

1. Had to locate office at a distance from original hospital. This resulted in use of another hospital that is now my main place. Years later when I hired a new surgeon and did not have any restrictive covenants, he bolted down the street with my other partner's referrals. We did not even charge him for "good will." I now believe in restrictive covenants to a degree!
2. It cost me \$200,000 to get out.
3. Essentially had to move out of town or not practice for two years. The acute cost of moving and the long-term cost of starting all over as an employed salaried MD in a new practice is substantial.
4. Had to move out of state, completely disrupting my family's place in the community that we had lived in for almost five years, selling a house I had built, leaving a teaching position that I loved. Now we are trying to rebuild our "community life" and expect this to take several years again. Otherwise, left an area I loved, but have found work without a problem.
5. A lot of time and money went into fighting it and it was eventually dropped.
6. If I set up practice within a certain limit of miles I would have to pay a very large fee.
7. I was duped into a "handshake" deal, but after leaving an academic position and moving to town (now without leverage) I was forced to sign a contract containing a RC a few months later. After six years building the practice, I was "financially" forced out of the practice (all referrals, therefore all billings, were intercepted by my so-called "associate") and essentially out of the state when I lost a district court decision over the RC which included a 25-mile radius around 12 hospitals (100-mile diameter). Because of this decision (and my removal from the area), the district court had effectively created a monopoly on colorectal surgery in this Midwestern state with only three other board-certified colorectal surgeons—all located 200 miles away. As a matter of public policy, this ruling was overturned by the state Court of Appeals two years later by unanimous decision. My former associate's petition to the state Supreme Court to overturn the appellate court decision was denied six months later. It took nearly three years (and significant expense) to complete the legal proceedings and return to practice without restrictions.<sup>4</sup>