

## PHILLIP T. GLYPTIS

### BIOGRAPHY

Member Phillip T. Glyptis concentrates his practice in complex litigation, with a focus on energy, professional liability, and employment-related litigation. He represents a diversified client base ranging from individual professionals to local charities to family-owned businesses and Fortune 500 companies before state and federal courts in Ohio, Pennsylvania, and West Virginia.

As a member of the Energy Group, Mr. Glyptis defends an array of energy clients — from midstream companies through operators — in a wide range of matters, including lease litigation, premises liability, class action royalty lawsuits, and wrongful death actions. His professional liability practice is concentrated in the healthcare industry, defending physicians, nurses, long-term care facilities, hospitals, and other healthcare providers in medical malpractice litigation. Mr. Glyptis also handles claims involving Stark and anti-kickback laws, as well as complaints made to professional boards.

Additionally, Mr. Glyptis has experience in transportation and logistics, as well as commercial litigation, products liability, employment liability, workplace liability, and insurance matters. Mr. Glyptis has also handled numerous actions known as “deliberate intent claims,” which allow an employee to assert a direct claim seeking amounts above and beyond those received through a workers’ compensation claim against an employer for work-related injuries and fatalities. Prior to joining Burns White, Mr. Glyptis most recently held a membership role at an international law firm known for complex litigation.

Mr. Glyptis is a 2003 graduate of the West Virginia University College of Law. During law school, Mr. Glyptis studied under U.S. Supreme Court Justice Antonin Scalia in Thessaloniki, Greece. Mr. Glyptis received a B.S. in Industrial & Management Systems Engineering from West Virginia University in 2000.

### CREDENTIALS

#### Areas of Law

- Energy
- Healthcare and Long-Term Care
- Professional Liability Litigation
- Commercial Litigation
- Transportation and Logistics
- Employment Law

#### Education

- West Virginia University School of Law (J.D., 2003)
- West Virginia University (B.S., 2000)

#### Bar and Court Admissions

- Ohio
- Commonwealth of Pennsylvania
- West Virginia
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Northern District of Ohio
- United States District Court for the Southern District of Ohio
- United States District Court for the Western District of Pennsylvania
- United States District Court for the Northern District of West Virginia
- United States District Court for the Southern District of West Virginia



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**The Maxwell Centre  
32 20th Street  
Wheeling, WV 26003**

## Memberships

- West Virginia Bar Association
- Ohio State Bar Association
  - Chair, Healthcare Law Committee, 2012-2014
- Ohio County Bar Association
- Belmont County Bar Association
  - Committee for American Bar Association
- Pennsylvania Bar Association
- Defense Research Institute
- Defense Trial Counsel of West Virginia
  - Chair, Medical Liability Substantive Committee, 2011-2017
- Pennsylvania Defense Institute
- Energy and Mineral Law Foundation

## **REPRESENTATIVE MATTERS**

- Defended oil and gas producers in a class action royalty lawsuit involving allegations of improper royalty deductions.
- Argued case on behalf of a healthcare provider before the West Virginia Supreme Court of Appeals concerning an unanswered question of law.
- Defended energy companies in wrongful death, deliberate intent, and premises liability lawsuits, including claims brought as a result of fatal workplace accidents and an explosion at an oil and gas work site.
- Represented oil and gas producers against claims of lease termination, royalty payments, and access rights.
- Arbitrated wrongful termination claims for an employer.
- Defended long-term care facilities, including at trial, against claims for alleged violations of state nursing home acts and medical negligence.
- Represented physicians and pharmacists in several medical negligence and products liability lawsuits, including at trial, alleging failure to timely diagnose, improperly performed surgical procedures, and improper administration of certain prescription medications.
- Defended unsafe working condition claims for employers.
- Represented national insurance companies against bad faith claims.
- Performed products liability defense work for a manufacturer facing claims of inadequate warnings.
- Represented oil and gas producers in mineral title litigation involving claims of lease termination, lease forfeiture, lease abandonment, improper surface use, and access rights.
- Defended claims for breach of implied covenant to develop or protect from drainage.
- Defended midstream companies in access rights and claims for trespass.

## **ACCOLADES & INVOLVEMENT**

### Honors/Awards

- Named as Who's Who in Energy by the Pittsburgh Business Times
- Honored as a 2015 Health Care Hero by the Pittsburgh Business Times
- Selected as Future Star by Benchmark Litigation



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## Community Involvement

- West Virginia University Department and Industrial and Management Systems Engineering, Chair of the Advisory Committee (2015-2019)
- Alpaca Owner and Breeders Association, Member
- American Hellenic Educational Progressive Association, Member

## **PRESENTATIONS**

- Co-Presenter of "HIPAA 101," Annual Meeting of Ohio State Bar Association (April 2015)
- Co-Presenter on Corporate Compliance, Regulatory and Stark Issues, Healthcare Financial Management Association (February 19, 2015)
- Presented on energy-related presentations and webinars, including "Dartboard Litigation: Plaintiffs File 'All the Above' Lawsuits," "Personal Injury Litigation," and "Challenges of Mineral Title Litigation" (2012-2015)
- Co-Presenter on Cybersecurity Threats & Liability, Operating Conference of the Southern Gas Association (July 2015)
- Co-Presenter of "Litigation and HIPAA," Annual Meeting of Ohio State Bar Association (April 2014)
- Presenter on "Challenges to Oil & Gas Lease Rights," Operating Conference of the Southern Gas Association (July 23, 2013)
- "Effective use of Medical Literature," Annual Meeting of the Defense Trial Counsel of West Virginia (June 2012)
- Presenter of Risk Management and Continuing Medical Education Seminars throughout West Virginia, entitled "Proper Telephonic Communication" (January-December 2010)
- Presenter at Risk Management and Continuing Medical Education Seminars throughout West Virginia, entitled "The Medical Record: A Witness that Never Lies or Dies" (January-December 2011)
- Presenter at the Annual Meeting of the Defense Trial Counsel of West Virginia and Author of "How to Prepare Your Doctor Client for a Deposition – A Young Lawyer's Perspective" (2008)
- Presenter of Risk Management and Continuing Medical Education Seminars to health care providers based on proper written and oral communications with patients and other physicians, relevant laws, and major court decisions, and general practice pointers (2006 – 2012)

## **PUBLICATIONS**

- Co-Author of "Will Texas Ruling Impact Pa.'s Oil and Gas Jurisprudence?," Legal Intelligence–Energy/Environmental Section, July 25 2017.
- Author of "Most Minors Need Parental Consent for Medical Treatment" and "Health Care Providers Must Respect Patients' Rights," Ohio State Bar Association (April 15, 2016)
- Article published on 2015 Health Care Heroes, Pittsburgh Business Times (September 11, 2015)
- Co-Author of "Dartboard Litigation," American Oil & Gas Reporter (October 2013)
- Author of the "Viability of Arbitration Clauses in West Virginia Oil and Gas Leases: It's All about the Lease!!," West Virginia Law Review, Volume 115, No. 3 (Spring 2013)
- Co-Author of book for clients and prospective clients, entitled "Summary of Select Principles of West Virginia Oil and Gas Law" (2012)
- Co-Author of "Developing a True Blind Review: How Can Litigation Determine If A Radiologist's Failure to Identify An Abnormality is Negligent," ACR Bulletin (September 2011)
- Author of "Nursing and Social Media," Western Pennsylvania Hospital News (May 2011)
- Author of "Landmark Decision Impacts Immunity under Health Care Quality Immunity Act," Western Pennsylvania Hospital News (September 2010)



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