



TABNER, RYAN AND KENIRY, LLP

## **Tabner, Ryan and Keniry and Etransmedia Celebrate Multi-Million Dollar Victory in a High-Profile Deceptive Business Practice Case against Allscripts Healthcare**

(NOVEMBER 5, 2014 ALBANY, NY), After a hard-fought trial, Tabner, Ryan and Keniry, LLP and its client, Etransmedia Technology, Inc., won a decisive victory when an arbitration panel in North Carolina ruled that Allscripts Healthcare, LLC (NASDAQ: MDRX) had breached its partner agreement with Etransmedia and violated the North Carolina Unfair and Deceptive Trade Practices Act.

The three-person arbitration panel found following the trial that Allscripts profited by inducing Etransmedia to pre-purchase product licenses by assuring Etransmedia that Allscripts would make these products compliant with Medicare law and then failed to do so. Most notably, the Panel ruled that Allscripts “deliberately sabotaged” Etransmedia’s sales efforts.

Allscripts’ MyWay™ software product was designed for small medical practices. Allscripts promoted the fact that its products, including MyWay, would satisfy government ‘meaningful use’ requirements enacted as part of the Health Information Technology for Economic and Clinical Health (“HITECH”) Act of 2009. On October 5, 2012, however, Allscripts announced that it was phasing out MyWay.

Etransmedia had been a reseller of MyWay and also hosted data for many of its MyWay clients. At the time of Allscripts’ October 5, 2012 announcement, Etransmedia’s had accumulated millions of dollars in inventory of unsold licenses.

Partners Thomas Fallati and William J. Keniry and associate Dana Salazar, attorneys with Tabner, Ryan and Keniry represented Etransmedia in this case. Commenting on the ruling, Mr. Fallati said, “We are obviously thrilled with the Panel’s ruling. We worked closely with our client to present a solid case that was beyond dispute.”

Vikram Agrawal, President/CEO of Etransmedia, commented on the ruling, “It was a hard-fought victory for a company of our size against a giant \$1.4 billion publicly traded company like Allscripts. We presented the facts that, and the arbitration

panel concluded that Allscripts took advantage of us through its deceptive trade practices. We stood up for what we believe, and were proven right." He added, "Tom, Bill and Dana and the firm delivered exactly what our case needed: superior legal talent, a streamlined and compelling presentation to the arbitrators, resulting in an important legal victory for our company."

"We believe this will have a far-reaching impact for companies like ours," said Vikash Agrawal, Chairman. "Despite the better part of two years of legal process, and significant costs, we did not allow this to be a distraction - we continued to focus on our own growth. We have developed our proprietary Connect2Care® product suite to strengthen our position as technology innovators in the healthcare industry."

#### **About Tabner, Ryan and Keniry LLP**

Founded in 1963, Tabner, Ryan and Keniry LLP has built a solid reputation for winning and excellence in client service. We represent our clients in commercial litigation, employment law, municipal law and education law matters, and we regularly counsel clients in commercial transactions. We also represent plaintiffs in estate and trust cases. In all of our matters, we provide high quality representation tailored to each client's needs. For additional information, visit [www.trklaw.com](http://www.trklaw.com)

#### **About Etransmedia**

Founded in 2000, Etransmedia delivers, software and technology enabled Revenue Cycle Management services to the healthcare industry. The innovative and proprietary Connect2Care® suite delivers a comprehensive software and service package to ensure financial and clinical results for healthcare providers. The platform includes; Patient Engagement, Mobile Apps, Care Coordination, Financial Analytics, Practice Management, and Electronic Health Records. To learn more: [www.etransmedia.com](http://www.etransmedia.com)