

## BRETT C. SHEAR

SHAREHOLDER



### AREAS OF PRACTICE

Health Care Liability  
Long-Term Care Liability

### CONTACT INFO

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Pittsburgh, PA 15219

### ADMISSIONS

Pennsylvania  
2003

U.S. District Court Western District  
of Pennsylvania  
2004

U.S. District Court Northern District  
of West Virginia  
2010

U.S. District Court Southern  
District of West Virginia  
2010

West Virginia  
2010

U.S. District Court Eastern District  
of Pennsylvania  
2012

U.S. Court of Appeals 3rd Circuit  
2014

### EDUCATION

University of Pittsburgh School of  
Law (J.D., cum laude, 2003)

West Virginia University (B.S., cum  
laude, 2000)

### OVERVIEW

Brett is a member of the Health Care Department, representing physicians, medical professionals and hospitals in medical malpractice actions and a variety of other areas. Prior to joining Marshall Dennehey, Brett was a senior associate at a regional law firm where he represented a pharmaceutical company in nationwide product liability actions as well as other clients in the areas of professional liability, securities, environmental, personal injury and property damage.

Throughout his legal career, Brett has appeared and argued before courts throughout the United States. He has also successfully tried cases before juries, courts and arbitrators.

Brett graduated *cum laude* from West Virginia University with a Bachelor of Science degree in Economics. He went on to attend law school at the University of Pittsburgh. While in law school, Brett clerked for a local judge and for the Office of the Public Defender. He graduated *cum laude* and received his law degree in 2003.

### THOUGHT LEADERSHIP

#### The Shrinking Scope of the Peer Review Protection Act

**Pittsburgh  
Health Care Liability  
September 1, 2015**

By Brett C. Shear, Esq.\* Key Points: Defense Digest, Vol. 21, No. 3, September 2015

#### CLASSES/SEMINARS TAUGHT

*Uncovering and Proving Financial Fraud*, Pennsylvania Bar Institute, February 2014

#### PUBLISHED WORKS

"The EHR Report: Communication, Social Media, and Legal Vulnerability," *Internal Medicine News*, April 27, 2017

"The Shrinking Scope of the Peer Review Protection Act," *Defense Digest*, Vol. 21, No. 3, September 2015

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## HONORS & AWARDS

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

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## ASSOCIATIONS & MEMBERSHIPS

Allegheny County Bar Association

Pennsylvania Bar Association

West Virginia Bar Association

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## YEAR JOINED

2014

## RESULTS

### Defense Jury Verdict Won in a Medical Malpractice Case

#### Health Care Liability

**July 5, 2024**

We obtained a defense jury verdict on behalf of a cardiologist. The patient came to the hospital with chest pain radiating to his arm and shortness of breath. The attending physician ordered a stress test, which was performed by the defendant cardiologist, that was interpreted as normal. The patient was then discharged from the hospital and died from a heart issue within two weeks. An autopsy found significant narrowing of all of the arteries of the heart, including a 90% narrowing in the LAD (i.e. the “widowmaker”).

### Defense Verdict for Primary Care Physician

#### Health Care Liability

**May 11, 2017**

Obtained a defense verdict on behalf of a primary care physician. The plaintiff alleged the physician failed to order a blood test that would have detected a rare blood disorder called TTP. Five days after seeing our client, the decedent's condition rapidly declined, and two days later, he died. Prior to trial, the plaintiff's demand was almost \$1 million. The defense was multifaceted. First, our client directed the decedent to the hospital where a blood test would have been performed, but the decedent refused.