold resources from emergency room patients has resulted in the inhumane treatment of thousands of patients for the purpose of increasing revenues at UVa Health.”<sup>40</sup>*
- b. ***“How Dr. Kent's decision to withhold resources from emergency room patients has resulted in the inhumane treatment of thousands of patients for the purpose of increasing revenues at UVa Health.”<sup>41</sup>***
- c. *“As Dr. Ghaemmaghami and Dr. Enfield, vice chair for quality and patient safety for the Department of Medicine, discussed with Williams & Connolly, not only did Dr. Kent turn away COVID patients early in the pandemic, but he has subsequently used his Emergency Department to warehouse sick patients without spending the proper resources on them.”<sup>42</sup>*
- d. *“‘It's dangerous,’ Dr. Ghaemmaghami told Williams & Connolly. ‘He’s willing to put dozens of patients at risk every day by prolonging their wait time in the ER, because his imperative is to generate as much revenue as possible through surgeries.’”<sup>43</sup>*
- e. *“Dr. Kent has pursued a policy of increasing UVa’s emergency-department-to-emergency-department transfer patients—in short, to fill its emergency ward with as many patients as possible. As a result, UVa’s Emergency Department has become so crowded with sick patients, and those patients have to wait for such long periods of time, that each week hundreds of them decide to leave without even being seen by a doctor.”<sup>44</sup>*
- f. *“Meanwhile, sick patients wait side-by-side for hours in UVa’s emergency ward, even as Dr. Kent has ordered his staff to keep rooms and beds empty for high-dollar*

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<sup>40</sup> Ex. A at p. 6.

<sup>41</sup> *Id.* at p. 20 (emphasis in original).

<sup>42</sup> *Id.*

<sup>43</sup> *Id.* at p. 21.

<sup>44</sup> *Id.*

*elective surgery patients—particularly neurology, cardiology, and oncology patients, which, as Dr. Enfield pointed out, ‘pay the most.’*”<sup>45</sup>

99. These statements of purported fact were of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants are liable. The Jones Law Firm Defendants also made these defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements’ probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. The Jones Law Firm Defendants also published the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

100. The Medical Center Emergency Department reported to both the Chair of Emergency Medicine and the Chief Nursing Officer of the Medical Center. Thus, decisions regarding resource allocation for the Emergency Department and its management were made several levels below Dr. Kent. In any event, resources were not withheld from the emergency room at UVA Medical Center, and certainly not by Dr. Kent, and the letter points to no examples of that ever happening.

101. To the contrary, during Dr. Kent’s tenure, in June 2023, UVA Health Medical Center launched a major reorganization of its 80-bed Emergency Department. With the objectives of reducing wait times and providing the appropriate level of care for each patient, the Emergency Department trialed a number of improvements that were aptly named, “Excellence Driven.” With this work, the care of patients is divided into a number of smaller zones dedicated to various levels

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<sup>45</sup> *Id.*

of acuity. Extremely ill patients are taken to one area, moderately ill are treated in other zones, and less acute patients are treated in yet another unit. Patients that are not critically ill are allowed to sit in recliner chairs in their own clothes, as they wait for test results and may be managed without an IV. Research has shown that patients view these changes in flow quite positively. The project went into full implementation phase on July 6, 2023, and encouraging outcomes were found: a decrease in wait times to see the physician for all patients; a decrease in the rate of patients leaving because they have experienced long waits; already a decrease of one hour in the overall time spent by patients in the Emergency Department.

102. The Jones Law Firm Defendants either knew this or failed to investigate publicly available information about this important project.<sup>46</sup>

103. At the same time, Becker’s Hospital Review reported that emergency departments nationwide were experiencing high “volumes and growing wait times, patients are increasingly leaving emergency departments before completing treatment”.<sup>47</sup>

104. Finally, it is the role of the Clinical Staff Executive Committee to “monitor, oversee and, where appropriate, manage the quality of clinical care delivered within the Medical Center,” and “advise the Medical Center management regarding the allocation and distribution of clinical resources, including the assessment of beds, clinics, operating rooms, and other elements that are

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<sup>46</sup> See, e.g., Sep. 14, 2023, UVA Health System Board Meeting Minutes. Available at: <https://bov.virginia.edu/sites/g/files/jsddwul171/files/2023-10/%2723%20SEP%20HSB%20MINUTES.pdf>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/325H-TTYT>.

