



UnitedHealth's Campaign to Quiet Critics

The company has invoked the murder of an executive last year to complain about coverage in news outlets, on streaming services and on social media.

By [David Enrich](#)

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Mary Strause, a filmmaker in Wisconsin, logged on to Amazon's video-streaming service in late May so she could share a link to her latest project, a docuseries that harshly criticized the U.S. health care industry. She was surprised to see that her video had vanished.

Ms. Strause had no way of knowing it, but the video had been taken down after a law firm working for UnitedHealth Group, one of the country's largest health care companies, sent a letter warning Amazon and another streaming service, Vimeo, that the video was defamatory.

It was the latest salvo in an aggressive and wide-ranging campaign to quiet critics. In recent months, UnitedHealth has targeted traditional journalists and news outlets, a prominent investor, a Texas doctor and activists like Ms. Strause and her father, who complained about a UnitedHealth subsidiary.

In legal letters and court filings, UnitedHealth has invoked last year's murder of [Brian Thompson](#), the chief executive of the company's health insurance division, to argue that intense criticism of the company risks inciting further violence.

The tactics have had an impact. Amazon and Vimeo both removed Ms. Strause's film. The Guardian postponed publishing an investigation of the company after UnitedHealth sued over a previous article it said was defamatory.

UnitedHealth joins a growing group of companies and wealthy individuals, including [President Trump](#), who are using legal threats and lawsuits to deter or penalize criticism.

Over the years, there have been scattered examples of embattled companies — such as [Purdue Pharma](#), the maker of the highly addictive painkiller OxyContin — deploying legal offensives against a broad spectrum of journalists and critics, said Lee Levine, a retired First Amendment lawyer who has defended news outlets, including The New York Times.

“Some version of this has been going on for a long, long time,” Mr. Levine said. But, he added, “the incidence of it has increased.”

For UnitedHealth, the stakes are high. In recent years, the company has been the [subject](#) of [extensive](#) investigative [reporting](#) into its billing practices and denials of patient care, among other things. It faces a variety of federal criminal and civil investigations, including into potential Medicare fraud and antitrust violations, [The Wall Street Journal](#) has reported.

“Negative publicity may adversely affect our stock price, damage our reputation and expose us to unexpected or unwarranted regulatory scrutiny,” UnitedHealth noted in its most recent [annual report](#). The company’s shares have declined 40 percent over the past year.

Eric Hausman, a spokesman for UnitedHealth, defended the company’s efforts. “The truth matters, and there’s a big difference between ‘criticism’ and irresponsibly omitting facts and context,” he said in a statement. “When others get it wrong, we have an obligation to our customers, employees and other stakeholders to correct the record, including by making our case in court when necessary.”

Even before Mr. Thompson was [fatally shot](#) in December on his way into a Manhattan hotel, the company had been seeking to tamp down negative publicity.

In March 2024, The Examiner News in Mount Kisco, N.Y., published its [latest investigation](#) of a UnitedHealth division, Optum Medical Care, that operated in the area. A source had provided Adam Stone, the newspaper’s publisher, with a recording of Optum employees, and Mr. Stone said he inadvertently posted the whole file, rather than a snippet, with his article. Within hours, he had corrected the mistake — but not before Optum had noticed.

Image



Adam Stone, the publisher of The Examiner News in Mount Kisco, N.Y., received a letter from a local UnitedHealth executive warning that the company might seek an injunction against him. Credit...James Estrin/The New York Times

About a week later, Mr. Stone received a letter from the executive who ran Optum in New York and New Jersey, saying he had potentially committed a crime by airing audio that included private information about patients. The executive demanded that Mr. Stone destroy the audio and said the company might seek a court injunction barring him from continuing to publish it.

Mr. Stone replied that he would not destroy the audio. An Optum lawyer then wrote a letter reiterating the demand. Mr. Stone again refused. It was the last he heard from the company.

“The aim was to use scare tactics to intimidate,” Mr. Stone said.

UnitedHealth’s efforts intensified after Mr. Thompson’s murder.

In early January, Dr. Elisabeth Potter, a plastic surgeon in Austin, Texas, posted [a self-made video](#) on TikTok and Instagram that described how she had interrupted breast-reconstruction surgery to respond to a phone call from UnitedHealth about whether the insurer would cover a patient’s stay at a hospital. The call had come to the operating room’s phone line, leading her to believe it was urgent.

“Insurance is out of control,” Dr. Potter said in the video. “I have no other words.”

The short video was viewed millions of times and attracted hundreds of thousands of “likes” on social media.

About a week later, Dr. Potter received a six-page letter from the law firm [Clare Locke](#), which UnitedHealth had retained as “defamation counsel.” The letter claimed that she had distorted the circumstances of the phone call and that her video was libelous. It noted that some commenters were responding to her posts by celebrating Mr. Thompson’s murder. The letter demanded that she retract her video and apologize.

A lawyer for Dr. Potter sent a letter to Clare Locke defending the accuracy of the video. The law firm did not respond, Dr. Potter said.

One of the many people who shared Dr. Potter’s video was the billionaire investor Bill Ackman, who has nearly two million followers on X and regularly wades into controversies. In a post accompanying the video, he suggested that investors should bet against UnitedHealth’s stock and that the Securities and Exchange Commission should investigate the company. The post brought even more attention to Dr. Potter’s video.



