

# OUR PRACTICE

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## Professional Liability

**When doctors, accountants, architects, engineers and lawyers face professional malpractice claims with the potential to jeopardize their reputation and profession, they need experienced counsel to guide them through the issues. Our team of attorneys have decades of experience handling professional liability cases that involve large financial exposure and sophisticated legal and technical issues. In addition to defending professional liability claims, we also advise on disciplinary and licensure matters.**

One of our key strengths lies in our experience representing both insurers, and in other instances, their insureds. We understand the drivers on both sides of the relationship – the need to limit exposure, to be cost effective, and at the same time, to preserve professional reputation. We aim to limit exposure and resolve disputes in an efficient and cost-effective manner, which often starts when a claim first comes to light.



## Representative Matters

- Successfully represented an environmental protection consulting business before the board that registers professionals qualified to work in their field. Three employees working under a multi-million-dollar contract received complaints for practicing without a license. Persuasive letters from Baker Donelson convinced the board to extend a statutory exemption for federal employees to our clients.
- Successfully defended individual and corporate defendants in federal and state cases alleging securities fraud, misrepresentation and breach of contract.
- Successfully defended an insurance broker in an action brought by a security company that claimed its broker and agent had failed to place proper coverage. The security company had been sued by an individual who was attacked and raped at a location where the security company's officer was on duty. The security company's insurer denied the claim based on exclusions in the policy. The security company then sued the insurance agent and broker who placed the policy. We were successful in establishing that the insurance broker was not liable for the terms of the policy, and that the insurance broker could not be liable for damages suffered by the security guard company in the underlying suit.
- Defended an attorney from claims that he failed to file suit and then represented to the client that the suit actually had been filed. The case ultimately was resolved in private mediation for well below the settlement authority and without these allegations being made a part of the public record.
- Represented a securities brokerage firm in a customer dispute involving over \$1 million in which the customer alleged suitability and fraud claims.
- Defended a cardiovascular surgeon in a case alleging negligence in performance of open heart surgery on an infant patient who suffered brain damage and permanent disability. Won defense verdict.
- Defended an OB-GYN physician in a suit filed on behalf of a plaintiff who suffered a uterine rupture and was in a persistent vegetative state after delivering a deceased baby. A settlement reached with the co-defendants; our client's portion was less than two percent of the total.
- Defended a community hospital in an emergency room nursing negligence case, seeking compensatory damages in excess of \$2 million and punitive damages in excess of \$5 million arising out of alleged failure to diagnose and treat related bowel and bladder complications. Jury returned a defense verdict.
- Defended a community hospital in a wrongful death and EMTALA case seeking compensatory damages in excess of \$1 million and punitive damages in excess of \$3 million arising from the

delivery of a still-born fetus after discharge of the patient from the hospital emergency room.

Significant alteration of medical records claims also were asserted. Negotiated a nominal settlement.

- Defended a law firm against claims of improper performance of due diligence related to a corporate merger.
- Successfully defended a general surgeon in a case involving alleged permanent damage to vocal cords during a thyroidectomy.
- Successfully represented an internal medicine physician in a trial alleging improper administration of medicine causing kidney failure.
- Represented a medical director of a nursing home in a suit alleging abuse and neglect, malnutrition, dehydration, and other injuries. Negotiated a settlement by nursing home and dismissal of the physician client.