

Daniel J. Ferhat

Partner

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OVERVIEW

For nearly 20 years, Dan has focused his practice principally on complex medical malpractice litigation and general liability matters. As a trial lawyer, he defends hospitals, physicians, nurses and other healthcare providers against professional liability and catastrophic loss claims at the trial court and appellate court levels.

Dan is called upon to defend a wide array of medical malpractice matters, including cases involving death, brain-damage, obstetrical complications, orthopedic injuries, medication errors, cardiac injuries and surgical complications. A significant portion of Dan's practice includes the defense of pediatric providers and hospitals against medical negligence allegations and claims of lack of informed consent. Many of these cases involve allegations of delayed diagnosis and a failure to treat complex medical conditions such as meningitis, bacterial infection and/or sepsis. Dan immerses himself in the medical literature and identifies and works with world-class experts to fully understand the medicine, which enables him to effectively develop and shape standard of care and causation defenses early on in a case.

Dan has substantial courtroom experience and has tried several cases to verdict before juries, judges, and arbitrators. He has also been retained to assist physicians in administrative proceedings before peer review credentialing committees. A trusted advisor, Dan also frequently provides strategic advice to in-house hospital counsel and risk managers on peer review and patient safety issues.

Mindful of his clients' goals, Dan uses a creative and proactive approach that is tailored to each client's specific needs. Always ready to try a case, Dan also recognizes that sometimes the best value he can add is by identifying cases, early on, that present a significant risk of exposure and working creatively to resolve the case in a cost-effective and efficient manner. Dan constantly integrates emerging technological advances into his practice and he is proficient with modern courtroom and litigation technology. At the start of the COVID-19 pandemic, Dan tried two neonatal malpractice cases to defense verdicts utilizing Zoom technology. Because of his facility with the technology, Dan seamlessly

PRACTICES

Catastrophic/Excess Liability
Healthcare
Litigation

BAR AND COURT ADMISSIONS

Pennsylvania
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Pennsylvania

EDUCATION

Widener University School of Law, JD, *cum laude*, 2002
Kutztown University, BS, 1998

MEMBERSHIPS

Philadelphia Association of Defense Counsel
Philadelphia Bar Association

confronted witnesses and utilized demonstrative exhibits in an effective and powerful manner.

Dan has also assumed leadership roles within the firm and in the legal community. Dan previously served on the firm's Executive Committee and was President of the Philadelphia Association of Defense Counsel (PADC), a local defense bar organization comprised of approximately 300 attorneys. The PADC was recognized nationally in 2020 as one of the premier local civil defense bar organizations in the United States by Defense Research Institute.

RECOGNITION AND INVOLVEMENT

On several occasions throughout his career, Dan was recognized by his peers and selected as a Pennsylvania "Rising Star" by *Super Lawyers*. Dan is a Fellow of the Academy of Trial Advocacy, and he currently serves as the Co-Chair of the Philadelphia Bar Association's Medical-Legal Committee, State Civil Litigation Section. He is an active participant within Philadelphia County's local medical malpractice bar where he is part of a court liaison group that provides the court with case management assistance.

In his time away from the office, Dan enjoys outdoor activities and spending time with his wife, his four daughters, and his son.

REPRESENTATIVE MATTERS

Defense verdict in a three-week medical malpractice trial which included allegations that a pediatric neurosurgeon failed to appreciate signs and symptoms of bacterial meningitis in a two-week old baby

Defense verdict in a medical malpractice/wrongful death case involving a 28-week premature baby who developed necrotizing enterocolitis on day 12 of life

Defense verdict in a medical malpractice case involving death of a 5-day-old baby due to complications relating to necrotizing enterocolitis

Defense verdict for a commercial real estate company in a premises liability case involving claims that the plaintiff suffered permanent injuries to her foot after departing a bus. After trying the case and obtaining a defense verdict, Dan successfully defended the case on appeal to both the Superior Court and Supreme Court of Pennsylvania

Successfully argued for the reinstatement of a surgeon in a health network following a credentialing committee's decision to terminate. Dan presented the appeal to a credentialing committee comprised of multiple physicians from varying specialties

Represented a prominent Philadelphia-based physician's orthopedic practice group in five different malpractice cases, all of which resulted in defense verdicts

Tried a premises liability case to defense verdict for a national university involving claims that the plaintiff suffered significant physical injuries, including permanent injuries to her eye

Obtained summary judgment for a national university in a premises liability case involving claims that a woman suffered significant and permanent injuries to her back and neck