<sup>47</sup> Record number of patients leaving EDs without complete care, *Becker’s Hospital Review*, Aug. 14, 2023. Available at: <https://www.beckershospitalreview.com/care-coordination/record-number-of-patients-leaving-eds-without-complete-care/>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/748F-V6HB>.

important to efficient and effective medical care within the Medical Center” and “make[ ] specific recommendations to the UVA HSB....”.<sup>48</sup>

105. At no time did Dr. Kent override or block any Emergency Department recommendation made to the UVA Health System Board by the Clinical Staff Executive Committee, nor could he have. The Jones Law Firm Defendants either knew these facts or failed to read the Clinical Staff Bylaws.

106. At best, the Jones Law Firm Defendants blindly relied on the allegations of the disgruntled doctors, without making an effort to interview Dr. Kent (who was the target of the allegations), which itself is reckless disregard whether the statements were true or false.

- ***The false statements of purported fact that Dr. Kent turned away patients during the COVID-19 pandemic.***

107. The Jones Law Firm Defendants published in their Letter Report the false claim or implication that Dr. Kent had given an order to turn away patients of COVID-19 during the early part of the pandemic:

- a. *“When the governor of Virginia lifted his ban on elective surgeries, according to Dr. Enfield, Dr. Kent ordered his staff to turn away Covid patients and prioritized the highest dollar procedures: cardiology, neurology, and oncology surgeries.”<sup>49</sup>*
- b. *“As Dr Ghaemmaghami and Dr. Enfield ... discussed with Williams & Connolly, not only did Dr. Kent turn away patients early in the pandemic....”<sup>50</sup>*

108. These statements of purported fact were of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants are liable. The Jones Law Firm Defendants also made these defamatory statements with actual malice. Prior to and at the time the

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<sup>48</sup> UVA Health Amended and Restated Bylaws of the Clinical Staff, p. 50-51. Available at: <https://www.medicalcenter.virginia.edu/clinicalstaff/quick-links/clinical-staff-bylaws>. Accessed Feb. 22, 2026. Permanent link: <https://perma.cc/WH8P-RVWY>.

<sup>49</sup> Ex. A at p. 15.

<sup>50</sup> *Id.* at p. 20.

Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements' probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. The Jones Law Firm Defendants also published the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

109. Dr. Kent never issued such an order. To the contrary, under Dr. Kent's leadership, UVA Health devoted significant resources to the treatment of COVID patients, from the beginning of the pandemic to its end. In April 2020, the beginning of the crisis, UVA Health quickly retrofitted 56 of the 84 patient rooms in its new tower with negative airflow for the treatment of COVID patients.<sup>51</sup>

110. Also in 2020, UVA Health implemented clinical trials of four different COVID-19 therapies. To quote from a UVA Health news release, "Over the past nine months, clinical trials conducted at the University of Virginia have led to new treatments for patients fighting COVID-19 in Charlottesville and new tools for healthcare workers saving lives around the world."<sup>52</sup>

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<sup>51</sup> *Can We Really Do This? How UVA Health Transformed Its New Tower to Fight COVID*, UVA Today, May 7, 2020. Available at: <https://archive.news.virginia.edu/content/can-we-really-do-how-uva-health-transformed-its-new-tower-fight-covid/>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/94A8-KCTG>.

<sup>52</sup> *Research that Saves Lives: Four COVID-19 Therapies Being Tested at UVA*, UVA Today, Dec. 11, 2020. Available at: <https://archive.news.virginia.edu/content/research-saves-lives-four-covid-19-therapies-being-tested-uva/>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/4ZLC-A77X>.

