

GABOR OVARI

ASSOCIATE



AREAS OF PRACTICE

Health Care Liability

CONTACT INFO

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ADMISSIONS

Pennsylvania
2013

New Jersey
2013

EDUCATION

Widener University
Commonwealth School of Law
(J.D., magna cum laude, 2013)

Temple University (B.A., magna
cum laude, 2010)

ASSOCIATIONS & MEMBERSHIPS

Montgomery County Bar
Association

Pennsylvania Bar Association

LANGUAGES

Hungarian

YEAR JOINED

2020

OVERVIEW

Gabor is an associate in the Health Care Department, and focuses his practice on the defense of hospitals, health care systems and medical providers in medical malpractice and health care liability matters. Gabor has second chaired multiple jury trials, and has experience in all aspects of litigation. He is involved in cases from inception until resolution, conducting discovery, preparing witnesses, taking and defending depositions, evaluating and selecting experts, and preparing for trial. He has also first and second chaired several binding arbitrations, resulting in favorable outcomes for his clients.

With a focus on collaboration, Gabor works closely with each client to develop a defense strategy tailored to the individual case and desired result. He draws from his background in defending workers' compensation matters, having conducted hundreds of medical depositions and evaluated claims based on the opinions of medical experts and the analysis of medical/treatment records.

Gabor received his juris doctor from Widener University Commonwealth Law School, where he was elected as a member of the Law Review's Administrative Board and completed an intensive trial advocacy program. Upon graduation, Gabor received the James S. Bowman American Inn of Courts Award, which is awarded to a student excelling in administrative law. During undergrad at Temple University, Gabor was the recipient of the Professor Edward R. and Essie Baron Memorial Award, which is given to an outstanding student majoring in history, theater, music or art.

THOUGHT LEADERSHIP

Multiple Entities, But One Claim – The Issue of Corporate Negligence

King of Prussia
Long-Term Care Liability
Health Care Liability
September 1, 2024

Key Points: Defense Digest, Vol. 30, No.

Defendants must comply with notice requirements for dismissing a medical malpractice case based on the lack of a certificate of merit.

King of Prussia
Health Care Liability
October 1, 2022

This case also involves the issue of whether a medical malpractice claim could be dismissed due to the plaintiff. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Is a certificate of merit required when a plaintiff files a claim sounding in professional negligence but subsequently attempts to assert that the issue involves simple negligence?

King of Prussia
Health Care Liability
October 1, 2022

This case involves the issue of whether a certificate of merit is required when a plaintiff files a claim. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Prior acts exclusion applies and coverage is excluded because claim was previously reported to another insurer.

King of Prussia
Health Care Liability
October 1, 2022

This case involves contract interpretation and insurance coverage. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Where there is much uncertainty about the facts, the issue of discovering the injury could not be determined as a matter of law by the court.

King of Prussia
Health Care Liability
October 1, 2022

This is a medical malpractice matter that involved the issue of whether the statute of limitations was tolled. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

CLASSES/SEMINARS TAUGHT

Calculated Change in Strategy: Hospital as the Solo Defendant, Marshall Dennehey Trends in Health Care and Health Law Seminar, May 9, 2024

Commonwealth of Pennsylvania Workers' Compensation Seminar, Commonwealth of Pennsylvania, 2016 and 2017

PUBLISHED WORKS

"Pennsylvania Imaging Center v. Commonwealth: The Supreme Court of Pennsylvania 'Trips' Over the Fine Line between Sales and Use Tax in Cases of Property Affixed to Real Estate," *2013 Annual Survey of Pennsylvania Administrative Law* - 22 Widener L.J. 321 (2013)

RESULTS

Plaintiff's claims barred by statute of limitations and immunity provisions of the Pennsylvania Mental Health Procedures Act.

Health Care Liability

February 9, 2021

The defense prevailed on preliminary objections in Philadelphia County as the court found that the case involved a medical malpractice action involving the plaintiff's allegations of an alleged assault by three patients while the plaintiff was a patient at a behavioral health hospital. In the complaint, the plaintiff pleaded ordinary negligence.

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense verdict after a week-long jury trial in a medical malpractice case. The plaintiff alleged she sustained a bowel perforation injury in the course of a robotic-laparoscopic hysterectomy. The procedure was performed by an obstetrician/gynecologist. During the course of the procedure, a general surgeon was called in to evaluate the bowels for injuries. There were no injuries found, so the procedure was completed, and the patient was discharged the following day. Two days later the patient returned in critically ill condition, and a bowel perforation in the sigmoid colon was identified. The plaintiff alleged the providers negligently failed to detect the injury during the hysterectomy. After a week-long trial, the jury returned a verdict in favor of all defendants.

Geisinger Health v. Bureau of Workers' Comp.(SWIF), 138 A.3d 133 (Pa. Cmwlth. Ct. 2016)