



## John C. Conti

SHAREHOLDER

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John C. Conti has served as President and Chief Executive Officer at Dickie, McCamey & Chilcote, P.C. since 2013. He also chairs the firm's Executive Committee and Medical Malpractice Defense Group. Mr. Conti is also admitted to practice in California and serves as the Managing Attorney of the firm's Los Angeles office. He is a Fellow of the American College of Trial Lawyers and recently served as State Chair for Pennsylvania. Mr. Conti specializes in the representation of hospitals and other health care providers, primarily in connection with the defense of professional negligence suits and related litigation. In over 40 years of practice, Mr. Conti has represented virtually every major health care institution in the region. This representation has included matters in Pennsylvania, Ohio, West Virginia, and California.

In 2005, Mr. Conti was appointed Adjunct Professor at the University of Pittsburgh School of Law where he taught a course on expert witnesses until 2014. He has also served as an expert witness in bad faith litigation. He is a licensed airplane pilot, holding multi-engine, instrument, and glider certifications.

## Practice Focus

- Health Law Business
- Medical Malpractice Defense
- Professional Liability Defense

## Professional Accomplishments

- American College of Trial Lawyers (Fellow), inducted in 2014; Pennsylvania State Chair 2021–2022
- Academy of Trial Lawyers of Allegheny County
- AV Preeminent® Peer Review Rated by Martindale-Hubbell® since 1993
- *The Best Lawyers in America*® since 2007: Medical Malpractice Law – Defendants and Personal Injury Litigation – Defendants
- Litigation Counsel of America™, Trial Lawyer Honorary Society (Senior Fellow)
- *Pennsylvania Super Lawyers*® 2005, 2007–2019 and 2021–2023
- Adjunct Professor, University of Pittsburgh School of Law (2005–2014)

## Representative Matters

- Tried over 160 cases to verdict during course of career

- Serves as lead counsel for UPMC in a class action arising from alleged child abuse by a pediatrician over the course of decades
- Since 2013 received defense verdicts in 23 medical negligence jury trials, including death cases involving aortic dissection, myocardial infarction, stroke, pulmonary embolism, and acute coronary syndrome
- Litigation experience encompasses not only the full spectrum of professional negligence claims but also includes such diverse matters as breach of confidentiality, wrongful discharge, defamation, fraud, cyber security, and product liability
- Frequently called upon to represent hospitals in litigation arising from credentialing disputes and other peer review issues
- In addition to trial work, has overseen the successful appeals of well over two dozen matters, including obtaining Judgment N.O.V. of a \$2.5 million verdict (*Griffin v. Univ. of Pittsburgh Med. Ctr. – Braddock Hospital*, 950 A.2d 996 (Pa. Super. 2008))
- Currently serving as lead counsel for the region's largest health care system, UPMC, in national litigation, including class actions, arising from Hepatitis C infections
- Currently serving as lead counsel in a series of lawsuits arising from a mass shooting at a psychiatric facility, Western Psychiatric Institute & Clinic
- Served as an expert witness in bad faith litigation in lawsuits filed in Pennsylvania, West Virginia, and Michigan
- Represented one of the lead witnesses and first deponent in the NHL class action concussion litigation
- Currently serving as lead counsel in all concussion-related matters for UPMC, a nationally recognized center for concussion-related research and expertise

#### *Appellate Practice*

Mr. Conti has had an active appellate practice throughout his career. Since 2018 he has had the privilege of arguing nine cases before the Pennsylvania Supreme Court.

- *Leadbitter v. Keystone Anesthesia Consultants, Ltd.*, 256 A.3d 1164 (Pa. 2021) – The Court addressed the medical peer review statute as it had in *Reginelli*, this time however adopting a far more expansive approach.
- *Leight v. Univ. of Pittsburgh Physicians*, 243 A.3d 126 (Pa. 2020) – After a mass shooting by a mental health patient, the Court found that an action based on the Mental Health Procedures Act could not be maintained against the patient's treating physicians.
- *Trigg v. Children's Hosp. of Pittsburgh*, 229 A.3d 260 (Pa. 2020) – Plaintiff failed to preserve an objection to the procedure for jury selection, waiving the issue and ending the appeal.
- *Maas v. UPMC Presbyterian Shadyside*, 234 A.3d 427 (Pa. 2020) – Where a psychiatric patient threatened to kill "a neighbor," the Court held that the threat was sufficiently specific to warrant a warning.
- *Yanakos v. UPMC*, 218 A.3d 1214 (Pa. 2019) – A statute of repose for medical negligence suits was found to be unconstitutional in the absence of appropriate legislative grounding.
- *Mitchell v. Shikora*, 209 A.3d 307 (Pa. 2019) – The Court reaffirmed the right of physicians in medical malpractice cases to defend a negligence claim by raising the inherent risks of the procedure.
- *Dittman v. UPMC*, 196 A.3d 1036 (Pa. 2018) – In a class action filed by employees whose personal information had been hacked, the Court found that the employer could be sued on a negligence theory.
- *Walters v. UPMC Presbyterian Shadyside*, 187 A.3d 214 (Pa. 2018) – The Court grounded duty on the part of the hospital on a federal statute requiring the reporting of drug diverters.
- *Reginelli v. Boggs*, 181 A.3d 293 (Pa. 2018) – The Court adopted a highly constrained interpretation of medical peer review.

## Speaking Engagements

- Served on faculty for several judicial CLE programs; subjects included professional negligence, civil jury instructions and appellate law update
- Served on the faculty of approximately 70 seminars for the Pennsylvania Bar Institute; frequent lecturer on all facets of professional negligence and related litigation
- "Cyber Security, Data Breaches and the Rise of the Dark Web" (Co-Presenter), ACC Pennsylvania CLE, 4/5/2016

## Publications

- "The Closing Statement for the Defense" (Author), *California Litigation*, Vol. 30, No. 3, 2017, pp. 26–31
- "The Opening Statement For the Defense" (Author), *California Litigation*, Vol. 30, No. 1, 2017, pp. 22–27
- *Matthew Bender's Federal Evidence Practice Guide* (Board of Editors for 5 years)
- "Trial Objections" (Chapter Author), *Litigation*, American Bar Association, Fall 1987, p. 16

## Admissions and Licenses

- California Bar Admission (1985)
- Pennsylvania Bar Admission (1978)

## Memberships

- Allegheny County Bar Association
- The State Bar of California

## Education

- Thomas R. Kline School of Law of Duquesne University, J.D. (1978)
- University of Pittsburgh. B.A. (1975)

