

Lynne N. Nahmani

Co-Chair, Long-Term Care Liability Practice
Shareholder

LNNahmani@mdwcg.com

Mount Laurel – 856.414.6022



As a supervising attorney for the Health Care Liability Practice, Lynne coordinates and oversees the work of the attorneys who handle cases throughout eight New Jersey counties. Lynne's role is vital to ensuring that client matters are handled promptly, professionally and effectively. Lynne also serves as the co-chair of the Long-Term Care Liability Practice Group.

Lynne has been a trial attorney for more than 35 years and has litigated hundreds of cases in the state courts of New Jersey and Pennsylvania, many to verdict and directed verdict in favor of her clients. She has provided legal counsel to physicians, hospitals, nurses, allied health professionals, dentists, nursing homes and physician practices.

Lynne received a Bachelor of Science degree from Sargents College of Health and Rehabilitation Sciences at Boston University in 1985. After completing internships at Thomas Jefferson University Hospital, The Children's Hospital of Philadelphia and Eugenia Hospital, Lynne became a licensed occupational therapist. She later enrolled at Temple University School of Law to pursue a career that combined her health care education with the practice of law.

Lynne has spent her legal career defending practitioners and facilities in the health care industry.

Education

- Temple University Beasley School of Law (J.D., 1989)
- Boston University (B.S., 1985)

Admissions

- New Jersey, 1989
- Pennsylvania, 1989

Practices

- Medical Malpractice
- Long-Term Care Liability
- Catastrophic Medical Injury

- U.S. District Court Eastern District of Pennsylvania

Honors & Awards

- AV® Preeminent™ by Martindale-Hubbell®
The Martindale-Hubbell rated attorney list is issued by Internet Brands, Inc. 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.
- The Best Lawyers in America©, Litigation – Health Care (2024-2026)
The Best Lawyers list is issued by Woodward & White. 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.
- New Jersey Super Lawyers (2006-2007)
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.
- South Jersey Magazine, Top Lawyer 2009

Associations & Memberships

- American Bar Association
- Camden County Bar Association
- Diversity Law Institute
- Federation Allied Jewish Appeal
- Perelman Jewish Day School, Board Member (2013-2016)
- Pennsylvania Bar Association
- The Trial Law Institute
- Trial Attorneys of New Jersey, Board Member (2012-present)

Classes/Seminars Taught

- *Long Term Care Litigation and the Covid-19 Pandemic: Injury and Immunity*, New Jersey Institute for Continuing Legal Education, June 1, 2020
- *What is Your Case Worth?*, Marshall Dennehey Health Care and Health Law Seminar, November 9, 2017
- *New Jersey Case Law Update*, Health Care Law Seminar, Marshall Dennehey, November 9, 2016
- *Avoiding and Defending Nursing Home Litigation*, American College of Health Care Administrators 50th Annual Convocation & Exposition, April 20, 2016
- *Mock Trial: Lessons from the Bar and Risk Management*, American Professional Agency, Inc., March 23, 2016
- *Affidavit of Merit, Experts and the Net Opinion Rule Seminar*, New Jersey State Bar Association Summer CLEFest, August 14, 2015
- *Sex and the Facility: Understanding and Reducing Liabilities*, American Health Care Association/National Center for Assisted Living Annual Conference, October 5, 2014, Washington, D.C.
- *Sex and the Facility - Starring the Defense*, 2013 Trends in Health Care and Health Law Seminar, Marshall Dennehey, November 7, 2013
- *Long-Term Care*, Hospicomm, April 4, 2012
- *Nursing Home Litigation – How to Handle and Defend a Case*, Allied World Assurance Company, January 2012
- *When You Are First Sued, What to Do and What Not to Do and the Processes of a Medical Negligence Claim*, University of Medicine and Dentistry of New Jersey, program for medical residents and physicians, Spring 2010

- *Annual Seminar for Clients and Risk Managers*, Princeton Insurance Company
- *Risk Management and Dental Claims*, Eastern Dentists Insurance Company
- *Mock Trial Demonstration*, South Jersey Medical Office Managers Society, Conventus Insurance Company
- Seminars given at local hospitals for interns and residents, CME credits

Published Works

- "Med Mal Litigation and Social Media Records: Where is New Jersey Headed?" *New Jersey Law Journal*, May 19, 2014
- "Doctor's Personal Characteristics Not Relevant to Claims of Informed Consent," The Redwoods Group Dentists Insurance Program, Monthly Article, January 2002 and *Defense Digest*, 2001-10, Vol. 7, No. 5
- "Defending the Discovery Rule," *Defense Digest*, Spring 1993

