

## GARY M. SAMMS

SHAREHOLDER



### AREAS OF PRACTICE

Health Care Liability  
Miscellaneous Professional Liability

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
1990

U.S. District Court Eastern District  
of Pennsylvania

U.S. Supreme Court

### EDUCATION

University of Arkansas School of  
Law

West Chester University

### OVERVIEW

Gary is a highly skilled trial attorney who has successfully handled more than 200 major jury trials throughout his career. With a primary focus on the health care industry, he represents doctors, nurses, health care practitioners, hospitals, and facilities of all types when facing catastrophic outcomes and medical malpractice lawsuits. Gary divides his time between our King of Prussia and Philadelphia offices.

Gary is also experienced in complex civil litigation matters encompassing all areas of professional liability, sexual assault, property litigation and intellectual property. Representing clients in the federal and state courts, he has successfully argued before the Pennsylvania Supreme Court and the Third Circuit Court of Appeals, and he has handled scores of bench trials, arbitrations and mediations. He serves as a Judge Pro Tem for the Philadelphia Court of Common Pleas and is a trained mediator.

Prior to joining Marshall Dennehey, Gary chaired the Professional Liability and Catastrophic Loss practice groups at a well-known Philadelphia-based law firm. Gary was named one of Pennsylvania's Top 100 Lawyers and one of Philadelphia's Top 100 Lawyers five times, and has been recognized as a Pennsylvania Super Lawyer since 2006 by Pennsylvania Super Lawyers®. He is also recognized in the 2025 and 2024 editions of The Best Lawyers in America® for professional malpractice law – defendants.

Outside of the courtroom, Gary is a distinguished speaker and lecturer on litigation topics including trial tactics, expert selection and cross-examination. He has also been featured on Fox Business News' "Xpert Forum" program.

### THOUGHT LEADERSHIP

#### Prominent Trial Attorney Gary Samms Brings Health Care Litigation Group to Marshall Dennehey

Health Care Liability  
September 18, 2024

Gary Samms, one of the Philadelphia region's premier medical malpractice trial attorneys, has moved to Marshall Dennehey, bringing with him members of his litigation group from Ober  
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## HONORS & AWARDS

AV® Preeminent™ by Martindale-Hubbell®

The Best Lawyers in America®, Professional Malpractice Law – Defendants  
2024-2025

The Legal Intelligencer – Professional Excellence Award – “Distinguished Leader”  
2020

Pennsylvania Super Lawyers  
2006-2024; Top 100 in Pennsylvania, 2009-2011, 2013-2014; Top 100 in Philadelphia, 2009-2011, 2013-2014

Suburban Life Magazine – Top Attorneys  
2013-2022

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## ASSOCIATIONS & MEMBERSHIPS

American Bar Association

American Inns of Court

Defense Research Institute

Pennsylvania Bar Association

Philadelphia Bar Association

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## YEAR JOINED

2024

## MEDIA COMMENTARY

Phila. Anesthesiologist Wins Defense Verdict in Multimillion-Dollar Case Over C-Section Complications, *The Legal Intelligencer*

The Defense Bar Is Feeling the Strain: Busy Med Mal Trial Schedules Might Be Phila.'s 'New Normal', *The Legal Intelligencer*

Philadelphia Jury Returns Defense Verdict in \$12M Infant Death Case, *The Legal Intelligencer*

Philadelphia on Track for Record Year of High-Dollar Verdicts, *The Legal Intelligencer*

In Rarely Used Argument, Temple Says \$25.9M Verdict Would Hurt the Community, *The Legal Intelligencer*

Fed. Judge Allows Lawsuit Alleging 'Skill' Games Are Illegal Gambling to Proceed—For Now, *The Legal Intelligencer*

An Older Pa. Woman Was Placed Under Guardianship. Her Family Says the System Betrayed Her, *The Philadelphia Inquirer*

Suburban Med Mal Findings Plummet as Plaintiffs Flock to Philadelphia, *The Legal Intelligencer*

Casinos Fight for Gaming Turf as Vegas-Style Machines Show Up in Local Bars, Convenience Stores, *The Wall Street Journal*

UPMC 'Provision' Could Ward Off Effects of Looming Med Mal Venue Rule Change—If It Can Survive in Court, *The Legal Intelligencer*

## RESULTS

### Defense Verdict on Behalf of Anesthesiologist After Six-Day Trial

#### **Health Care Liability December 13, 2024**

We received a defense verdict on behalf of an anesthesiologist after a six-day trial in Philadelphia. The plaintiffs had contended the anesthesiologist failed to deal with internal bleeding and blood pressure issues and failed to communicate with the surgeon during a Cesarean section and in the Post Anesthesia Care Unit (PACU), leading to the plaintiff almost bleeding out and causing the loss of her uterus during an emergency hysterectomy. The matter involved seriously conflicting experts and was a well-tried case by all parties.

### received a unanimous defense verdict on behalf of an orthopedic and physical therapy practice

#### **Health Care Liability October 31, 2024**

We received a unanimous defense verdict on behalf of an orthopedic and physical therapy practice in a case where the plaintiff's demand was \$5 million. The jury deliberated for approximately six hours and had to decide whether the injuries sustained by the plaintiff (detached retina, macular hole and other related eye injuries resulting in five surgeries in two years) were related to any negligence by his clients.

