

## VICTORIA CRAWSHAW SCANLON

SHAREHOLDER



### AREAS OF PRACTICE

Health Care Liability  
Long-Term Care Liability  
Product Liability  
General Liability

### CONTACT INFO

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50 Glenmaura National Boulevard  
Moosic, PA 18507

### ADMISSIONS

Massachusetts  
1999

U.S. District Court District of  
Massachusetts  
2002

Pennsylvania  
2008

U.S. District Court Middle District  
of Pennsylvania  
2011

### OVERVIEW

Victoria is the supervising attorney for the Health Care Liability Practice Group in the Scranton office. She is an experienced litigator with more than 20 years of experience representing physicians, midwives, nurse practitioners, nurses, physical therapists, hospitals, ambulatory surgery centers, skilled nursing facilities, personal care homes, home health care providers and physician practice groups in Pennsylvania and Massachusetts. Victoria is a proven trial attorney and highly successful negotiator. She also provides risk management services.

Prior to joining Marshall Dennehey in 2008, Victoria was a partner in the Boston office of a large litigation firm, where she represented health care professionals and entities in malpractice suits and manufacturers in products liability matters. She is a 1998 graduate of Suffolk University Law School. Victoria obtained her undergraduate degree in communications and political science in 1994 from the University of Rhode Island, where she was the 1994 student commencement speaker and captain of the debate team.

Victoria was born in Johannesburg, South Africa. She is a dual citizen of the United States of America and South Africa.

### EDUCATION

Suffolk University Law School  
(J.D., 1998)

University of Rhode Island (B.A.,  
1994)

### THOUGHT LEADERSHIP

#### Enforceability of Nursing Home Arbitration Agreements in Pennsylvania

Scranton

Long-Term Care Liability

December 1, 2014

By Victoria C. Scanlon, Esq.\* Key Points: Defense Digest, Vol. 20, No. 4, December 2014

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## HONORS & AWARDS

The Best Lawyers in America®,  
Medical Malpractice Law -  
Defendants  
2023-2025

The Best Lawyers in America®,  
Health Care Law; Litigation, Health  
Care  
2025

BV® Distinguished™ by  
LexisNexis Martindale-Hubbell

International Association of  
Defense Counsel (IADC)  
2006 Trial Academy, attendee

Massachusetts Super Lawyer  
Rising Star  
2007

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## ASSOCIATIONS & MEMBERSHIPS

Lackawanna Bar Association

Massachusetts Bar Association

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## YEAR JOINED

2008

## CLASSES/SEMINARS TAUGHT

*Legal Update: Advanced Practice Providers*, CHART Institute webinar, October 24, 2023

*What a Radiologist Should Know About Medical Malpractice*, Department of Radiology at Penn State Hershey Medical School, May 11, 2023

*Advanced Practice Clinicians in Health Care: What Your Facility Needs to Know*, ASHRM 2018 Annual Conference, Nashville, Tennessee, October 8, 2018

*Mock Depositions: What the Child Psychiatrist Needs to Know Before Sitting in the Hot Seat*, The American Academy of Child and Adolescent Psychiatry 64th Annual Meeting, Washington, D.C., October 27, 2017

*Mock Trial: Lessons for Psychiatrists from the Bar and Risk Management*, New York-Presbyterian Hospital Child Psychiatry Residency, New York University Child Psychiatry Residency, Weill Cornell Psychiatry Residency Programs, Allied World, August 2017

*Medical Malpractice Case Study - Suicide and the Defense of a Wrongful Death Claim*, Pennsylvania Association of Health Care Risk Management (PAHCRM), Annual Conference, September 9, 2016

*Ostensible Agency and Corporate Liability Claims: What You Need to Know*, Health Care and Health Law Seminar, Marshall Dennehey, November 5, 2015

*Mock Trial: Lessons for Psychiatrists From the Bar and Risk Management*, American Academy of Child and Adolescent Psychiatry Annual Meeting, San Antonio, Texas, October 30, 2015

*Peer Review, Charting Pitfalls/Issues and Anticipated Legal Issues Pertaining to the Electronic Medical Record*, Northeast Chapter of the Pennsylvania Association of Nonprofit Senior Services, Continuing Education Conference, April 2009

## PUBLISHED WORKS

"Enforceability of Nursing Home Arbitration Agreements in Pennsylvania," *Defense Digest*, Vol. 20, No. 4, December 2014

*Case Law Alerts*, contributor, 2010-2012

## RESULTS

### Medical Malpractice Arbitration Ends in Defense Award

#### Health Care Liability

**September 25, 2023**

We obtained an arbitration defense award in a medical malpractice case, in which the plaintiff alleged that our radiologist client misread the first of two head CT scans. She claimed that a timely diagnosis of her issue, which turned out to be cerebral venous thrombosis (CVT), would have given her the opportunity for a cure. We successfully argued that the head CT showed what appeared to be a normal anatomical variant, which only identified plaintiff's CVT diagnosis with additional, more sensitive imaging studies.

### Defense arbitration award in a podiatric surgical malpractice case.

#### Health Care Liability

**March 2, 2020**

The 55-year-old plaintiff underwent tarsal tunnel surgery. She developed post-operative complications, including infection, and required two additional surgeries, including a sural artery flap graft. The plaintiff gained over 100 pounds after the podiatric surgeries and underwent gastric bypass surgery. She alleged it was required as the result of being sedentary from the podiatric surgeries and complications.

### Plaintiff's case not on the right foot.

#### Health Care Liability

**July 25, 2019**

We received a defense verdict in a podiatric surgical malpractice arbitration. The plaintiff alleged that the defendant podiatrist negligently performed foot surgery, causing her foot deformities to worsen and resulting in shooting pain in her big toe, pain under her second and third toes, and imbalance. Her husband claimed loss of spousal consortium. The defense successfully argued that the surgery was performed reasonably and within the standard of care, and that the plaintiff developed known and accepted risks and complications of the surgery.

### Defense Verdict for Midwife.

#### Health Care Liability

**August 24, 2018**

Marshall Dennehey's health care attorneys obtained a defense verdict on behalf of a midwife in a case involving alleged failure to properly manage and care for a patient's labor and delivery, resulting in catastrophic injury to her child. Counsel for the minor-plaintiff argued that the pregnancy and labor were high risk. Therefore, it was below the standard of care to use intermittent auscultation (IA) during the second stage of labor.

### SIGNIFICANT REPRESENTATIVE MATTERS

Obtained a defense verdict on behalf a midwife defendant in an alleged failure to properly manage and care for a patient's labor and delivery, resulting in catastrophic injury to her child. Counsel for the minor-plaintiff argued that the pregnancy and labor were high risk and, therefore, it was below the standard of care to use intermittent auscultation (IA) during the second stage of labor. The plaintiff argued that the fetus suffered a catastrophic brain injury during the second stage of labor, resulting in cerebral palsy and daily intractable seizures. The child, six years of age, wheelchair bound and unable to speak or feed himself, will require lifetime supervision and care. The defense argued that the patient's pregnancy remained low risk, and therefore, IA was within the standard of care; that a sentinel event did not occur during the second stage of labor; and that child's brain injury occurred in the days leading up to the hospital admission for labor.