

## GABOR OVARI

ASSOCIATE



### AREAS OF PRACTICE

Health Care Liability

### CONTACT INFO

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Suite 405  
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### ADMISSIONS

Pennsylvania  
2013

### EDUCATION

Widener University  
Commonwealth School of Law  
(J.D., magna cum laude, 2013)

Temple University (B.A., magna  
cum laude, 2010)

### ASSOCIATIONS & MEMBERSHIPS

Montgomery County Bar  
Association

Pennsylvania Bar Association

### LANGUAGES

Hungarian

### YEAR JOINED

2020

### OVERVIEW

Gabor is an associate in the Health Care Department. He focuses the majority of his practice on the defense of medical/psychiatric providers and facilities in medical malpractice and health care liability matters.

Prior to joining Marshall Dennehey, Gabor was involved in defending insurance carriers and self-insured entities in workers' compensation matters. As part of that practice, Gabor participated in hundreds of medical depositions. He also evaluated claims based on the opinions of medical experts and the analysis of medical/treatment records.

In 2010, Gabor graduated from Temple University *magna cum laude*, majoring in history. At Temple, he was involved in the pre-law society. He was also the recipient of the Professor Edward R. and Essie Baron Memorial Award, which is given to an outstanding student majoring in history, theater, music or art.

Gabor graduated from Widener University Commonwealth Law School, *magna cum laude*, in 2013. He was involved in Law Review and was elected as a member of the Law Review's Administrative Board. During law school, Gabor also completed an intensive trial advocacy program. He also worked at a regional defense firm as a law clerk, assisting with general liability and workers' compensation defense matters. Upon graduation Gabor received the James S. Bowman American Inn of Courts Award, which is awarded to a student excelling in administrative law.

## THOUGHT LEADERSHIP

### **Multiple Entities, But One Claim – The Issue of Corporate Negligence**

King of Prussia  
Long-Term Care Liability  
Health Care Liability  
September 1, 2024

Key Points: Defense Digest, Vol. 30, No.

### **Defendants must comply with notice requirements for dismissing a medical malpractice case based on the lack of a certificate of merit.**

King of Prussia  
Health Care Liability  
October 1, 2022

This case also involves the issue of whether a medical malpractice claim could be dismissed due to the plaintiff. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Is a certificate of merit required when a plaintiff files a claim sounding in professional negligence but subsequently attempts to assert that the issue involves simple negligence?**

King of Prussia  
Health Care Liability  
October 1, 2022

This case involves the issue of whether a certificate of merit is required when a plaintiff files a claim. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Prior acts exclusion applies and coverage is excluded because claim was previously reported to another insurer.**

King of Prussia  
Health Care Liability  
October 1, 2022

This case involves contract interpretation and insurance coverage. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

### **Where there is much uncertainty about the facts, the issue of discovering the injury could not be determined as a matter of law by the court.**

King of Prussia  
Health Care Liability  
October 1, 2022

This is a medical malpractice matter that involved the issue of whether the statute of limitations was tolled. Case Law Alerts, 4th Quarter, October 2022 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

## **CLASSES/SEMINARS TAUGHT**

*Calculated Change in Strategy: Hospital as the Solo Defendant*, Marshall Dennehey Trends in Health Care and Health Law Seminar, May 9, 2024

Commonwealth of Pennsylvania Workers' Compensation Seminar, Commonwealth of Pennsylvania, 2016 and 2017

## **PUBLISHED WORKS**

"Pennsylvania Imaging Center v. Commonwealth: The Supreme Court of Pennsylvania 'Trips' Over the Fine Line between Sales and Use Tax in Cases of Property Affixed to Real Estate," *2013 Annual Survey of Pennsylvania Administrative Law* - 22 Widener L.J. 321 (2013)

## RESULTS

### Plaintiff's claims barred by statute of limitations and immunity provisions of the Pennsylvania Mental Health Procedures Act.

#### **Health Care Liability**

**February 9, 2021**

The defense prevailed on preliminary objections in Philadelphia County as the court found that the case involved a medical malpractice action involving the plaintiff's allegations of an alleged assault by three patients while the plaintiff was a patient at a behavioral health hospital. In the complaint, the plaintiff pleaded ordinary negligence.

#### **SIGNIFICANT REPRESENTATIVE MATTERS**

Obtained a defense verdict after a week-long jury trial in a medical malpractice case. The plaintiff alleged she sustained a bowel perforation injury in the course of a robotic-laparoscopic hysterectomy. The procedure was performed by an obstetrician/gynecologist. During the course of the procedure, a general surgeon was called in to evaluate the bowels for injuries. There were no injuries found, so the procedure was completed, and the patient was discharged the following day. Two days later the patient returned in critically ill condition, and a bowel perforation in the sigmoid colon was identified. The plaintiff alleged the providers negligently failed to detect the injury during the hysterectomy. After a week-long trial, the jury returned a verdict in favor of all defendants.

*Geisinger Health v. Bureau of Workers' Comp.(SWIF)*, 138 A.3d 133 (Pa. Cmwlth. Ct. 2016)