

Heather M. LaBombardi

Shareholder

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As a member of the Health Care Department, Heather concentrates her practice on medical malpractice. She has spent the majority of her legal career defending physicians, nurses, health care providers and medical facilities against medical malpractice claims. Heather is involved in all aspects of a case, from the initial meeting through to the trial.

Heather has written several appellate briefs and argued multiple times before the Appellate Division, most notably in *Flood v. Aluri-Vallabhaneni*, 431 N.J. Super. 365 (App. Div. 2013). In this case, the Appellate Division recommended that the jury interrogatories for pre-existing injuries in New Jersey were recommended to be withdrawn and re-written in line with the jury interrogatories used in the *Flood* matter. In addition, Heather has assisted in obtaining numerous defense verdicts on behalf of her clients.

Heather graduated from the University of Miami in Coral Gables, Florida, with a Bachelor's of Business Degree. She then went on to obtain a Master's Degree in Management with a focus in leadership from Nova Southeastern University, H. Wayne Huizenga School of Business & Entrepreneurship in Fort Lauderdale. Heather then attended Western Michigan University Cooley Law School, where she graduated with Distinction and received her *juris doctor* in 2008.

Education

- Cooley Law School (J.D., *with distinction*, 2008)
- Nova Southeastern University (M.S., 2006)
 - Management
- University of Miami (B.B.A., 2004)

Admissions

Practices

- Medical Malpractice

- New Jersey, 2009
- New York, 2009
- U.S. District Court District of New Jersey, 2009
- District of Columbia, 2010
- U.S. Court of Appeals 3rd Circuit, 2013

Honors & Awards

- New Jersey Super Lawyers Rising Star (2016-2023)

The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found [here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Associations & Memberships

- American Bar Association
- New Jersey State Bar Association
- New York Bar Association

Representative Cases & Matters

- *Coniglio v. Marino*, A-6060-11T3, 2014 WL 3579655 (N.J. Super. Ct. App. Div. July 22, 2014)
- *Flood v. Bhanu Aluri-Vallabhaneni*, 431 N.J. Super. 365 (App. Div. 2013)
- *Kim v. Ahn*, 2013 N.J. Super. Unpub. LEXIS 1944

Results

No-Cause Jury Verdict Secured in Wrongful Death Trial

We successfully obtained a no-cause jury verdict in a 13-day wrongful death trial. The decedent, a 59-year-old man, was admitted to the emergency room on February 15, 2019, with complaints of abdominal pain, decreased appetite, and constipation, despite the use of laxatives. The patient did not complain of any nausea, vomiting, or diarrhea. He had a significant medical history including diabetes, hypertension, prior coronary artery stenting, morbid obesity (with past gastric bypass surgery), longstanding ventral hernia, and back pain. A CT scan revealed multiple hernias and a potential closed-loop bowel obstruction, leading to a surgery consultation. Our client, an emergency general surgeon, interpreted that the patient did not have a closed loop or any significant obstruction and recommended non-surgical management. The patient was approved to have clear liquids, and had a vomiting incident shortly after, but our client was not notified. The patient was returned to NPO status, and after improving overnight, he was returned to “clears” and additional medical and renal consults were ordered. Our client did not receive any communications from the residents/nurses of any changes in the patient’s condition. On February 18, 2019, two rapid responses were called due to increased heart rate and vomiting. It is believed that the vomiting resulted in aspiration, causing sepsis, ultimately leading to the patient’s death. During the trial, the plaintiff’s sole medical expert highlighted imaging on the wrong hernia, which called into question all of his opinions in the case. We made key objections related to the expert testimony,

limiting what the allegations were, and preventing new allegations from being made. After approximately two and a half hours of deliberating, the jury returned a no-cause verdict.

Unanimous Defense Verdict in Medical Malpractice Case

We secured a unanimous defense verdict in a three-week medical malpractice trial involving an allegedly botched total knee replacement. Through the testimony of our client and an expert, we were able to establish that all accepted standards of care were met. The jury deliberated for three days before returning its unanimous verdict.

Thought Leadership

October 1, 2023

New Jersey Courts Address Plaintiffs' Demands to Inspect Electronic Medical Records – Appellate Division Sides with Plaintiffs (with Restrictions)

May 6, 2021

Vicarious Liability—Do You Really Need an Affidavit of Merit?