111. The governor of Virginia lifted the ban on elective surgeries on May 1, 2020.<sup>53</sup> By July 2020, UVA Health was treating up to "17 [COVID] patients in the ICU..., and dozens more who don't meet ICU needs but are on the hospital wards receiving oxygen and other therapies."<sup>54</sup> Those numbers increased over time. For example, on January 27, 2022, 109 patients, including 8 children, were hospitalized at UVA Health with COVID.<sup>55</sup>

112. In an article published in the Charlottesville Daily Progress, July 25, 2020, Dr. Kent is quoted as saying "the university hospital has the ability to handle increased COVID cases, should a spike occur". He went on to state, "We have 700 beds at UVA, and we have multiple medical intensive care units. We have some units that are now closed and can be reopened, if needed. We are in a great position because we have the new tower that we opened just after (the) pandemic (began), and that has 84 beds, all of which are ICU compatible".

The Jones Law Firm Defendants either knew these facts, or deliberately failed to investigate public information about UVA Health's treatment of COVID patients throughout the pandemic. Nor did they ever find written proof of such an order, or seek to interview the UVA Medical Center CEO, much less Dr. Kent, to ascertain whether such an order was ever given. They willfully ignored conflicting evidence in pursuit of their agenda and the preconceived narrative about Dr. Kent's job performance on which their plan relied.

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<sup>53</sup> *Gov. Northam: Restrictions on elective surgeries will end tonight*, The Northern Virginia Daily, Apr. 30, 2020. Available at: [https://www.nvdaily.com/nvdaily/gov-northam-restrictions-on-elective-surgeries-will-end-tonight/article\\_653b5ba4-6998-5f97-8bfd-110df8a91df2.html](https://www.nvdaily.com/nvdaily/gov-northam-restrictions-on-elective-surgeries-will-end-tonight/article_653b5ba4-6998-5f97-8bfd-110df8a91df2.html). Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/2UWU-NHQJ>.

<sup>54</sup> *Q&A: From the Front Lines, Dr. Catherine Bonham Talks COVID-19*, UVA Today, Jul. 14, 2020. Available at: <https://archive.news.virginia.edu/content/qa-front-lines-dr-catherine-bonham-talks-covid-19/>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/YK7V-AC34>.

<sup>55</sup> *UVA Health COVID Update: The Bottom Line for Jan. 27, 2022*, UVA HealthNews, Jan. 27, 2022. Available at: <https://www.uvahealth.com/healthy-balance/uva-health-covid-update-jan-27-2022/>. Accessed Feb. 21, 2026. Permanent link: <https://perma.cc/S3BL-2XHG>.

- ***The false statements of purported fact that Dr. Kent retaliated against physicians who questioned his policies.***

113. The Jones Law Firm Defendants repeatedly published in their Letter Report that Dr. Kent retaliated against physicians who questioned his policies:

- a. *“How Dr. Kent and Dean Kibbe retaliated against physicians who questioned their policies, even when their questions involved patient safety and protection for medical providers at UVa Health during COVID.”<sup>56</sup>*
- b. *“How Dr. Kent and Dean Kibbe retaliated against physicians who questioned their policies, even when their questions involved patient safety and protection for medical providers at UVa Health during COVID.”<sup>57</sup>*
- c. *“But when they have raised questions with Dr. Kent’s leadership team, Dr. Kent have responded by retaliating against them. This retaliation, in some cases, has been carefully coordinated.”<sup>58</sup>*
- d. *“Would other healthcare executives warn their own physicians not to sound the alarm about hospital conditions that had led to patients going blind, and surgical staff themselves having to be hospitalized? Dr. Kent ... ha[s] done all these things, which is why so many physicians have risked their careers to call for their resignation.”<sup>59</sup>*

114. These statements of purported fact were of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants are liable. The Jones Law Firm Defendants also made these defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements’ probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. The Jones Law Firm Defendants also published the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with

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<sup>56</sup> Ex. A. at p. 6.

<sup>57</sup> *Id.* at p. 22.

<sup>58</sup> *Id.*

<sup>59</sup> *Id.* at p. 26.

such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

115. There is no factual support for the statements as to Dr. Kent anywhere in the Letter Report.

116. Throughout their Letter Report, the Jones Law Firm Defendants repeat the mantra that Dr. Kent “retaliated against physicians who questioned their policies.” But Dr. Kent never terminated a single physician during his tenure; nor did he retaliate against anybody for any reason. The five “cases” cited in the Letter Report confirm this.

