

Professional Liability

Protecting the practices & reputations of professionals



Nelson Mullins' Professional Liability Team defends professionals and their practices against claims of malpractice, professional negligence, and breach of fiduciary duty.

Our litigators are experienced advocates who are prepared to assist you whether you are

- a lawyer or law firm, from AmLaw 100 firms to small firms;
- a physician, physician group, hospital, skilled care facility or other healthcare provider;
- an accountant or accounting firm;
- an engineer or architect; or
- a consultant, insurance professional, or real estate agent.

Our services cover all the bases

- **Advocacy**—Our team members consistently achieve favorable results for clients in federal and state courts, administrative hearings and investigations, and in alternative dispute resolution fora.
- **Effective Communication**—Professional liability defense involves more than just resolving the legal claims. Effectively communicating with your firm and its leadership is an important aspect of the defense of a professional liability claim. In addition, we can help protect your reputation by preparing an effective message to communicate within your practice, as well as with your clients and the public.
- **Collateral Proceedings**—We represent professionals in collateral inquiries by and hearings before licensing bodies, disciplinary boards and ethics panels.
- **Prevention**—We offer clients risk management reviews and the ability to prepare policies and procedures to minimize exposure and protect against future claims.

A relevant and connected team

Related Practice Areas

Appellate Practice & Legal Strategies

Bad Faith & Extra Contractual Litigation

Captive Insurance

Directors & Officers Liability Coverage

E-Discovery - Encompass

E-Discovery & Information Governance

Healthcare

Healthcare Compliance & Operations

Healthcare Government Investigations & Litigation

Healthcare Providers & Suppliers

Insurance

Insurance Regulatory & Compliance

Life, Health, Disability & ERISA

Property & Casualty Coverage

Related Industries

Healthcare

Insurance

- Current and former leaders of national defense attorney associations and professional liability committees ensure we are in the forefront of important developments affecting your profession.
- Former general counsel and corporate secretaries can assist in balancing the business concerns that can arise from a professional liability claim.
- Experienced counsel to address effectively the appropriate plan for responding to claims of professional negligence and/or disciplinary proceedings.

Why Nelson Mullins?

- Demonstrated experience in trials and out-of-court settlements defending a wide range of claims brought against professionals
- Sufficient resources to devote the time and attention to your case that it deserves, including complex case management and document and data management capabilities
- Track record of providing professionals with the day-to-day legal counsel they need in order to avoid lawsuits

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Legal

- Obtained a defense verdict on behalf of a regional law firm following a bench trial on claims arising out of representation in a commercial real estate transaction.
- Obtained dismissal in federal court of claims against a regional law firm on the grounds that counsel had no liability to a third party for acts taken within the scope of their representation of their client.
- Settlement of claims in a "disappointed litigant" case against one of the premier international firms in the United States for a fraction of the settlement demand.
- Settled class action against attorneys arising out of claims concerning alleged violations of privacy law stemming from their prosecution of a prior class action.

Medical

- Following a jury verdict in excess of \$10 million dollars in a case tried by another firm, obtained a complete reversal of the verdict on appeal and remand of the case to the trial court, after which a favorable resolution of the matter was negotiated.
- Negotiated and obtained voluntary dismissal of claims for negligence and wrongful death against a large national retirement community and assisted living provider.
- Obtained complete dismissal on summary judgment on behalf of a registered nurse and large national nurse staffing company in a case alleging malpractice against the nurse and the nurse staffing company.

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- Obtained a defense verdict on behalf of an emergency room physician following a three-week trial in which the plaintiff alleged misdiagnosis leading to paralysis and claimed damages in excess of \$12 million.

Other

- Prepare and implement detailed indemnification agreements between companies, their directors, and senior officers.
- Represent officer and director claims in connection with shareholder "squeeze out" litigation, securities litigation, and contested election litigation.
- Obtained summary judgment on behalf of the seller's agent against claims concerning an agent's duties with respect to the seller's required disclosures on the condition of the property. The summary judgment order was affirmed on appeal and this opinion is now widely cited as authority for a real estate agent's limited duties with respect to seller's disclosures in South Carolina. See *Chastain v. Hiltabidle*, 381 S.C. 508, 673 S.E.2d 826 (2009).
- Represented architects and engineers in design defect matters.