

## DAVID R. JOHNSON

### BIOGRAPHY

Attorney David R. Johnson is a seasoned trial attorney and litigator who has defended healthcare professionals and hospitals in medical malpractice cases for more than 35 years. Recognized for his depth of knowledge and skill, a special focus has been birth trauma cases, as well as head injury and sports injury lawsuits. He has represented healthcare institutions in lawsuits involving antitrust and whistle blower claims, directors and officers liability, discrimination cases, business litigation and medical staff credentialing disputes. In addition, he has extensive experience handling class-action law suits, as well as products liability, toxic tort, and employment cases.

Prior to joining Burns White, Mr. Johnson was president of a defense firm in the Pittsburgh region. He is a Fellow of the American College of Trial Lawyers, whose members are limited to 1% of the Bar, and is also a Fellow of the Academy of Trial Lawyers of Allegheny County. He has served as lead counsel in over 120 jury trials in both state and federal court throughout Pennsylvania as well as in several other states. He has been appointed as a special master for both jury and non-jury trials in Allegheny County, and has presided as a mediator and appointed arbitrator in federal court.

Mr. Johnson is a graduate of Duquesne University School of Law.

### CREDENTIALS

#### Areas of Law

- Healthcare
- Medical Malpractice
- Professional Liability Litigation
- Products Liability
- Mass Tort and Toxic Tort Litigation
- Employment
- Appellate

#### Education

- Duquesne University (J.D.)
- Dickinson College (B.A.)

#### Memberships

- American College of Trial Lawyers
- Academy of Trial Lawyers
- Defense Research Institute
- Allegheny County Bar Association
- Pennsylvania Bar Association
- American Bar Association



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**ACCOLADES & INVOLVEMENT**Honors/Awards

- Fellow of the American College of Trial Lawyers
- Fellow of the Academy of Trial Lawyers of Allegheny County
- Selected for inclusion on the *Pennsylvania Super Lawyers*® list every year since 2005
- Regularly recognized by peers as one of the *Best Lawyers in America*®
- Selected for inclusion in *Pennsylvania's Best Lawyers*®
- *Pennsylvania Super Lawyer*®, Top 50 Lawyer in Pittsburgh

**PUBLICATIONS**

- "Effective Hospital Policies Can Shield Nurses From Liability" *Law360*, May 2019

**REPRESENTATIVE MATTERS**

- Secured a defense verdict for a healthcare system alleged to have cooperated with physicians to promote profits related to the placement of cardiac stents. The case was complicated by the fact that the physicians separately sued the health system alleging defamation. This was the bellwether case for 140 lawsuits, all based on placement of cardiac stents. Subsequent to the verdict for the defendants, many of the cases settled for very nominal confidential amounts. The case has been successfully defended on appeal in the Pennsylvania Superior Court.
- Successfully represented defendants in the nation's first jury verdict involving the death of a healthcare worker from AIDS
- Obtained medical malpractice defense verdict for a physician accused of failing to diagnose pancreatic cancer
- Handled a two-week medical malpractice trial alleging a failure to diagnose compartment syndrome resulting in a double leg amputation in a 20-year old woman. After two weeks, a mistrial resulted because of a hung jury (9 for the defense, 3 for the plaintiff). The case subsequently settled with the co-defendants paying a nominal but confidential amount. No payment was made on behalf of the firm's client, a hospital.
- Secured a defense verdict in a four-day medical malpractice trial of a physician and practice group alleging failure to diagnose colon cancer
- Obtained a defense verdict in a one-week trial involving failure to diagnose a cardiac condition resulting in death
- Won a substantial counterclaim verdict while successfully defending a seven-figure breach of computer contract case
- Successfully defended a large breach of contract claim in Arkansas on the basis that the contract was in violation of the fraud and abuse laws so as to void the agreement
- Upheld exclusive contracts, maintained restrictive covenants, and defeated anti-trust claims filed against various Pennsylvania hospitals
- Defense verdicts include a cerebral palsy lawsuit where plaintiffs demanded \$10.8 million, and a cerebral palsy case with twins

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