

T. KEVIN FITZPATRICK

DIRECTOR, HEALTH CARE DEPARTMENT
SHAREHOLDER



AREAS OF PRACTICE

Health Care Liability
General Liability

CONTACT INFO

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King of Prussia, PA 19406

ADMISSIONS

Pennsylvania
1984

U.S. District Court Eastern
District of Pennsylvania
1984

U.S. Court of Appeals 3rd
Circuit
1989

U.S. District Court Middle
District of Pennsylvania
1990

EDUCATION

Loyola University New Orleans
School of Law (J.D., 1984)

University of Scranton (B.S.,
1981)

OVERVIEW

Kevin is the director of the firm's Health Care Department, overseeing more than 80 attorneys in 15 offices. He is also a member of the firm's board of directors. Kevin has played an active role in not only substantially increasing the number of attorneys in the Health Care Department, but also in expanding its geographical footprint.

In addition to his administrative responsibilities, the majority of Kevin's professional time is spent providing defense representation in health care liability matters involving large exposure and complex cases. These cases involve the defense of physicians, hospitals, dentists, therapists, mental health professionals and other health care providers. Other areas of his practice have been devoted to significant general liability matters, including premises liability and security litigation.

Kevin estimates that since 1984 he has handled more than 400 health care liability matters. He has taken numerous cases to verdict, the majority of them resulting in defense awards. He has also had a significant number of cases taken to trial that resulted in client dismissals by stipulation or motion. In addition, Kevin has been involved with numerous ADR proceedings, including binding arbitrations, with successful results.

After receiving a Bachelor of Science degree in accounting from the University of Scranton in 1981, Kevin obtained his juris doctor from Loyola University in New Orleans in 1984. While in law school, Kevin was selected to serve on the moot court board. Prior to joining Marshall Dennehey in 1993, Kevin was a partner with a Philadelphia law firm, where he practiced for nine years.

Kevin has been awarded an AV® Preeminent™ rating by Martindale-Hubbell. Throughout his career, he has been active in the preparation of articles in his field of concentration and he has given numerous presentations to clients, including hospitals and insurance carriers, regarding the defense of health care liability cases and

HONORS & AWARDS

AV® Preeminent™ by
Martindale-Hubbell®

Pennsylvania Super Lawyers
2014, 2016-2019

ASSOCIATIONS & MEMBERSHIPS

American Society of Hospital
Risk Management

Central Behavioral Health,
Solicitor (2003-2011)

Defense Research Institute

Montgomery County Bar
Association

Pennsylvania Bar Association

YEAR JOINED

1993

medical/legal related matters.

THOUGHT LEADERSHIP

Robin B. Snyder Named Assistant Director of Health Care Department

King of Prussia

Scranton

February 13, 2018

Robin B. Snyder, shareholder and member of the firm's Board of Directors, has been named Assistant Director of the Health Care Department at Marshall Dennehey Warner Coleman & Goggin. In this role, she will assist T.

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Marshall Dennehey Warner Coleman & Goggin Elects Board of Directors

December 19, 2012

December 2012 - Philadelphia, PA - The Executive Committee of the defense litigation firm Marshall Dennehey Warner Coleman & Goggin (MDWC&G) is pleased to announce that Robin Snyder, Esq.

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Kate McGrath (King of Prussia, PA), Kevin FitzPatrick (King of Prussia, PA) and Jeff Bates (Philadelphia, PA) presented a seminar to representatives of OneBeacon Insurance Group in Connecticut

Mount Laurel
Allentown
Scranton
Roseland
Wilmington
Cleveland
Fort Lauderdale
Jacksonville
Orlando
Tampa
Doylestown
Erie
Harrisburg
King of Prussia
New York
Philadelphia - Headquarters
Long Island, NY - Melville
Pittsburgh
Cincinnati
Westchester
Westport
October 1, 2011

Kate McGrath (King of Prussia, PA), Kevin FitzPatrick (King of Prussia, PA) and Jeff Bates (Philadelphia, PA) presented a seminar to representatives of OneBeacon Insurance Group in Connecticut. Topics included update
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Seminar on case evaluations and jury verdicts in medical professionals liability cases

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Roseland
Wilmington
Cleveland
Fort Lauderdale
Jacksonville
Orlando
Tampa
Doylestown
Erie
Harrisburg
King of Prussia
New York
Philadelphia - Headquarters
Long Island, NY - Melville
Pittsburgh
Cincinnati
Westchester
Westport
October 1, 2011