117. *Case #1: Dr. John Kern, Dr. Leora Yarboro, Dr. Nick Teman, Dr. Kenan Yount.*<sup>60</sup> They were held accountable by Dean Kibbe for being disrespectful to their leaders, culminating in the “letters of expectation,” letters that had nothing to do with “questioning the policies” of Dr. Kent. Moreover, Dr. Kent played no role in that letter. The Chair of Surgery, Dr. Yount’s direct report, made the decision to delay Dr. Yount’s promotion for a year, a decision in which Dr. Kent played no role. The Jones Law Firm Defendants either knew these facts or deliberately failed to interview the Chair of Surgery who made that decision.

118. *Case #2: Dr. Mark Roeser.*<sup>61</sup> Dr. Roeser was a pediatric heart surgeon at UVA Health. Complaints had been filed against him related to unprofessional behavior. At one point, Dr. Roeser was purportedly instructed to participate in an out-of-state rehabilitation program addressing physicians with issues relating to professionalism. To be promoted in the UVA School of Medicine, there is a requirement (as there is at most schools of medicine across the country) that the individual being promoted must have consistently demonstrated professional behavior. Dr.

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<sup>60</sup> *Id.* at p. 22.

<sup>61</sup> *Id.* at p. 23.

Roeser's promotion was delayed by the Department of Surgery in order to provide him the opportunity to improve his behavior. Dr. Kent was not aware of, nor did he play any role in, Dr. Roeser's disciplinary actions. Nor was Dr. Kent aware of the decision about Dr. Roeser's promotion. The Jones Law Firm Defendants either knew of Dr. Kent's lack of misconduct, or they deliberately failed to investigate by asking for documentary proof, or interviewing Dr. Kent.

119. *Case #3: Dr. Paul Yates.*<sup>62</sup> Dr. Yates had concerns regarding a patient call center error, resulting in a patient not receiving treatment that may have prevented blindness in one eye. When Dr. Yates brought this to the attention of medical center leadership, corrective action was immediately implemented. Dr. Yates was disciplined for unprofessional behavior by his Department Chair, following events in which Dr. Yates treated his colleagues in an unprofessional manner. After several failed requests of Dr. Yates to behave in a professional manner, he was formally disciplined by his Department Chair, with the support and collaboration of UVA Human Resources. The Department Chair made the decision to discipline Dr. Yates; Dr. Kent played no role.

120. *Case #4: Dr. Dana Albon.*<sup>63</sup> Dr. Albon was mistakenly proposed for promotion by the Department of Medicine before she was technically eligible. When the Department of Medicine and the Associate Dean of Faculty Affairs discovered this, the promotion process was not continued. Dr. Kent was not involved in any of these decisions. The Jones Law Firm Defendants either knew these facts or deliberately failed to ask Dr. Albon, much less Dr. Kent about them.

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<sup>62</sup> *Id.* at p. 24.

<sup>63</sup> *Id.* at p. 25.

121. *Case #5: Dr. Chris Kramer.*<sup>64</sup> Dr. Kramer is a respected researcher and cardiologist. In his role as co-director of the cardiovascular service line at UVA, he was responsible for patient access to cardiology care, clinical recruitment, as well as other aspects of the clinical operation. The metrics demonstrated that health system clinical goals in cardiology were not being met. Dr. Kramer's direct report, Chief Medical Officer and Director of Service Lines and the Chair of the Department of Medicine, decided to keep Dr. Kramer in his position as Division Chief, but to replace him in the role of Co-Service Lines Leader with Dr. Michael Valentine, with the goal of enhancing the clinical operation. This change in leadership was made for performance issues and had nothing to do with retaliation. The Jones Law Firm Defendants either knew these facts or deliberately failed to interview the involved leaders about why they made their decision.