A law firm representing UnitedHealth accused Dr. Elisabeth Potter in Austin, Texas, of defamation after she posted a video on TikTok criticizing the company. Credit...Carter Johnston

Mr. Ackman soon heard from Clare Locke. He already knew the firm. He and his wife, Neri Oxman, had hired Clare Locke [to threaten Business Insider](#) after it reported in 2024 that she had plagiarized parts of her doctoral dissertation. (They did not end up suing.)

Now, though, the roles were reversed. One of the firm's co-founders called an aide to Mr. Ackman and told him that the video included falsehoods. And UnitedHealth contacted the S.E.C. to complain that Mr. Ackman was trying to drive down the company's stock price.

Mr. Ackman deleted the post. But after he spoke with Dr. Potter and looked at notes and call logs provided by her lawyer, he changed course. "I believe that Dr. Potter told the truth," [he wrote](#) on X in February. He accused UnitedHealth of "brazen attempts to silence UNH's critics." Clare Locke never followed up with him.

Still, Dr. Potter's conflict with the company was not over, she said.

She had recently opened her own surgery center and had hired a consultant to help persuade UnitedHealth and other insurers to classify it as an in-network provider. Winning that designation was essential to Dr. Potter's business plan.

Then Dr. Potter's video went viral, and UnitedHealth stopped responding to inquiries from her representative, she said.

Dr. Potter perceived it as retaliation. Although she said she was still in talks with other major insurers, UnitedHealth is the country's largest. She said she worried that her surgery center might have to close.

At the time that she posted the video, Dr. Potter hadn't anticipated UnitedHealth's reaction. "I guess I was naïve," she said.

Mr. Hausman, the UnitedHealth spokesman, said the insurer had decided not to designate Dr. Potter's center as in-network before she posted her video.

In May, The Guardian published an investigation that said UnitedHealth had sought to save money by discouraging nursing homes from sending sick residents to the hospital. [The article](#) — which was based on lawsuits, internal company documents, patient records and interviews — noted that UnitedHealth disputed its findings.

Last month, UnitedHealth sued The Guardian for defamation. The lawsuit accused the news organization of deliberately publishing false accusations and "brazenly trying to capitalize on the tragic and shocking assassination" of Mr. Thompson.

The Guardian said it stood by its reporting and was preparing to defend itself against the lawsuit.

The timing of the lawsuit was notable. It was filed the day before The Guardian was scheduled to publish a second investigation into UnitedHealth, according to people familiar with the plans. The news organization had informed UnitedHealth about the article's timing.

After the lawsuit was filed, editors at The Guardian decided to postpone publication of the second piece, the people said. It hasn't yet run.

It was around this time that Ms. Strause, the filmmaker from Wisconsin, logged on to Amazon's video-streaming service to get a link to share with a friend.

Ms. Strause and her father, Dan Strause, who had helped run a small chain of pharmacies in Wisconsin, had hoped that the docuseries, called "Modern Medical Mafia," would reveal the inner workings of drug industry middlemen known as pharmacy benefit managers, or P.B.M.s. One of the largest P.B.M.s, Optum Rx, is a UnitedHealth subsidiary.

Image



Mary Strause and her father, Dan Strause, created a docuseries that harshly criticized pharmacy benefit managers, including one owned by UnitedHealth. Credit...Kayla Wolf for The New York Times

The show's central premise was that P.B.M.s operated like an organized-crime ring, using their dominant market positions to [push prescription prices](#) ever higher. The first episode included interviews with two congressmen and several prominent critics of P.B.M.s and featured computer-generated animations of shadow-cloaked businessmen and gangsters.

A trailer for the series went online late last year, and UnitedHealth learned that it was going to be available on platforms including Amazon Prime Video. In January, Clare Locke flagged UnitedHealth's concerns in a letter to Amazon's outside counsel. The episode nonetheless became available on Prime Video this spring.

On May 21, Clare Locke wrote again to Amazon's lawyers. The 16-page letter claimed that the docuseries "spreads a vociferous and false screed in a thinly-veiled call to violence for anyone who is dissatisfied with the American health care system. Recent history and Brian Thompson's murder demonstrates the devastating and irreversible consequences of ginning up such hatred with false claims designed to inspire violence."

The letter said the video violated Amazon's terms of service and should be removed, in part because it "doxxed our clients' physical address" by showing a street sign for Optum Way in Minnesota.

Within days, the video — which had no more than a few hundred views — had been removed from Prime Video. Ms. Strause contacted Filmhub, the company that had helped place the documentary on the platform, to ask why. "Channels occasionally decline and remove titles that they say are not aligned with their ever-changing content policies," Filmhub responded, noting that Amazon's decision was not subject to appeal.

(An Amazon spokeswoman, Katie Barker, said in a statement that Filmhub decided to have "[Modern Medical Mafia](#)" removed after Amazon flagged its "low video quality." Filmhub executives did not respond to requests for comment.)

In early June, Ms. Strause received an email from Vimeo, where "Modern Medical Mafia" had also been available for streaming.

"This content was [removed](#) due to a complaint Vimeo received concerning defamation," the email said. "Vimeo is not able to evaluate the truth or falsity of such a claim, and it asks that you resolve the dispute directly with the complainants, Optum Rx and UnitedHealth Group."

To Ms. Strause, UnitedHealth's determination to get her video taken down showed that she and her father were exposing the truth. "They're intimidated by what we're saying," she said.

The video [remains available](#) on YouTube, which said it had not received a request to remove it, and Ms. Strause said she planned to upload the rest of the series to that platform later this year.

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