Significant Representative Matters

- Successfully defended a chiropractor with a directed verdict on informed consent and a no cause, 7-0, on standard of care. Plaintiff claimed the defendant was negligent in failing to obtain a MRI before adjusting the lumbar spine with a differential diagnosis which included a herniated or bulging disc. Plaintiff claimed increased risk of harm for foot drop, surgery, pain and suffering and alteration in work and life enjoyment.
- Secured a directed verdict in a subacute rehab case. The plaintiffs claimed their father, who suffered from dysphagia, was negligently left unattended to choke and die in his room by the nursing staff while eating breakfast. At the close of plaintiff's case, three motions for directed verdict were made. The court eventually agreed that the plaintiffs had not met their burden on causation with the expert testimony.
- Represented general surgeon called in to perform emergency laparoscopic appendectomy. Five days after uneventful surgery and discharge, plaintiff is transported via medivac to a tertiary care facility for an emergent splenectomy. Defense successfully utilized literature and expert testimony both on direct and cross examination that, however rare, splenic injury can occur after laparoscopic procedure due to the insufflation of the abdomen in the presence of adhesions. Jury returned a verdict for the defense.
- Represented mental health institution whereby a depressed and bipolar 28-year-old father and husband was receiving outpatient treatment when he locked himself in his truck, covered himself with gasoline and struck a match, only to survive. Plaintiff suffered second and third degree burns over more than 70 percent of his body. He lived severely disfigured with no facial features and no arms below the elbows. Plaintiff claimed defendant facility failed to recognize plaintiff's suicide risk and was ill-equipped to handle patients with a dual diagnosis. Successfully defended at mediation.
- Jury returned a defense verdict for general surgeon who took an 89-year-old to surgery for treatment of diverticulitis and made the medical judgment not to remove the affected colon once the patient's vital signs took a turn for the worse during surgery. Decision to get the patient out of surgery and treat with antibiotics was not successful as the patient died within 48 hours. Defense convinced the jury that the surgeon was not negligent, rather, he exercised medical judgment in making this decision.
- Defendant hospital granted summary judgment in a case where it was alleged the hospital failed to provide an appropriate and complete background check subsequent to employing a nurse who was later accused of killing patients within the institution. Claims dismissed on jurisdiction and lack of patient-physician relationship.

- Obtained a defense directed verdict in a nursing home trial against a well-known plaintiffs' firm. Allegations included violations of the NJ Nursing Home statute with damages for a Stage IV decubiti, loss of dignity and requests for statutory counsel fees. Testimony from ex-employees and family members was introduced to suggest the resident was left for many hours unattended, double diapered and dirty. Plaintiffs never came off a \$1 million dollar demand.
-

Results

Unanimous Jury Verdict for the Defense in Medical Malpractice Case

We successfully defended an anesthesiologist after a two-week trial which included testimony of five medical experts and three treating doctors. The plaintiffs claimed the doctor's regional nerve block, executed in advance of an orthopedic Achilles rupture repair, was performed negligently causing permanent nerve damage. Damages were sought for pain impacting marital relations and all aspects of the plaintiff's life. Under our cross examination, the plaintiff's standard of care expert flipped his opinion. Despite excellent conditions for a directed verdict, the court declined to rule, ultimately resulting in a unanimous jury verdict for the defense.

Directed Verdict Secured in Case Involving Alleged Negligence by a Chiropractor

We successfully defended a chiropractor with a directed verdict on informed consent and a no cause, 7-0, on standard of care. The plaintiff claimed the defendant was negligent in failing to obtain an MRI before adjusting the lumbar spine with a differential diagnosis, which included a herniated or bulging disc.

Directed Verdict Obtained in a Subacute Rehab Case

We secured a directed verdict in a subacute rehab case in New Jersey. The plaintiffs claimed their father, who suffered from dysphagia, was negligently left unattended to choke and die in his room by the nursing staff while eating breakfast. At the close of plaintiff's case, three motions for directed verdict were made. The court eventually agreed that the plaintiffs had not met their burden on causation with the expert testimony.

Medical Malpractice Case Dismissed in the New Jersey Appellate Division.

The case involved a woman with significant cardiac problems who suffered cardiac arrest and death. Her estate alleged that our clients, a medical resident and an intern, improperly administered certain pharmaceuticals, leading to her death. The plaintiff originally named two physicians as experts, a cardiologist who was offered to testify to the standard of care, and a physician board certified in occupational medicine, medical toxicology and emergency medicine, who was initially named to give testimony on causation. Before deposition, the expert cardiologist withdrew, and the plaintiff did not obtain the services of another expert, choosing instead to attempt to proceed with the other expert providing both standard of care and causation testimony. The Appellate Division affirmed the decision of the trial court which dismissed the case, finding that because the expert did not devote the majority of his professional time in the year prior to the decedent's death in a clinical practice that encompassed the medical condition or

procedure at issue, he was not qualified under New Jersey law to offer standard of care testimony. As such, the dismissal of the complaint was affirmed.

Court Finds Social Worker's Correspondence with Family Court Immune from Liability

Obtained summary judgment for a licensed clinical social worker in a negligence, defamation, fraud and intentional infliction of emotional distress case. The plaintiff (the father, a police officer and president of the local school board) brought these claims after the social worker informed the Family Court of the children's allegations of physical and emotional abuse by the plaintiff, which were revealed to her during the minor children's therapy sessions. In granting summary judgment, the court found that the social worker's correspondence with the Family Court was immune from liability pursuant to the litigation privilege, irrespective of the fact that the court had not specifically sought her opinions and that she did not testify in the Family Court litigation. New Jersey recognizes immunity for all statements made in the course of litigation, regardless of their form, intent or truthfulness. The court also concluded that the plaintiff's claims for negligence and defamation were partially barred by the statute of limitations.