- ***The false statement of purported fact that Dr. Kent was reported to have made “threats of retaliation” at OSU.***

122. The Jones Law Firm Defendants published in their Letter Report that Dr. Kent had engaged in threats of retaliation in his prior tenure at Ohio State:

*“Before Dr. Kent arrived at UVA, several news outlets had reported that physicians and faculty at his former institution, Ohio State, had sent not just one, but three no-confidence letters that called out Dr. Kent for the same kind of management practices he has displayed at UVA Health, including, tellingly, threats of retaliation.”*<sup>65</sup>

123. This statement of purported fact was of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants are liable. The Jones Law Firm Defendants also made this defamatory statement with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements' probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their

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<sup>64</sup> *Id.*

<sup>65</sup> *Id.* at p. 6.

truth or falsity. The Jones Law Firm Defendants also published the statement with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

124. None of the three sources cited as support for this statement state that any of the three no-compliance letters at OSU “called out Dr. Kent for... threats of retaliation.”<sup>66</sup>

125. The first cited article, in *The Lantern*, May 9, 2017, makes clear that the target of the “sharp criticism” of the letters was Dr. Sheldon Retchin, CEO of OSU’s Wexner Medical Center, who subsequently resigned. Nowhere does the article state that Dr. Kent had engaged in “threats of retaliation.”

126. The second cited article, in *The Columbus Dispatch*, March 6, 2017, mentions Dr. Retchin (the target of the letters) six times and Dr. Kent once: “The professors contend that Dr. Craig Kent, dean of the College of Medicine for seven months, has shown ‘an emerging pattern of leadership in the style promulgated by Dr. Retchin.’” While the article quotes the letter as stating “It is unfortunate that the Medical Center and College of Medicine leadership have created an environment of low morale, distrust, and retaliation,” nowhere does the article state that Dr. Kent had engaged in retaliation or “threats of retaliation.”

127. The third cited article, in *Cville Right Now*, September 23, 2024, states that a 2017 no-confidence letter was “aimed at OSU’s Wexner Medical Center CEO, Sheldon Retchin...” The article also stated that the letter “cited Kent, asserting that as Dean of the Medical College, he had adopted Retchin’s leadership style...” However, the article makes no mention of “retaliation”

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<sup>66</sup> *Id.* at p. 6, fn. 38.

by Dr. Kent, or that he engaged in “threats of retaliation.” The footnoted articles likewise do not offer any support to the statement that Dr. Kent engaged in “threats of retaliation at UVA Health.”

128. Given the Jones Law Firm Defendants’ search for negative information about Dr. Kent’s tenure at OSU, they undoubtedly discovered articles praising his leadership. In one, written seven months after Dr. Retchin’s resignation, the Board Chair of Wexner Medical Center, praised Dr. Kent’s leadership: “[He] talked about the med center’s improved oversight, thoughtful financial stewardship and lower-than-average turnover rates.... ‘I’m more excited today than I was a year ago or two years ago because we’re really doing better and better.’” The article goes on to say that “in response to what they heard, Kent and his team launched a review of clinical salaries resulting in raises for 600-700 underpaid clinicians”.<sup>67</sup> The Jones Law Firm Defendants did not mention such articles because they conflicted with the false narrative of “threats of retaliation.” In another article from The Ohio State University, it was stated: “In his three years as Dean of the Ohio State University College of Medicine, Dr. K. Craig Kent has welcomed dozens of high-profile recruits, accelerated the college’s steady growth in federal research funding, and lauded interdisciplinary clinical teams for their high-quality and differentiated patient care.”<sup>68</sup>

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<sup>67</sup> *Doctors Divided: Inside the power struggle at Ohio State’s medical center*, Columbus Monthly, Dec. 19, 2017. Available at: <https://www.columbusmonthly.com/story/lifestyle/2017/12/20/doctors-divided-inside-power-struggle/16797453007/>. Accessed Feb. 23, 2026. Permanent link: <https://perma.cc/6986-DVWR>.

<sup>68</sup> *Dr. Craig Kent Elected to National Academy of Medicine*, The Ohio State University Wexner Medical Center Press Release, Oct. 21, 2019. Available at: <https://wexnermedical.osu.edu/mediaroom/pressreleaselisting/kent-elected-to-national-academy-of-medicine>. Accessed Feb. 23, 2026. Permanent link: <https://perma.cc/XD8R-E6BP>.

