

Overview

StepToe & Johnson's attorneys understand the critical, emotional, financial, and reputational issues at stake in professional liability claims and have earned a reputation for defense verdicts and vigorous, proactive, and efficient advocacy on behalf of clients through all aspects of a claim.

Team members are mindful of both the cost of litigation and the risk of encouraging additional lawsuits by settling cases that should be tried. They work with clients to achieve their business goals, whether that is via a quick and cost-effective workup and resolution or a vigorous defense through trial. Group members are experienced in the professional liability defense of:

- Health care professionals and health care facilities of all types
- Pharmaceutical companies
- Medical device manufacturers
- Accountants
- Architects
- Attorneys
- Realtors
- Educators
- Engineers
- Stockbrokers

Representative Experience

We Assist Our Clients Outside the Courtroom

- Advised a wide variety of hospitals and clinical practices on day-to-day risk management, loss prevention, medical staff/peer review issues, insurance, regulatory compliance, and operational matters
- Represented employed and independent physicians and nurses before various licensure boards

We Obtain Quick and Favorable Resolutions to Meet Our Clients' Goals

- Successfully resolved claims pre-suit to avoid negative publicity for clients
- Obtained favorable pre-suit settlements for clients by quickly and efficiently investigating the claims

We Get Results Before Trial

- Successfully obtained summary judgment for attorneys in legal malpractice claims and health care providers in medical malpractice claims
- Won motions to dismiss for lack of personal jurisdiction for parent companies of skilled nursing facilities in multiple states
- Successfully obtained enforcement of arbitration agreements for health care clients
- Won motions to dismiss for failure to follow pre-suit requirements in medical negligence cases and successfully upheld the decisions through appeal

We Try Cases

- Successfully defended skilled nursing facilities at jury trials and arbitrations in multiple states in a variety of resident care and employment discrimination matters
- Won jury verdicts on behalf of physicians and other medical care providers in multiple states in medical malpractice cases involving permanent injuries and death
- Obtained a defense jury verdict on behalf of a county school board
- Obtained a defense jury verdict on behalf of a hospital accused of breach of contract and West Virginia Patient Safety Act violations
- Successfully defended numerous cases of employment discrimination before the Human Rights Commission on behalf of large hospitals and large manufacturers
- Won a jury verdict on behalf of one of the largest banks in the world in a claim alleging fraudulent misrepresentation, aiding and abetting, and violations of the Blue Sky Act

We Are Trusted When It Matters Most

- Defended a CPA's service as trustee for an "operating" trust with more than \$13 million worth of businesses and assets in the timber, logging, and lumber industries
- Served as lead trial counsel in cases worth a total of more than \$100 million to clients
- Coordinated the defense of dozens of medical negligence, corporate negligence, wrongful death, and residents' rights claims, which routinely included significant and wide-ranging discovery disputes, including the coordination of extensive e-discovery

- Represented numerous long-term care facilities and assisted living facilities in over 100 separate wrongful death actions brought by families of deceased former residents
- Defended multiple attorneys in various types of legal malpractice cases
- Served as lead counsel in litigation involving a \$22 million construction project
- Defended long-term care facilities in COVID-19 litigation in state, federal district, and appellate courts involving claims of immunity under the PREP Act
- Represented clients before the West Virginia Mass Litigation Panel involving multiyear, complex toxic tort litigation with 100+ plaintiffs and multiple defendants
- Defended medical device manufacturers in product liability matters, including in the areas of surgically implanted pain pumps, and in the vaginal mesh multidistrict litigation

Highlights

- Steptoe & Johnson attorneys try and win cases regularly
- Team members are strategically located throughout the United States to assist national clients
- In-house nurse paralegals, accountants, and engineers assist our attorneys in crafting a defense for professionals
- More than 40 areas of practice provide cross-team collaboration
- The Professional Liability Group works closely with the firm's Health Care Group and Long-Term Care Team in order to stay abreast of current trends and concerns



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