

Justin F. Johnson

Office Managing Attorney

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Justin is a seasoned litigator whose practice focuses on medical malpractice, nursing home liability, and state board disciplinary actions. In addition to his legal background, Justin also received his pharmacy degree. Licensed as a pharmacist in both Iowa and Illinois, he leverages his deep knowledge in pharmacology, pharmacokinetics, toxicology, physiology, and anatomy to provide strategic, scientifically grounded defense in complex medical malpractice cases.

Justin has handled several hundred medical malpractice matters and has taken nearly 120 cases to trial. Ninety percent of all verdicts were defense verdicts, and roughly 30 of his cases ended in a verdict or mid-trial settlement significantly below the settlement demands. He has represented a considerable number of physicians and pharmacists at state board disciplinary proceedings. He successfully obtained favorable trial verdicts in multiple cases involving potentially high jury awards, including matters involving limb loss, kidney/liver injury, wrongful birth and wrongful death by demonstrating that the physicians were not negligent in the care and treatment that they rendered to their patients. He also handled a case for a physician involved in the Ortho Evra patch mass litigation.

Justin received a Bachelor of Science degree in Pharmacy from Drake University in 1986. While at Drake, he received various honors, including The Norcliff-Thayer Publishing Grant, election into the Order of Omega (honor society), and inclusion on the Dean's List. Justin received his *juris doctor* from Pace University School of Law in June 1989 where he was involved in the Health Law Program.

After serving a judicial internship with the Honorable John Marbach in the New York Supreme Court, Justin became associated with Jeffrey A. Krompfer, Esquire, of Florham Park, New Jersey, from 1989 through 1992. In 1992, Justin became associated with Michael J. Lunga, Esquire of Fairfield, New Jersey, and became a partner at their newly named firm Lunga, Evers & Johnson in 1995. He remained at that firm until he joined

Practices

- Medical Malpractice
- Catastrophic Claims Litigation

Marshall Dennehey in 2007.

Justin is admitted to the bar in New Jersey and the U.S. District Court for the District of New Jersey, and he is a member of the New Jersey State Bar Association, and the American Society for Pharmacy Law. He was appointed to the Medical Malpractice Committee of the New Jersey State Bar Association, as well as the Joint Committee of Essex County Medical and Bar Associations.

Justin is an active member of the community, serving as a member of the Harrington Park Lions Club and, when his daughters were younger, serving as a board member and coach of several recreational and travel softball and basketball programs. He is also a consistory member and first vice-president of the Community Church of Harrington Park, New Jersey.

Education

- The Elisabeth Haub School of Law at Pace University (J.D., 1989)
- Drake University (B.S., 1986)

Admissions

- New Jersey, 1989
- U.S. District Court District of New Jersey, 1989

Honors & Awards

- The Best Lawyers in America®, “Lawyer of the Year,” Roseland, Medical Malpractice Law - Defendants (2027)
- The Best Lawyers in America®, Medical Malpractice Law - Defendants (2025-2027)
- The Best Lawyers in America®, Health Care Law (2024)
- New Jersey Super Lawyers (2026)

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
- American Society for Pharmacy Law
- Central Illinois Pharmaceutical Association
- Joint Committee of Essex County Medical and Bar Associations
- New Jersey State Bar Association, Member, Medical Malpractice Committee

Classes & Seminars Taught

- *Risk Management Rounds in Anesthesia*, MDA Advantage, March 17, 2015

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 Verdict Obtained in a Medical Malpractice Matter in Bergen County, New Jersey

We received a unanimous defense verdict of behalf of our clients. The plaintiff was a seven-year-old girl who presented with a sacral aneurysmal bone cyst, an expansile, lytic lesion that destroyed sacral bone and was causing compression on her lower lumbar and sacral nerve roots. The plaintiff experienced the inability to control her bladder and bowel post-operatively, and had no sensation in her sex organs. The plaintiff’s experts alleged that the lower sacral nerve roots were transected by the defendants during the surgery, most likely by cinching them via a negligently placed suture circumferentially around the thecal sac. The defendants (and their experts) denied that such a suture was placed. They also contended that the nerves were not transected, but instead were further injured by the necessary manipulation involved in removing the tumor — a recognized and accepted potential complication of this type of surgery. After deliberation, the jury delivered a verdict in favor of our clients.

Summary Judgment Secured in a Complex Medical Malpractice Case

We obtained summary judgment on behalf of an obstetrician in a medical malpractice action. The plaintiff alleged that our client did not obtain the requisite informed consent from the plaintiff to undergo a trial of labor after having two prior cesarean section deliveries (TOLAC x2). The court found that the plaintiff’s lack of informed consent claim was without foundation as she had an awareness of the risks of TOLAC x2. Rather, the court found that her claim was premised on the assertion that the physician performing the TOLAC x2 failed to convert the TOLAC to a C-section quickly enough when

complications arose. The court held that our client had no obligation to discuss the risk that the doctor in the delivery room may wait too long to pivot to a C-section, which was the actual cause of the plaintiff's alleged harm.

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.

Thought Leadership

September 1, 2023

On the Pulse...Our Roseland, New Jersey, Office