- ***The false statements of purported fact that Dr. Kent engaged in race discrimination, HR complaints of discrimination, and HR policy violations.***

129. The Jones Law Firm Defendants published in their Letter Report that Dr. Kent had engaged in race discrimination, and related violations:

Senior faculty are aware of ***Dr. Kent's discriminatory hiring practices*** and his ***termination of team members without cause in violation of HR policies***. UPG recently lost its top candidate for the CAO position, ***an African American woman*** who was working in the Health System, when she chose to go elsewhere because of ***Dr. Kent's lack of support for Under Represented Minorities***. Faculty are also aware of ***several HR complaints against Dr. Kent for discrimination and bullying of team members***. Present and former senior members of UVA HR privately confide that they have seen ***obvious HR policy violations directed by Dr. Kent*** but that were ***bullied*** into executing them. At least two of these HR professionals resigned to avoid their own personal liability.<sup>69</sup>

130. These statements of purported fact were of and concerning Dr. Kent, false, and defamatory *per se*, for which the Jones Law Firm Defendants are liable. The Jones Law Firm Defendants also made these defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements' probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. The Jones Law Firm Defendants also published the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

131. The statements are found in a letter that is unsigned, undated, and stamped "Draft." But the Jones Law Firm Defendants nonetheless published the document as a matter of fact.

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<sup>69</sup> Ex. A, App'x Doc. No. 17, p. 3 (emphasis added).

132. Worse, the statements were removed in the transmitted version of the letter, which the Jones Law Firm Defendants knew. In this regard, the Letter Report falsely states that the document is a draft letter from “October 2021.”<sup>70</sup> In fact, the document was a draft of a letter sent in September 2021. The Jones Law Firm Defendants knew this because they included in their Letter Report the September 2021 letter that was actually sent,<sup>71</sup> and its first paragraphs are nearly identical to the first paragraphs of the “Draft” letter.

133. The Letter Report also does not identify any “termination of team members without cause in violations of HR policies” by Dr. Kent because those terminations never happened. Nor does the Letter Report identify any “obvious HR policy violations directed by Dr. Kent” because those policy violations never happened, either.

134. The alleged acts of racial discrimination never happened, and there were no “HR complaints against Dr. Kent for discrimination and bullying of team members.” The Jones Law Firm Defendants knew that this statement was removed from the final version of the September 2021 letter. At a minimum, the Jones Law Firm Defendants published these statements with reckless disregard for their falsity.

#### **THE DEFAMATORY STATEMENTS TO THE PRESS IN THE WAKE OF THE OCTOBER 2025 LAWSUIT**

135. On October 3, 2025, a lawsuit was filed against Dr. Kent in the Western District of Virginia, which makes many of the same accusations as in the Letter Report and features Dr. Kent’s ouster as lending credence to them. Lead counsel for the plaintiffs are the Jones Law Firm Defendants and Defendant Bowers is local counsel.

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<sup>70</sup> Ex. A, p. 16-17, fn.126, 127, 129.

<sup>71</sup> Ex. A, App’x Doc No. 1.

136. Thereafter, Defendants Jones and Bowers began litigating their case in the press – outside the judicial proceedings – and defaming Dr. Kent in the process.

137. In various news articles, Jones and Bowers were quoted as making statements beyond the language of their complaint, including the false statements of purported fact that Dr. Kent was engaged in “criminal acts” and “illegal” and “unethical” practices, all related to billing fraud, including that he had implemented a Medicare “scam.” These statements were neither material to nor made in the course of a judicial proceeding.

138. In a press article dated on or about October 19, 2025, Bowers published the statement that the Kent administration had engaged in “illegal and unethical practices”:

*The claims made in the civil suit filed earlier this month mirror those Williams & Connolly investigated, according to MichieHamlett attorney Les Bowers. **Bowers said plaintiffs have waited months for the health system to take responsibility for the illegal and unethical practices of the Kent administration.** (See Exhibit B hereto).<sup>72</sup>*

139. In the same article, Defendant Jones published a statement echoing Bowers’ statement and adding that Dr. Kent had engaged in “illegal acts”:

*“What we can do under the law is bring a RICO action when there is an enterprise established to engage in criminal acts that damage and hurt people; and that’s what we’ve alleged here,” attorney Gladstone Jones of Jones Swanson Huddell told the Daily Progress. \* \* \* Jones said **Kent, Horton, Kibbe and others** named in the lawsuit **“were directly involved in the development of the strategy that included these illegal acts and caused these damages. And that’s why they were named and others were not.”**<sup>73</sup>*

