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Peter J. Hoffman

OF COUNSEL

Peter Hoffman represents clients in all aspects of discovery, case management, negotiation, trial, and appeals. Peter's trial practice focuses on complex cases, such as commercial litigation, legal malpractice, antitrust, securities, class action, intellectual property, construction, products liability, toxic torts, and insurance coverage. In addition, a significant portion of his practice is concentrated in medical malpractice.

He has tried cases throughout Pennsylvania and has also been engaged as trial counsel in complex cases in Oregon, Ohio, New Jersey, Maryland and New York. He has tried well over 100 cases in Philadelphia and has secured defense verdicts and favorable settlements in all but a few.

Peter is often asked to mediate or arbitrate complex cases.

Deeply committed to serving the legal profession, Peter dedicates his time to many professional organizations and committees. Notably, he is past chair of the Pennsylvania Supreme Court Civil Procedural Rules Committee and was a member of the Hearing Committee for the Disciplinary Board of the Supreme Court of Pennsylvania, Pennsylvania Governor's Task Force on Medical Malpractice, and Pennsylvania Senate Select Committee on Medical Malpractice. For his service, Peter has received many accolades throughout his legal career. He is a fellow of the International Academy of Trial Lawyers, an invitation-only organization limited to 500 active fellows in the world, as well as the American College of Trial Lawyers, another invitation-only organization limited to top trial lawyers – one percent of the total population of lawyers. He is also a recipient of the Defense Research Institute's Fred H. Sievert Outstanding Defense Bar Leader Award and is regularly ranked highly in a number of legal ranking publications.

Peter is an adjunct professor of law at the Drexel University Thomas R. Kline School of Law. Prior to joining Eckert Seamans, he was a shareholder in the firm McKissock & Hoffman, P.C.

REPRESENTATIVE MATTERS

- Served as counsel for limited partners in a major real estate project in Philadelphia achieving favorable result for clients.
- Served as statewide liaison counsel to health care providers in breast implant and diet drug litigation.
- Served as lead trial counsel and project manager for over 500 malpractice cases in Maryland alleging unnecessary cardiac

PRACTICE AREAS:

Alternate Dispute Resolution
Product Liability
Class Action Litigation
Professional Liability
Food Liability Litigation
Litigation

STATE ADMISSIONS:

Pennsylvania

COURT ADMISSIONS:

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

U.S. Court of Appeals for the Third Circuit

EDUCATION:

J.D., cum laude, Temple University School of Law, 1974; Executive Editor, *Temple Law Quarterly*

M.A. in public affairs, State University of New York, 1968

B.A., Washington & Jefferson College, 1967

stents; led trial teams including a case of 21 consolidated plaintiffs.

- Served as counsel in a helicopter crash, successfully representing plaintiffs.
- Served as counsel to hospital in which there were allegations of child abuse by a physician who later was convicted and sentenced to numerous life sentences.
- Successful defense in over 100 medical malpractice cases in Philadelphia County achieving defense verdicts. Most recently achieving defense verdicts for hospitals in two complex cases:
    - Death of a 40-year-old male with a large family for alleging failure to diagnose and treat congestive heart failure.
    - Post-operative vision loss following spine surgery. Co-defendant was found 100 percent liable for verdict in excess of $20 million.
- Served as counsel for a major refinery against plaintiffs seeking compensatory and punitive damages for exposure to toxic chemicals.
- Served as counsel for property owners in litigation against a builder alleging water intrusion, property damage, and mold exposure; successfully obtained compensatory and punitive damages.
- Contributes to the Pennsylvania General Assembly with respect to legislation regarding medical malpractice, including punitive damages, collateral source rule, and expert qualifications.
- Arbitrates and mediates complex civil cases, including medical malpractice, insurance coverage, legal malpractice, and child abuse.

PROFESSIONAL AFFILIATIONS

- Pennsylvania Governor's Task Force on Medical Malpractice
- Supreme Court of Pennsylvania, Chair of the Civil Procedural Rules Committee
- Supreme Court of Pennsylvania, Hearing Committee for the Disciplinary Board
- Pennsylvania Senate Select Committee on Medical Malpractice
- American College of Trial Lawyers (ACTL)
- International Academy of Trial Lawyers (IATL)
- American Board of Trial Advocates (ABOTA)
- American Hospital Association
- Defense Research Institute
- American Society for Healthcare Risk Management (ASHRM)
- Temple Inn of Court
- Philadelphia Bar Association
- Pennsylvania Bar Association
- American Bar Association

AWARDS AND RECOGNITION

- Selected for inclusion in The Best Lawyers in America – Medical Malpractice Law – Defendants; Personal Injury Litigation – Defendants; Professional Malpractice Law – Defendants
- Selected for inclusion in Pennsylvania Super Lawyers; "Top 10 in Pennsylvania," "Top 100 in Pennsylvania," and "Top 100" in Philadelphia
- Philadelphia Professional Malpractice Law – Defendants "Lawyer of the Year," 2012-2013
- Attained an AV® Preeminent™ rating from Martindale-Hubbell
- 1989 Fred H. Sievert Outstanding Defense Bar Leader Award

