

John R. Ninosky

Shareholder

JRNinosky@mdwccg.com

Harrisburg – 717.651.3709



John is a member of the firm's Health Care Department. He concentrates his practice in medical malpractice, representing correctional health care providers, health systems, long term-care facilities, assisted living facilities, physicians, nurses and mental health professionals. John also has extensive experience in handling general liability matters which is a significant asset in defending legal malpractice actions, particularly as they relate to claims against trial counsel. When a legal malpractice claim derives from an underlying medical malpractice or general liability matter, John brings depth and added knowledge to the defense of the matter. He has successfully tried cases to verdict in all three of Pennsylvania's federal courts, and in 12 county courts of common pleas. John has also participated in various types of ADR activities, including arbitrations and mediations, throughout Pennsylvania.

John partners with his clients to resolve matters as efficiently and effectively as possible. He evaluates each case with an eye toward prompt resolution, whether through ADR or trial. An experienced trial attorney, John assesses the risk of exposure and focuses on developing a persuasive story that is easily understandable for the jury.

While attending the Dickinson School of Law, John was a member of the ATLA trial team. He was also an adjunct professor with the Advocacy Program. Prior to law school, John graduated *summa cum laude* from Indiana University of Pennsylvania. As an undergrad, he participated in varsity baseball and was named a three-time PSAC scholar athlete award winner. John remains active with IUP and has served as the president of the Alumni Association Board of Directors. He was the recipient of the Distinguished Alumni Award for Service in 2018.

John has been recognized among the *Best Lawyers in America* since 2018, and has been selected a Best Lawyers "Lawyer of the Year" in the Harrisburg region in both 2022 and 2020. He has additionally been selected a *Pennsylvania Super Lawyer* numerous times since 2014.

Practices

- Medical Malpractice
- Dental Malpractice
- Long-Term Care Liability
- Miscellaneous Professional Liability
- Lawyers' Professional Liability
- Behavioral Health Risk & Liability

As an active member of the legal and civic communities, John is involved in various organizations. He is a member of the Federal Bar Association, Middle District of Pennsylvania Chapter, as well as the Dauphin and Cumberland County Bar Associations, the Pennsylvania Defense Institute, and the St. Thomas More Society. John is the former Mayor of Paxtang Borough and past president of the Paxtang Borough Council. He coached youth sports through the Wilhem Paxtang Athletic Association and the St. Margaret Mary Athletic Association for a number of years.

Education

- Penn State Dickinson Law (J.D., 1996)
- Indiana University of Pennsylvania (B.A., *summa cum laude*, 1993)

Admissions

- Pennsylvania, 1996
- U.S. District Court Eastern District of Pennsylvania, 1997
- U.S. District Court Middle District of Pennsylvania, 1997
- U.S. Court of Appeals 3rd Circuit, 1997
- U.S. District Court Western District of Pennsylvania, 2002
- U.S. Supreme Court, 2002
- West Virginia, 2013
- U.S. District Court Southern District of West Virginia, 2013

Honors & Awards

- The Best Lawyers in America®, "Lawyer of the Year," Harrisburg, Litigation - Insurance (2020, 2024)
- The Best Lawyers in America®, Personal Injury Litigation - Defendants; Litigation - Insurance (2018-2026)
- Pennsylvania Super Lawyers (2014-2018, 2021-2025)
- Pennsylvania Super Lawyers Rising Star (2010-2011)

Associations & Memberships

- Federal Bar Association, Middle District of Pennsylvania Chapter
- Cumberland County Bar Association
- Dauphin County Bar Association
- Defense Research Institute
- Pennsylvania Defense Institute
- St. Thomas More Society

Results

Defense verdict for physician in the Eastern District of Pennsylvania.

The plaintiff alleged that a physician in the Lehigh County jail failed to properly treat his chronic back pain, and that the physician exhibited a deliberate indifference to his serious

medical needs. Specifically, the plaintiff contended that he should have received a spinal cord stimulator during his incarceration. After two days of testimony, the jury returned a defense verdict, agreeing with the defense's position that the physician did not exhibit a deliberate indifference to the plaintiff's serious medical needs.

Thought Leadership

March 1, 2024

Third Circuit Holds There Is No Right to Intervention in a Medical Context