140. In a press article dated on or about November 11, 2025, Bowers published the statement that Dr. Kent had implemented a “scam” of Medicare with a strategy of upcoding and double billing:

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<sup>72</sup> Ex. B at p. 5-7

<sup>73</sup> *Id.*

*And attorney Lee [sic] Bowers says UVA inflated bills for surgery by claiming two senior doctors were needed in the operating room for cases that were not that complicated.*

*“It leads to increasing revenue when there’s absolutely no need based on case complexity to have two attendings, but **it’s well-known that that is a way to scam Medicare.**” He adds that other fraudulent tactics were used to cut costs and boost the bottom line. “There are patients who had unnecessary procedures and people who went blind in the face of a year or more of warnings that this was going to happen if they continued to cut out the patient safety mechanisms in order to maximize financial goals.”*

\* \* \*

*“Anywhere that you could hire someone who would **implement the strategy of up-coding and double-billing**, that happened. Sixteen of 21 chairs were replaced, so we’re talking about completely wiping out all of UVA’s leadership in the space of four years so that Kent could install loyalists into those positions.”<sup>74</sup>*

141. These statements of purported fact were of and concerning Dr. Kent, false, and defamatory *per se*, for which Defendants Jones and Bowers are liable. They also made these defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements’ probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity. They also published the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

142. Among other things, Defendants Jones and Bowers knew, or should have known, that the Williams & Connolly investigation had found no evidence of billing fraud. Based on their extensive research into and review of the records available to them in preparing and filing the

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<sup>74</sup> See Ex. C at 2. Permanent link: <https://perma.cc/CG5F-DVQZ>.

federal lawsuit on October 3, 2025, Defendants Jones and Bowers were also aware that months earlier, on March 11, 2025, UVA publicly confirmed the finding of no billing fraud:

Coming out of the investigation, the Board and President [Jim] Ryan have determined that there is no basis for corrective action as it relates to health care billing or other regulatory compliance issues,” said UVA Rector Robert Hardie in a statement.<sup>75</sup>

143. No allegations of billing fraud survived the scrutiny of Williams & Connolly’s investigation and the internal review performed by UVA Health’s compliance team. No credible evidence of billing fraud existed at the time Defendants Jones and Bowers made their statements accusing Dr. Kent of participating in illegal billing acts, including up-coding, double-billing, and scamming Medicare.

### **COUNT I**

#### **Defamation *Per Se* Against All Defendants**

144. Plaintiff incorporates by reference Paragraphs 1-143 as if fully set forth herein.

145. Each of the statements of purported fact published by Defendants imputed an unfitness to perform or lack of integrity in Plaintiff’s performance of his job.

146. Each of the statements of purported fact published by Defendants necessarily prejudiced Plaintiff in his profession.

147. The statements of purported fact published by Defendants Jones and Bowers concerning billing fraud, illegal and criminal conduct accuse Plaintiff of committing serious crimes: felonies punishable by imprisonment.

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<sup>75</sup> *Investigation won’t lead to big changes at UVA Health*, CBS 19 News. Available at: [https://www.cbs19news.com/news/investigation-wont-lead-to-big-changes-at-uva-health/article\\_92822526-fee1-11ef-bcaf-7b847d82c5e7.html](https://www.cbs19news.com/news/investigation-wont-lead-to-big-changes-at-uva-health/article_92822526-fee1-11ef-bcaf-7b847d82c5e7.html). Accessed Feb. 20, 2026. Permanent link: <https://perma.cc/L3LT-QZ7A>.

148. Each of the defamatory statements published by Defendants are statements of purported fact, capable of being proven true or false, and false.

149. Defendants published each of the defamatory statements with actual malice. Prior to and at the time the Defendants made their defamatory statements, they knew the statements were false, had a high degree of awareness of the statements' probable falsity, and/or entertained serious doubts as to the truth of the statements, and so proceeded to publish the statements with reckless disregard for their truth or falsity.