NEWS AND INSIGHTS

PUBLICATIONS

- "Superior Court Clarifies Required Processes and Procedures for Healthcare Institutions to Preserve Privilege for Investigations Pursuant to MCARE Act," co-author, Eckert Seamans' Professional Liability Update, September 2023.
- "Changes to Pennsylvania's Medical Malpractice Venue Rule Will Have Sweeping Effects," Eckert Seamans' Professional Liability Update, September 2022.
- "The Defense Attorney's Perspective," book chapter co-author, Malpractice and Liability in Psychiatry, Springer Nature Publishing, March 2022.
- "Pennsylvania Supreme Court Restores Statutory Protections For Peer Review Materials," Eckert Seamans' Professional Liability Alert, August 2021.
- "The Superior Court of Pennsylvania's Interpretation of The Fair Share Act in Spencer v. Johnson, No. 2021 WL 1035175 (Pa. Super. Ct. Mar. 18, 2021) May Signal A Return to Traditional Joint and Several Liability," Eckert Seamans' Professional Liability Alert, March 25, 2021.
- Contributing author and editor of the 19th Edition of the Philadelphia Court of Common Pleas Civil Practice Manual published by the Pennsylvania Bar Institute, December 2019.
- "Medicolegal aspects of ERCP in the era of duodenoscope-related infections," co-author, Techniques in Gastrointestinal Endoscopy Journal, November 2019.
- "What to Do If You're Hit With a Scope-Related Lawsuit," co-authored for Gastroenterology & Endoscopy News, December 2018.
- "Legal Issues for the Gastroenterologist: Part II," co-author, The New Gastroenterologist, November 2017.
- "Legal Issues for the Gastroenterologist: Part 1," The New Gastroenterologist, August 2017.
- Risk Management Handbook for Healthcare Organizations, American Society for Health Care Risk Management, 2011.
- "The Defense Counsel's Perspective: Medicolegal Issues in Orthopedics," Clinical Orthopedics and Related Research, 2005.
- Contributing author to Eckert Seamans' Professional Liability

Update, 2007 to present.

MEDIA COVERAGE

- "'Managing the Monster': Changes to Phila.'s Med Mal Case Management System Aim to Curb Backlog, Looming Influx," The Legal Intelligencer, January 5, 2023.
- "How Philadelphia's Civil Division Is Trying to 'Change the Culture' of When Cases Settle," The Legal Intelligencer, April 19, 2022.
- "US Chamber Joins Calls for En Banc Review of Pa. Appeals Court's Fair Share Act Ruling," The Legal Intelligencer, April 2, 2021.
- "EHR-Related Malpractice Suits Are on the Rise, but Low Overall," Medscape Medical News, August 2019.
- "FJD Mulls What Injustice Looks Like – And How to Fix It," The Legal Intelligencer, October 2011.
- "Doctor liable despite no patient relationship" American Medical News, August 10, 2009.
- "Paper record system has its own benefits" Health Risk Management, June 2009.

SPEAKING ENGAGEMENTS

- "Civil Law Update," presented at the Pennsylvania Conference of State Trial Judges Mid-Annual Meeting, February 2022.
- "Civil Practice and Procedure in the Philadelphia Court of Common Pleas," co-moderator, Pennsylvania Bar Institute, December 2021.
- "Civil Litigation Update 2021," webcast moderator, course planner and speaker, Pennsylvania Bar Institute, March 2021.
- "Civil Law Update," co-presenter at the Pennsylvania Conference of State Trial Judges Mid-Annual Meeting, February 2016, July 2017, and 2018.
- "Civil Litigation Update," course planner and speaker, Pennsylvania Bar Institute. (Course planner for over 20 years.)
- "Lessons Learned from the Legendary James Beasley, Sr.," Pennsylvania Bar Institute, February 2015.
- "Updates in Civil Litigation" – Annual co-presenter at the Pennsylvania Conference of State Trial Judges.
- "Success with Summary Judgment Motions," co-speaker and co-planner, Pennsylvania Bar Institute, December 4, 2013.
- "Pennsylvania's new 'Apology law," webinar, Pennsylvania Medical Society, 2013.
- "New Joint and Several Liability Law in Pennsylvania," First Judicial District Court, January 26, 2012.
- "Getting to End Game," planner and presenter, Pennsylvania Association for Justice, October 21, 2011.
- "Medical Malpractice," Drexel Health Law Society and American Constitutional Society, October 17, 2011.
- "The Corporate Witness," co-presenter, Eckert Seamans' Continuing Legal Education Seminar, August 2009.
- Lectured for: the Defense Research Institute, Philadelphia Bar

Association, Pennsylvania Defense Institute, Pennsylvania Bar Institute, The National Judicial College, Pennsylvania State College of Trial Judges, the Pennsylvania Trial Lawyers Association, as well as numerous medical and other professional or trade associations.