Kevin FitzPatrick (King of Prussia, PA), Chandler Hosmer (King of Prussia, PA), Bill Banton (Philadelphia, PA), and Joan Orsini Ford (Doylestown, PA) presented a seminar on case evaluations and jury verdicts in medical

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Amendments to the Florida Evidence Code

General Liability
Professional Liability
Health Care Liability
Workers' Compensation

May 28, 2019

By Joey M. Chindamo

Back to the Future: A Lot at Stake for Both Sides in Venue Rule Change

King of Prussia
Health Care Liability
April 6, 2019

Will History Repeat Itself? Supreme Court of Pennsylvania Considers Rescission of Pivotal Medical Malpractice Venue Rule That Helped Resolve the State's Earlier Medical Malpractice Crisis

King of Prussia
Philadelphia - Headquarters
Health Care Liability
March 12, 2019

On the Pulse... Following the Bouncing Ball in Long-Term Care

King of Prussia

Long-Term Care Liability

December 10, 2018

Defense Digest, Vol. 24, No. 4, December 2018 By T. Kevin FitzPatrick, Esq. & Robin B. Snyder, Esq.* Defense Digest, Vol. 24, No. 4, December 2018. Defense Digest is prepared by Marshall Dennehey Warner Coleman & Goggin to provide information on recent legal developments of interest to our readers.

Special Law Alert - Two Recent Unfavorable Appellate Decisions

Health Care Liability

July 10, 2017

Pennsylvania Appellate Courts recently issued two significant decisions resulting in widespread practical implications for patient treatment and litigation involving informed consent and medical negligence.

CLASSES/SEMINARS TAUGHT

The Pitfalls of Pressure Ulcer Litigation, Marshall Dennehey Health Care and Health Law Seminar, November 9, 2017

Case Evaluations and Jury Verdicts in Medical Professionals Liability Cases and Defending the Mental Health Case, Allied World Assurance Company, October 2011

Updates on the Medical Care Availability and Reduction of Error Act (MCARE), MCARE Fund & Fair Share Act, OneBeacon Insurance Group, Connecticut, October 2011

Current Legal Trends, Update on Tort Reform In Pennsylvania, Potential Civil Implications Arising From the New Medicare Requirements Under the Deficit Reduction Act Of 2005, University of Scranton, Bi-annual Medical Alumni Symposium, March 2009

PUBLISHED WORKS

"Back to the Future: A Lot at Stake for Both Sides in Venue Rule Change," *The Legal Intelligencer*, Medical Malpractice Supplement, April 9, 2019

"Will History Repeat Itself? Supreme Court of Pennsylvania Considers Rescission of Pivotal Medical Malpractice Venue Rule That Helped Resolve the State's Earlier Medical Malpractice Crisis," *MDAdvisor*, Winter 2019

"Psychiatric Records Can Be Subject To Discovery In Pennsylvania," *Defense Digest*, Vol. 16, No. 4, December 2010

"Disgruntled Lasik Surgery Plaintiff Not Precluded from Expressing Non-Defamatory Comments On Website," *Defense Digest*, Vol. 13, No. 3, September 2007

"New Trial Awarded Because of Improper Contact with Treating Physician," *Defense Digest*, Vol. 5, No. 5, 1999

"Informed Consent Not Limited To Physician Information," *Defense Digest*, Vol. 5, No. 3, 1999

"Current Status of Wrongful Use of Civil Proceedings," (co-author), *Defense Digest*, Vol. 4, No. 5, 1998

"HMO's ERISA Shield Pierced By Superior Court," *Defense Digest*, Vol. 2, No. 6, June 1996

"HMOs are Denied Peer Review Protection," *Defense Digest*, Vol. 1, No. 8, August 1995

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense verdict in a trial involving allegations that a hospital client failed to reconcile a home Benzodiazepine medication which led to a grand mal seizure, multiple spinal compression fractures, chronic pain and lifelong care needs. (2016)

Obtained a defense verdict for a hospital client in a trial which alleged nursing negligence that resulted in a femur fracture and subsequent complications for a post hip replacement surgery patient. (2014)

Obtained a defense verdict for a hospital client against alleged failure to diagnose renal failure which resulted in the death of a man following knee surgery. (2012)

Obtained a defense verdict in a trial involving a severe shoulder dystocia birth injury case and defense of the treating obstetrician. (2008)

Obtained a defense verdict in a trial involving the death of an elderly patient following the administration of a narcotic medication by an emergency physician. (2006)

Obtained a defense verdict in a trial involving a urologist and failure to diagnose testicular cancer resulting in the death of a 49-year-old man. (2000)