

NICOLE M. EHRHART

SPECIAL COUNSEL



AREAS OF PRACTICE

Health Care Liability
Long-Term Care Liability
Lawyers' Professional Liability
Miscellaneous Professional Liability

CONTACT INFO

(717) 651-3717
NMEhrhart@mdwvcg.com

200 Corporate Center Drive
Suite 300
Camp Hill, PA 17011

ADMISSIONS

Pennsylvania
2005

U.S. District Court Eastern District
of Pennsylvania

U.S. District Court Middle District
of Pennsylvania

U.S. Court of Appeals 3rd Circuit

U.S. Supreme Court

OVERVIEW

As a member of the Health Care Department, Nicole defends clients in matters involving medical malpractice and nursing home negligence. She provides legal counsel to hospitals, medical practices, long-term care/rehabilitation facilities, physician practices, nurses, dentists, veterinarians and other allied health care providers. Nicole works with each client to develop a tailored defense strategy based on their desired outcomes and objectives.

Nicole also has extensive experience in defending professionals in claims and suits brought against them, including attorneys, architects, engineers, land surveyors, real estate professionals, and insurance agents and brokers. She has represented attorneys with respect to civil rights claims and intentional claims for wrongful use of civil proceedings and defamation actions. In cases where a lawsuit has not yet been filed, Nicole has advised clients in a claims avoidance and/or mitigation capacity, including navigating through conflicts of interest that may arise through the course of a lawyer's representation.

Prior to returning to Marshall Dennehey in 2024, Nicole spent three years as a claims consultant for an insurance carrier handling miscellaneous E&O claims.

Nicole earned her *juris doctor* from Widener University School of Law, graduating in the top 15% of her class. While in law school, she was a member of the Moot Court Honor Society and the Trial Advocacy Honor Society. Nicole also participated in the Regional National Appellate Advocacy Competition and the Harrisburg Civil Law Clinic.

CLASSES/SEMINARS TAUGHT

Special Considerations in Representing Attorneys – Mitigating Lawyer Animus, PLDF Annual Conference, October 2018

Current Issues in Legal Malpractice Litigation and Malpractice Avoidance, Bucks County and Lancaster County Bench Bar Conferences, October 2015

EDUCATION

Widener University School of Law
(J.D., 2005)

Elizabethtown College (B.S., cum
laude, 2001)

ASSOCIATIONS & MEMBERSHIPS

Professional Liability Defense
Federation, Board of Directors,
2020-2021; Chair, Design
Professional Committee 2019-
2020; Vice Chair, Design
Professional Committee 2018-
2019

YEAR JOINED

2024

PUBLISHED WORKS

"Pennsylvania Supreme Court Refuses to Expand Lawyer Liability," *Defense Digest*, January 2021, Vol. 27, No. 1

Pennsylvania Legal Malpractice Handbook, 2017 Edition, Published by Marshall Dennehey Warner Coleman & Goggin, Co-author

"My Attorney Told Me To ... Opening the Door and Waiver of the Attorney-Client Privilege," *Defense Digest*, Vol. 22, No. 1, March 2016

"Settling Party Beware: A Claim for Legal Malpractice Cannot Survive When a Plaintiff Knowingly Settles the Underlying Case," *Defense Digest*, Vol. 21, No. 3, September 2015

SIGNIFICANT REPRESENTATIVE MATTERS

Obtained summary judgment in the U.S. District Court for the Eastern District of Pennsylvania on behalf of insurance company.

Defended insurance company client against a complaint alleging breach of contract and bad faith with regards to whether a vehicle was added to a policy. After extensive discovery, a sufficient record was established to have the Court dismiss all claims against our client, including bad faith, after a motion for summary judgment. All claims were dismissed against client.

Successfully argued and won a motion for summary judgment in the U.S. District Court for the Eastern District of Pennsylvania on behalf of insurance company.

Filed a declaratory judgment action alleging coverage was not triggered since the allegations against our insured did not amount to an "occurrence" to trigger coverage under the applicable commercial general liability policy. Argued that the allegations amounted to "faulty workmanship" and the court agreed. The court found that client did not have a duty to defend and/or indemnify.

Obtained summary judgement on behalf of an attorney defendant in Pennsylvania trial court.

Effectively argued, in a mechanics' lien matter, that the claim for professional negligence must be dismissed. Successfully argued that the claim was barred by the Statute of Limitations, and that opposing counsel failed to secure an expert report in support of its claim for malpractice. The court agreed and dismissed the claim against client, with prejudice.