

ANTHONY J. WILLIOTT

SENIOR COUNSEL



AREAS OF PRACTICE

Health Care Liability
Long-Term Care Liability
General Liability
Product Liability

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Pittsburgh, PA 15219

ADMISSIONS

Pennsylvania
1985

U.S. District Court Western District
of Pennsylvania
1985

U.S. Court of Appeals 3rd Circuit
1988

EDUCATION

Duquesne University School of
Law (J.D., 1985)

Pennsylvania State University
(B.S., 1978)

OVERVIEW

Tony is the supervising attorney for the Health Care Department in the Pittsburgh office. He has spent his entire legal career defending hospitals, physicians, long-term care and ancillary health care facilities, insurance companies and their insureds, pharmacies, and manufacturers in civil lawsuits. Tony focuses on the defense of physicians, hospitals and extended care facilities, while continuing to defend insurance carriers (and their insureds), and automobile and RV manufacturers and dealerships. Tony has successfully defended licensed professionals in numerous Pennsylvania licensing Board investigations, including veterinarians, dentists, nurses, psychologists, licensed professional counselors, and licensed clinical social workers.

Tony has defended hundreds of medical liability claims and more than 1,000 civil claims, including product liability, breach of warranty, defamation, insurance bad faith, construction accident and complex matters, in addition to his work in the health care field.

Tony secured a defense verdict in his very first jury trial in 1987 (against a prominent plaintiff's personal injury attorney), and has been steadily trying cases to verdict ever since. His extensive courtroom experience includes more than 50 jury trials, 10 non-jury trials, approximately 100 Common Pleas and Federal Court arbitrations, and approximately 15 UM/UIM arbitrations.

In recognition of his work as a trial lawyer, Tony was inducted into the prestigious Academy of Trial Lawyers of Allegheny County in 2003, his first year of eligibility. The Academy of Trial Lawyers consists of the best 125 plaintiff and best 125 defense lawyers out of more than 8,000 lawyers in Allegheny County. Tony was also recognized as a Pennsylvania Super Lawyer in 2005, 2013 and 2014, and has achieved an AV® Preeminent™ designation from Martindale-Hubbell for more than 15 years. In 2022, Tony was named one of The Best Lawyers in America® for Medical Malpractice Law - Defendants.

Tony was a scholarship member of the football team at Penn State, earning letters in 1976 and 1977. He was on the victorious Duquesne University School of Law trial moot court team at the 1985 Gourley Cup Trial Moot Court competition, where he was also selected runner-up best advocate.

Tony lives in Mount Lebanon with his wife, Dana, whom he met at Penn State. Their daughters, Alexandra and Gabrielle, are also Penn State grads, and their son, Carl, graduated from Yale, where he was member of the varsity football team.

Tony has been a trustee of the Parents Athletic Council of Mount Lebanon since 2008. He served as a board member of The Center for Theater Arts for approximately 10 years, including a two-year term as Chairman of the Board. Tony was also a member of the Mount Lebanon School District Strategic Planning Team in 2000.

HONORS & AWARDS

Academy of Trial Lawyers of Allegheny County, Fellow
2003-present

Allegheny County Bar Foundation, Fellow
2001-present

AV® Preeminent™ by Martindale-Hubbell®

The Best Lawyers in America®, Litigation - Health Care; Medical Malpractice Law - Defendants
2022-2024

Pennsylvania Super Lawyer
2005, 2013-2016

ASSOCIATIONS & MEMBERSHIPS

Allegheny County Bar Association

YEAR JOINED

2010

THOUGHT LEADERSHIP

Three Marshall Dennehey Attorneys Selected 2022 “Lawyers of the Year” and 67 Attorneys Recognized Overall in the 2022 Editions of The Best Lawyers in America® and Best Lawyers: Ones to Watch®

August 19, 2021

Marshall Dennehey is proud to announce that three of the firm’s attorneys have been selected 2022 “Lawyers of the Year” and 67 attorneys have been recognized overall in the 2022 Editions of The Best Lawyers in America® and Best Lawyers: Ones to Watch®
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There Are No Hotels in Smethport, Pennsylvania

Pittsburgh
Health Care Liability

June 1, 2019

Key Points:

Plaintiff's Counsel Pies Self in Face

Pittsburgh
Long-Term Care Liability

September 1, 2012

Key Points: Defense Digest, Vol. 18, No. 3, September 2012

CLASSES/SEMINARS TAUGHT

Investigations and Discovery: What They Don't Want You to Find and Depositions in Nursing Home Cases: Practical Tips and Tactics, National Business Institute Nursing Home Failure of Care Litigation 2023 webinar, July 20, 2023

Pain and Suffering in Personal Injury: Doctor, Plaintiff, and Defense Perspectives, National Business Institute webinar, August 2021

Civil Court Judicial Forum, moderator, National Business Institute, April 12, 2019