Represented a large regional hospital in Central Pennsylvania in a medical malpractice case involving the death of a 48 year-old woman who died in the hospital two days after undergoing uncomplicated surgery for breast cancer; case was tried over the course of three weeks and resulted in a defense verdict

Represented a prominent Philadelphia-based physician's orthopedic practice group in five different malpractice cases, all of which resulted in defense verdicts

Tried a premises liability case to defense verdict for a national university involving claims that the plaintiff suffered significant physical injuries, including permanent injuries to her eye

Obtained summary judgment for a national university in a fall down case involving claims that a woman suffered significant and permanent injuries to her back and neck

IN THE NEWS

Daniel Ferhat Receives Two Awards for Service to the Legal Community
7.8.21

'Keeping Cases Moving Forward' Is Top Priority for Daniel Ferhat and the Philadelphia Association of Defense Counsel
The Legal Intelligencer, 9.9.20

Daniel Ferhat Elected President of the Philadelphia Association of Defense Counsel
6.24.20

Congratulations 2015 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.21.15

EVENTS

MEDx Talks 2022
Liberty View at Independence Visitor Center, 9.15.22

Open Court: Return of In-Person Jury Trials in Philadelphia and Resolving Cases During COVID-19
Webinar, 4.22.21

Peer Review & Patient Safety Protections: The Impact of Recent Court Decisions and Preservation Strategies
PASHRM Webinar, 11.16.20

What Obama's Precision Medicine Initiative May Mean for Health Information Managers and Professionals
Lorman Webinar, 3.29.17

Managing Cybersecurity in the Healthcare Industry: Best Practices Every Healthcare Organization Needs to Know
The Knowledge Group Webinar, 5.3.16

Jury Research
The Legal Intelligencer "Litigation Summit" Seminar, 9.10.15

Healthcare and Data Breaches - Vulnerability and Consequences
2015 Healthcare Summit, 5.7.15

PUBLICATIONS

PA Bill Offering Healthcare Providers COVID-19 Civil Immunity Vetoes
Healthcare Alert, 12.7.20

New PA Bill Offers COVID-19 Civil Immunity to Healthcare Providers
Healthcare Alert, 11.25.20

Jury Trials and Mediation in Philadelphia County: Virtually in Person
Litigation Alert, 6.9.20

A National Registry of COVID-19 Patients: The Legal Implications
Privacy & Cybersecurity Law Report, 6.5.20

Healthcare Goes Viral: Guidelines for Returning to the Front Lines
Healthcare Alert, 4.24.20

Will Pennsylvania Join Other States and Provide Immunity for Healthcare Workers Treating COVID-19 Patients?
Healthcare Alert, 4.15.20

Making the Stars Align in Your Healthcare System: The Growing Importance of Transparency in Patient Experiences
Healthcare Bulletin, 3.12.20

Pennsylvania Senate Report on the Anticipated Impact of the Proposed Repeal of the Medical Malpractice Venue Rule Delayed by One Month
Healthcare Alert, 1.3.20

PA Superior Court Holds Attorney-Client Communications in Divorce Records are Discoverable in Medical Malpractice Case
Healthcare Alert, 10.4.19

PA Supreme Court Announces New Work Product Doctrine Waiver Analysis with Regard to Dissemination of Information to Third Parties
Healthcare Alert, 6.24.19

PA Senate Bill 761 Introduced to Address the Task of Obtaining a Patient's Informed Consent
Healthcare Alert, 6.20.19

PA Supreme Court Confirms Risk/Complication Evidence Is Admissible for Standard of Care and Causation in Med Mal Cases
Healthcare Alert, 6.19.19

Proposal to Cut Venue Rule in Medical Malpractice Cases Sparks Debate
The Legal Intelligencer, 4.9.19

Pennsylvania Federal District Court Grants Summary Judgment on NIED Claim Involving an Alleged Negligent Diagnosis
Healthcare Alert, 5.24.18

Could a Fitbit Save Your Life?
Healthcare Talks, 5.10.17

What Obama's Precision Medicine Initiative May Mean for Risk Management

Healthcare Alert, 5.25.16

U.S. Department of Health and Human Services Issues New "Guidance" on Mobile Health Applications

Healthcare Alert, 3.18.16

Hospital Pays Ransom to Hacker in Response to Malware Attack: An Eye-Opening Reality

Cyber Law and Data Protection Alert, 3.9.16

Securing Electronic Medical Records on Mobile Devices

Healthcare Alert, 8.26.15

Precision Medicine's Impact on Standard of Care

The Legal Intelligencer, Health Care Supplement, 2.15