

Kevin Majernik

Associate

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As an associate in the Health Care Department, Kevin's practice is devoted to representing physicians, physician assistants, hospitals, dentists and other health care providers in liability matters.

Practices

- Medical Malpractice

Kevin earned his B.A. in Psychology from the University of Kentucky and J.D. from Villanova University Charles Widger School of Law. During law school, Kevin completed a judicial externship for the Honorable Judge Steven C. Tolliver Sr. in the Montgomery County Court of Common Pleas. He also participated in Villanova's Clinic for Law and Entrepreneurship as a student attorney providing pro bono legal assistance to local under-resourced businesses.

After law school graduation, Kevin returned to the chambers of the Honorable Judge Steven C. Tolliver Sr., serving as his law clerk. During this time, Kevin developed a strong understanding of litigation by writing opinions and memoranda, assisting in ruling on motions, and aiding in the disposition of multiple trials.

Outside of work, Kevin enjoys watching football and cycling.

Education

- Villanova University Charles Widger School of Law (J.D., 2021)
- University of Kentucky (B.A., *cum laude*, 2018)

Admissions

- Pennsylvania, 2021

Associations & Memberships

- Montgomery County Bar Association

Significant Representative Matters

- Part of the team that obtained a defense verdict in Montgomery County on behalf of a podiatrist. The plaintiff filed a medical malpractice action alleging that the podiatrist improperly placed a first metatarsophalangeal joint hemi implant, improperly placed bilateral sinus tarsi implants, and improperly utilized bilateral sinus tarsi implants all of which led to continuing foot pain after the removal of the bilateral sinus tarsi implants. The evidence presented to the jury demonstrated the proper placement of the first metatarsophalangeal joint hemi implant and the sinus tarsi implants, as supported by the subsequent treating physician, and the proper utilization of the bilateral sinus tarsi implants in order to treat plaintiff's congenital flat feet resulting in degenerative changes in plaintiff's bilateral first metatarsophalangeal joint. The trial lasted four days and the jury returned a verdict in approximately three hours. (2023)
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Results

Defense Verdict Secured in Medical Malpractice Case

We received a defense verdict for an emergency room physician in a medical malpractice case after a six-day trial. The plaintiffs alleged the physician failed to diagnose and treat a transient ischemic attack in the emergency department and that this failure caused the plaintiff's ischemic stroke 48 hours later. Following an hour and a half of deliberations, the jury found the emergency room physician did not violate the standard of care.

Received a Defense Verdict for an Emergency Room Physician in a Medical Malpractice Case

We received a defense verdict for an emergency room physician in a medical malpractice case after a six-day trial. The plaintiffs alleged that the physician failed to diagnose and treat a transient ischemic attack in the emergency department and that this failure caused the plaintiff's ischemic stroke 48 hours later. The plaintiff at the time was 44 years old. Following an hour and a half of deliberations, the jury found that the emergency room physician did not violate the standard of care.

Thought Leadership

November 1, 2024

LEGAL ROUNDUP – Pennsylvania

October 1, 2024

PA Superior Court Reverses Grant of Summary Judgment Based on Gross

Negligence Where Expert Opinions Are Sufficiently Supported by the Record.

October 1, 2024

PA Superior Court Reaffirms Need for Expert Testimony in Support of Claim for Corporate Negligence and Provides Further Clarity as to 'Obvious Negligence.'

May 1, 2024

LEGAL ROUNDUP - Pennsylvania

April 1, 2024

Pennsylvania Supreme Court Holds that No Felony Conviction Recovery Rule Barred Medical Malpractice and Indemnification Claims

April 1, 2024

Pennsylvania Superior Court Holds that, Under Section 311 of MCARE, Matters Reviewed Do Not Require a Document Be Specifically Reviewed by a Patient Safety Committee

April 1, 2024

Pennsylvania Superior Court Holds that Trial Court Correctly Entered Nonsuit on Plaintiff's Corporate Negligence Claim for Failing to Show Actual or Constructive Knowledge