Civil Court Judicial Forum, National Business Institute, April 13, 2018

The Rules of Evidence: A Practical Toolkit, National Business Institute, July 31, 2015

Evidence and Expert Testimony, National Business Institute, April 30, 2014

The Good, the Bad and the Ugly: Hot Topics in Long Term Care Litigation, Health Executive Institute, March 7, 2014

What to Expect When You're Expecting (A Trial), Health Executive Institute, October 19, 2012

Litigating to Win Through Advanced Trial Advocacy, National Business Institute, Pittsburgh, PA, June 7, 2012

Documentation – It's Really That Important, April 24, 2011

Mechanics of Pennsylvania Civil Procedure, April 21, 2011

Strictly Speaking: An Overview Of Products Liability Law in Pennsylvania, November 13, 2008

New Pennsylvania Suggested Jury Instructions in Medical Malpractice Cases, April 4, 2006

Keys To Successful Pre-Trial Preparation, June 15, 2005

Uninsured and Underinsured Motorist Law in Pennsylvania, August 10, 2004

The Nuts And Bolts Of The Medical Malpractice Case, April 1, 2004

Pennsylvania Personal Injury Practice For Paralegals, May 20, 1998

Insurance Bad Faith In Pennsylvania and West Virginia, 1993

PUBLISHED WORKS

"There Are No Hotels in Smethport, Pennsylvania," *Defense Digest*, Vol. 25, No. 2, June 2019

"Plaintiff's Counsel Pies Self in Face," *Defense Digest*, Vol. 18, No. 3, September 2012

"Keeping Faith," *Best's Review*, March 2001

"Understanding O'Donnell – When Aggressive Defense Can Lead To Bad Faith," *The Lawyers Journal*, October 20, 2000

"The Pennsylvania Automobile Lemon Law," *Pittsburgh Legal Journal*, September 5, 1996

SIGNIFICANT REPRESENTATIVE MATTERS

Secured a defense verdict on behalf of an internal medicine specialist following an eight-day trial in McKean County in February 2016. The case involved the administration of a clot-buster by the client physician when the patient presented in the midst of a heart attack. The plaintiff developed a massive intracranial hemorrhage following administration of the clot-buster (a known risk of the medication), resulting in a near-fatal brain injury that left the patient with impairments. Plaintiff claimed clot-buster therapy was contraindicated, and the patient should have been instead transported to the nearest tertiary care hospital for emergency catheterization. Plaintiff also claimed our client failed to properly monitor the patient for a brain bleed. Both the Emergency Room physician and the staff cardiologist at the hospital testified against our client at trial.

Was trial counsel in the landmark case of *Griffin v. UPMC Braddock*, a case where a jury verdict of \$2.2 M was overturned and judgment n.o.v was granted in favor of the defendant based on Tony's cross-examination of plaintiff's expert that revealed his testimony was not given with reasonable medical certainty.

Secured dismissal of a defamation action in the Western District of Pennsylvania in *Kelsch v. Ellucian Support*, where the client's employee sent a blast email to approximately 3,000 people accusing a customer's VP of embezzlement, as the employee was being terminated. The District Court Judge agreed with Tony that the client was not vicariously liable for the employee's actions.

Secured a defense verdict in *Lapinsky v. Goldberg, et al*, a medical malpractice claim arising out of the laceration of the common iliac artery and vein during a laparoscopic procedure.

Successfully defended a hospital in a jury trial involving an elderly patient who fell out of bed, fracturing her nose and eye orbit, in *Bennett v. UPMC*.

Received a defense verdict in *Casey v. Seski*, a medical malpractice case in which the plaintiff alleged that the surgeon failed to get proper surgical clearance and plaintiff suffered a stroke immediately prior to surgery.

Successfully defended defamation claims in *Black v. Antion* and *Garmong v. Myers*.

Was defense counsel in the seminal case under the Pennsylvania remittitur rule (*Vogelsberger v. Magee, et al*), persuading both the Trial Court and Superior Court that the verdict was excessive and contrary to the evidence.

Successfully defended Allstate in a Bad Faith case tried before a jury in the Western District of Pennsylvania (*Ward v. Allstate*). Case arose out of the denial of a UIM claim arising out of a triple fatality accident.

Secured a defense verdict in a jury trial in the Western District of Pa. (Erie Division) in *Pearson v. Sears*, a product liability case involving a propane torch, persuading the jury that the incident occurred because the plaintiff altered the orifice of the torch.

Secured Summary Judgment in *Pounds v. Morrow Motors*, where plaintiff claimed that the defendant car dealer negligently permitted plaintiff's brother to test drive a car while drunk, resulting in an accident that left plaintiff a quadriplegic.

Received jury verdicts in favor of automobile manufacturers in *Flanders v. Ford Motor Co. and Iskoe v. Subaru*.