### Unanimous Defense Verdict Achieved in Hotly Contested Wrongful Death Case

#### **Health Care Liability October 17, 2024**

We achieved a unanimous defense verdict in a hotly contested wrongful death case. The lawsuit included allegations of failure to do a workup and diagnose lung cancer. The plaintiffs claimed the patient's symptoms were related to a Pancoast tumor that was undiagnosed, resulting in his death. We were able to establish with the jury the superiority of the defense experts by comparison. We also successfully explained there can be concurrent diseases and there was an objective reason for each and every one of the patient's symptoms.

### Defense Verdict in Complex Medical Malpractice Action

#### **Health Care Liability October 4, 2024**

We obtained a defense verdict in a complex medical malpractice case after a two-week jury trial in New Jersey. The elderly plaintiff claimed his posterior lumbar laminectomy for decompression was negligently performed. It was alleged that care failures in the performance of surgery caused a loss of bowel and bladder control that ultimately required an irreversible colostomy and placement of a suprapubic catheter, as well as subsequent infections requiring extended medical intervention and rehabilitative care.

## SIGNIFICANT REPRESENTATIVE MATTERS

Received a defense verdict on behalf of an anesthesiologist after a six-day trial in Philadelphia. The plaintiffs had contended the anesthesiologist failed to deal with internal bleeding, blood pressure issues and failed to communicate with the surgeon during a Cesarean section and in the Post Anesthesia Care Unit (PACU), leading to the plaintiff almost bleeding out and causing the loss of her uterus during an emergency hysterectomy. The jury was receptive to the defense arguments that, in fact, the doctor not only complied with the standard of care, but exceeded it. (2024)

Achieved a unanimous defense verdict in a wrongful death case. The lawsuit included allegations of failure to workup and diagnose lung cancer. The 9-day trial revolved around the care provided by the primary care and orthopedic physicians. The plaintiffs claimed the patient's symptoms were related to a Pancoast tumor that was undiagnosed, resulting in his death. Gary was able to establish with the jury the superiority of the defense experts by comparison, and explain there can be concurrent diseases and there was an objective reason for each and every one of the patient's symptoms. (2024)

Secured a unanimous defense verdict on behalf of a cardiologist cardiologist who was accused of causing the death of a patient. The plaintiff contended the cardiologist should have immediately sent his patient to the hospital for an emergent cardiac catheterization due to unstable angina. Gary persuaded and convinced the jury that the patient indeed had stable angina and did not need urgent

care, even though the patient died four days after the visit. (2024)

Secured a defense verdict on behalf of a gynecological surgeon facing accusations of damaging a woman's ureters and urinary tract during a laparoscopic hysterectomy. The plaintiff claimed that the doctor's alleged inexperience and negligence led to a transection of the ureter. Following the verdict, the jury emphasized that Gary's cross-examination of the plaintiff's experts played a pivotal role in the verdict. (2024)

Obtained a total dismissal of a hospital client after six days of trial. The matter involved allegations against the hospital for direct negligence and agency after a radical cystectomy, sepsis, perforation of the bowel and death. (2024)

Obtained a defense verdict on behalf of a urologist in a case involving testicular torsion. After a six-day trial the jury found the doctor was not liable for any injury sustained by the plaintiff. The key issue in the case revolved around presentation in the emergency room and the interpretation of an ultrasound as well as the presenting symptoms and complaints of the plaintiff. (2024)

Secured a unanimous defense verdict after a six-day trial on behalf of a primary care physician accused of failing to timely diagnose cancer. The unanimous verdict was reached after a thorough and aggressive cross-examination of experts. Gary persuaded the jury that the doctor's actions were appropriate and that no CT screening was required for this patient despite their extensive smoking history. (2024)

After an 8-day trial regarding the death of a patient, Gary obtained a unanimous defense verdict on behalf of an interventional cardiologist. The plaintiff alleged the doctor was negligent in his interpretation of an echocardiogram and in the performance of a ventriculogram during a cardiac catheterization. Gary succeeded in presenting expert testimony from four different specialties to persuade the jury his client acted appropriately at all times. Aggressive cross-examination of plaintiffs' experts contributed greatly to the victory. (2023)

Secured a defense verdict after a nine-day trial where the jury found no liability for a primary care physician who was accused of making improper referrals to a weight loss physician and failing to work up a 36-year-old obese woman for cardiac issues. The decedent left behind a 4-year-old son and quadriplegic husband making the case extremely sympathetic. (2023)

Secured a unanimous defense verdict in Chester County on behalf of a podiatric surgeon after a six-day trial. Plaintiffs alleged the doctor failed to meet the standard of care by not closely observing a patient in follow-up post-surgery on a severe Charcot foot, allowing an infection that led to a below-the-knee amputation. The trial involved seven experts and complicated medicine regarding various infectious pathogens. (2023)

Secured a defense verdict for two anesthesiologists accused of malpractice. The plaintiffs had claimed the anesthesiologists failed to properly hydrate the patient during the procedure as well as adequately and appropriately monitor the blood pressure and heart rate. They were also criticized for extubating prior to the patient meeting the necessary criteria. The plaintiffs alleged the deficiencies resulted in poor perfusion to the bowel which led to necrosis and resection leaving the patient with short gut syndrome and cognitive deficits. The jury commented on the effective cross-examination and the quality of the defendants' experts as being important in their analysis. Raymond Petruccelli was instrumental in the defense of this case. (2023)

Obtained a defense verdict for a lab director, hospital and health care system. Gary was asked to "parachute" in two weeks before trial and represent these health care providers. The complex case involved a lab mix-up that caused plaintiffs to have unnecessary surgery in the form of a radical prostatectomy for prostate cancer. The surgery caused complications of stress urinary incontinence and erectile dysfunction. The plaintiff made an eight-figure demand and the trial lasted eight days. (2023)