

THOMAS M. LENT

SENIOR COUNSEL



AREAS OF PRACTICE

Health Care Liability
Long-Term Care Liability
Miscellaneous Professional Liability
General Liability

CONTACT INFO

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717 State Street
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Erie, PA 16501

ADMISSIONS

Pennsylvania
1983

U.S. District Court Western District
of Pennsylvania
1983

U.S. Supreme Court
1995

New York
2016

EDUCATION

Claude W. Pettit College of Law
(J.D., 1983)

Edinboro State College (B.A.,
1980)

HONORS & AWARDS

AV® Preeminent™ by Martindale-
Hubbell®

Best Lawyers in America®,
Medical Malpractice Law -
Defendants
2024

Editor's Award, Outstanding
Member of Law Review, Ohio
Northern University College of Law
1982-1983

OVERVIEW

Thomas practices in the areas of medical malpractice (physician and other providers), nursing home/long-term health care provider defense, physician disciplinary action defense, health care provider contract disputes (restrictive covenant, employment issues), general liability defense (premises, contract), employment law (unemployment, wage claims defense, Title VII, ADEA, FMLA), product liability defense and insurance/declaratory judgment defense. As well, Thom is regularly consulted on special education matters and retained to defend due process cases for school districts across Northwestern Pennsylvania.

Thom has handled several hundred medical malpractice and physician cases to date, representing a considerable number of physicians and medical professionals in northwestern Pennsylvania. Additionally, he has provided employment defense and counsel to physicians and other employers. Thom has taken 25 cases to trial, 24 of which were tried to a jury. He received 22 defense verdicts, while two of his cases ended in a verdict or settlement significantly below the settlement demands. Thom argued *Sagala v. Tavares*, an informed consent case, and despite an unsuccessful result, the position he argued was ultimately made part of the MCARE Act in Pennsylvania.

Thom was requested by a client to prepare six hours for a physician CME on risk management and HIV. Following this program, he was asked to teach the medical jurisprudence course at Lake Erie College of Osteopathic Medicine. This required the preparation of 24 class hours of material. Thom presented the course for approximately eight years before the course became internet-based. Through his preparation, Thom became familiar with all of the state and federal statutes affecting the practice of medicine. He was also invited to speak to several LECOM graduating classes and lecture on licensure and risk management issues. Additionally, Thom has provided CME lecture services to local physicians' groups on various issues. He has also served as a panel member on various PBI seminars, mainly addressing litigation issues.

Thom began his legal career with the Erie firm of Marsh, Spaeder, Baur, Spaeder & Schaaf, becoming a partner in 1990. He handled primarily medical and legal malpractice cases, as well as matters in all areas of employment law. He also handled defamation defense cases for various local television and print media defendants.

Thom has been on the board of Northwest Legal Services for 20 years. He has been re-elected to another 10-year term after waiver of the two-term limit.

In addition to practicing law, Thom continues to play competitive ice hockey and for a time organized a charity game between a team of lawyers and one of law enforcement officers, appropriately called the "Law and Order Cup."

ASSOCIATIONS & MEMBERSHIPS

Erie County Bar Association,
Chair, Civil Litigation Section, 2014

Northwest Legal Services, board
member, 1986-present

Pennsylvania Defense Institute

YEAR JOINED

2004

CLASSES/SEMINARS TAUGHT

Medical Jurisprudence, course director and primary lecturer, Lake Erie College of Osteopathic Medicine, 1995-2003

Employment Law Update, Sterling Educational Services, 2003

Various PBI sponsored seminars on litigation topics

RESULTS

Defense Verdict in Medical Malpractice Jury Trial

Health Care Liability

May 11, 2017

Successfully defended an OB/GYN in a three-day medical malpractice jury trial in the Court of Common Pleas of Erie County, Pennsylvania. Our client had performed a hysterectomy on a 76-year-old woman due to a Grade 3 uterine prolapse. The day following the hysterectomy, the plaintiff was experiencing symptoms consistent with internal bleeding, and a second surgery was successfully performed by our client to address the bleeding.

Family Physician's Conduct Was Not "Grossly Negligent"

Health Care Liability

August 25, 2016

Obtained summary judgment in a medical malpractice case on behalf of a family practice physician consulted to provide medical management for a female patient admitted to the hospital's mental health unit. On the fourth day of the patient's stay, she died as a result of bilateral pulmonary emboli. The case brought against the admitting psychiatrist, the hospital and our client alleged gross negligence in failing to provide prophylactic anticoagulation and failing to appreciate the risk for development of deep vein thrombosis due to an alleged immobility.

SIGNIFICANT REPRESENTATIVE MATTERS

Successfully defended a case for a nurse practitioner where the plaintiff was a 28-year-old wheelchair-bound woman alleging permanent disability, with a \$250,000 medical lien and a Life Care Plan with a \$14 million to \$4 million range.

Successfully defended a licensure action where scientific evidence showed a chart alteration by the doctor.

Represented class action group in collapse of insurance company, securing health care benefits and reimbursements.

REPRESENTATIVE CASES

Bearfield v. Hauck, 595 A.2d 1320

Sagala v. Tavares, 533 A.2d 165

Murray v. Corry School District, 566 A.2d 645

Lazar v. RUR Industries Inc., 487 A.2d 29

Altomare v. Zucker, 726 F.Supp 613

Learn v. Hibbard, 19 Pa. D&C 4th, Aff'd 647 A.2d 271

Fandozzi v. Kelly Hotel, 711 A.2d 524

Woodburn v. Consolidated Coal Co., 590 A.2d 1273

Murphy v. Aesthetic & Reconstructive Surgery, 2 Pa. D&C 4th 273

Emert v. Farrah, 33 Pa. D&C 4th 313

Mosakowski v. Presque Isle Clinical Group, 7 Pa. D&C 4th 165

Williams v. Lemieux, 831 F.2d 286

Gruber v. Hubbard Bert, 675 F.Supp 281

Farkas v. Hustead, 35 D&C 3rd 610