150. The accounts in the Letter Report and press would have been implausible to the Defendants because they attributed acts to Dr. Kent that were far divorced from his job duties, including but not limited to making individual care decisions for individual patients, and hiring decisions that were multiple levels below his role. Dr. Kent was CEO of a large multibillion dollar health system with multiple hospitals, physician organizations, hundreds of clinics, a school of medicine, and a school of nursing. Yet, the Letter Report alleges Dr. Kent's direct involvement everywhere: hiring individual surgeons, in an ophthalmology clinic working with schedulers, retaliating against individual doctors (many whom he had never met), involved in the credentialing of physicians, or directly managing a transfer center and deciding which patients would be accepted, or directly managing the resources of one of the health systems four emergency rooms.

151. Defendants also published each of the statements with common law malice, in that they acted from personal spite or ill will, with sinister or corrupt motives, or with such gross indifference and recklessness as to amount to a wanton or willful disregard of the rights of Dr. Kent.

152. As a result of Defendants' acts, Dr. Kent is entitled to compensation for the monumental injuries he suffered to his business and personal reputations, for his humiliation,

emotional and mental anguish, and embarrassment, as well as for pecuniary losses (including millions of dollars in lost employment opportunities), and punitive damages.

## COUNT II

### **Tortious Interference with Contract Against The Jones Law Firm Defendants**

153. Plaintiff incorporates by reference Paragraphs 1-152 as if fully set forth herein.

154. In December 2023, Dr. Kent and UVA entered into an extension of his employment contract through February 1, 2030. Dr. Kent's contract, as extended, included \$1.6 million in base annual salary and a bonus structure and deferred compensation component representing another \$500,000 in annual earnings.

155. The Jones Law Firm Defendants knew of Dr. Kent's contract extension.

156. The Jones Law Firm Defendants induced or caused UVA to breach Dr. Kent's contract. Through the publication of their Letter Report to each member of the UVA Board of Visitors, the Jones Law Firm Defendants intentionally caused a termination of that contract through their demand that UVA President Jim Ryan force an immediate resignation by Dr. Kent or otherwise terminate him.

157. The Jones Law Firm Defendants achieved that intended, primary purpose through improper means or methods, including the publication of defamatory statements and other unethical conduct, such a deceptively wording and timing their Letter Report to resemble work product of UVA's official investigation conducted by Williams & Connolly.

158. Dr. Kent has been damaged by that interference. His contract was terminated five years before its scheduled expiration, and the Jones Law Firm Defendants' wrongful conduct has precluded him from finding comparable employment in his field.

**WHEREFORE**, Plaintiff moves the Court for the entry of a judgment against these Defendants in the following amounts:

a. Against each of the Jones Law Firm Defendants (Jones Swanson Huddell LLC, Gladstone Jones, and Lynn Swanson), jointly and severally, the amount of Thirty-Two Million Dollars (\$32,000,000.00), for presumed damages and actual damages for harm and injury to Plaintiff's reputation arising from their defamatory publication of the Letter Report on February 24, 2025;

b. Against Defendant Gladstone Jones, the amount of One Million Dollars (\$1,000,000.00), for presumed damages and actual damages for harm and injury to Plaintiff's reputation arising from his defamatory publications of November 11, 2025;

c. Against Defendant Les Bowers, the amount of One Million Dollars (\$1,000,000.00), for presumed damages and actual damages for harm and injury to Plaintiff's reputation arising from his defamatory publications of October 19, 2025, and November 11, 2025;

d. Against each of the Jones Law Firm Defendants (Jones Swanson Huddell LLC, Gladstone Jones, and Lynn Swanson), jointly and severally, the amount of Seven Million, Three Hundred Thousand Dollars (\$7,300,000.00), for compensatory damages arising from tortious interference with Plaintiff's employment agreement;

e. Against each of the Defendants, jointly and severally, the amount Three Hundred and Fifty Thousand Dollars (\$350,000.00) for punitive damages arising from conduct reflecting a willful or wanton and reckless disregard for Plaintiff's rights.

f. Prejudgment interest from the date of the alleged tortious conduct, pursuant to Va. Code § 8.01-382; and

g. Such other and further relief as the Court deems appropriate.

**TRIAL BY JURY IS DEMANDED.**

Respectfully submitted,

**DR. K. CRAIG KENT**

*By Counsel*

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