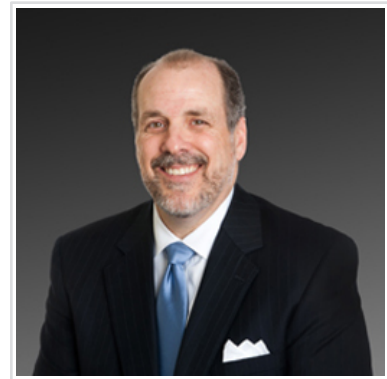


## John D. Balaguer

Partner

### Managing Partner, Wilmington, DE Office

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John Balaguer has over 25 years of experience defending complex tort cases and is one of the premiere trial lawyers in the State of Delaware. John is frequently sought out by insurers as well as self insured institutions and individuals to handle matters involving intricate liability issues, catastrophic damages and cutting edge legal theories. He focuses his practice on healthcare litigation, particularly claims of medical negligence, as well as claims against non-medical professionals, product liability and premises liability matters. John also represents insurers in coverage disputes, including those alleging bad faith.

John's depth of experience allows him to provide his clients with early and accurate damage assessments, access to leading experts in the field and a proven track record of success before juries, trial judges and administrative tribunals. John's courtroom reputation also serves to facilitate successful alternative dispute resolution, when trial is not the best option.

In addition to his extensive trial practice, John frequently appears in appellate matters before the Delaware Supreme Court.

As a result of his thorough knowledge of the Delaware state and federal courts, John also is often asked to serve as local counsel in high stakes insurance coverage and commercial litigation in Delaware.

John has managed the firm's Delaware office since its opening in 1989. He has served on the firm's Operations Committee and is currently a member of the Executive Committee.

### Representative Matters

- Defense of physicians and hospitals in cases filed on behalf of brain damaged infants, children and adults
- Favorable trial results in medical cases involving general, orthopedic, neurological, obstetrical and cardiac surgery, interventional cardiology/radiology and emergency room care
- Defense verdicts in cases alleging delayed diagnosis of cancer, cardiac and neurologic disorders
- Defense of nursing homes and long term care facilities in suits involving death or serious injury of residents and in-state administrative investigations
- Product liability defense of auto, furniture and medical device manufacturers
- Defense of insurance agents, real estate agents and engineers accused of professional negligence

### Practice Areas

Healthcare  
Catastrophic/Excess Liability  
Insurance Coverage and Bad Faith  
Professional Liability

### Bar And Court Admissions

Delaware  
New Jersey  
Pennsylvania

### Education

Widener University School of Law, JD,  
with honors, 1985  
University of Delaware, BA, 1981

### Memberships

American College of Trial Lawyers, Fellow  
American Board of Trial Advocates,  
Associate  
Defense Counsel of Delaware  
Defense Research Institute  
Delaware State Bar Association  
Pennsylvania Bar Association

- Defense of School Districts, Universities and Churches in matters involving alleged assault and sexual abuse
- Defense of drivers, trucking companies and road construction contractors in multi-fatality auto accidents
- Defense of premises liability matters involving sports and playground equipment and security issues
- Defense of liability and workers compensation insurers in bad faith litigation

### **Recognition & Involvement**

John has been recognized as a Delaware "Super Lawyer" in a survey of his peers by *Law & Politics* magazine and as a "Top Lawyer in the State" by *Delaware Today Magazine*. He is also a Fellow in the elite American College of Trial Lawyers, widely considered to be the premier professional trial organization in America.

John served for 12 years in the Delaware National Guard, achieving the rank of Major. He has been a volunteer coach and judge for high school mock trial competitions in Delaware and Pennsylvania as well as a judge for the National High School Mock Trial competition. He has served on the Board of Trustees of Trinity Presbyterian Church and as a member of the New Castle Presbytery's Permanent Judicial Commission. For a week each summer, John does volunteer emergency home repair with the Appalachia Service Project.

### **Events**

Responding to Requests for Medical Information in the Age of Electronic Discovery  
October 27, 2011

### **Publications**

Delaware Supreme Court Narrows the Definition of "Neglect" for Placement on the Adult Abuse Registry  
December 6, 2011

Prejudgment Interest for UIM Claims  
March 2010

Delaware Strengthens The Employer's Defenses in Construction Accident Cases  
May 8, 2009

Duty to Provide Notice of Limitation Periods in Delaware: Not Just for Casualty Claims Anymore  
June 25, 2008

Delaware Superior Court Revamps ADR Procedures  
February 29, 2008

### **Cases & Deals**

Leatherby v. Greenspun: No Substitute for Certified Mail  
Summer 2008