

# Jacquelyn J. Ager

## MEMBER

Jacquie Ager focuses her practice primarily on the defense of professional liability matters. She regularly defends health care institutions, physicians, nurses, and other health care providers in complex medical malpractice litigation cases from discovery and pretrial matters, to motion practice, settlement negotiations, trial preparation, and assistance at trial, analyzing risks and working to craft compelling and effective defense strategies and tactics, using understandable terms to explain sophisticated concepts.

Jacquie has taken cases from pre-litigation, through state and federal courts, up to the Pennsylvania Superior Court and won, but some of her greatest accomplishments in the professional liability arena involve keeping clients out of court, minimizing potential losses by using the appropriate ADR modalities and resolving the matters early through settlement, mediation, and/or arbitration.

Jacquie also counsels employers in a wide range of employment litigation matters, including defending against unlawful discrimination claims at the administrative level and in state and federal court, enforcing and defending against violations of restrictive covenants and employment agreements, as well as drafting and revising employee handbooks.

Before entering private practice, Jacquie served in the Maryland Office of Legal Counsel and Regulatory Affairs, where she advised and briefed (then) Governor Parris N. Glendening on various legal, legislative, and policy issues, including the death penalty, judicial selection, handgun violence, procurement, and litigation against tobacco companies for reimbursement of state medical funding.

## REPRESENTATIVE MATTERS

### Professional Liability Litigation

- Extensive ADR, state and federal court experience representing physicians, medical practice groups, nursing homes, and hospitals, including the nation's foremost pediatric hospital, in complex and high-profile medical malpractice cases in multiple state and federal courts, as well as in alternative dispute resolution (ADR) proceedings.
- Serves as lead and second chair litigation counsel in numerous professional malpractice private arbitrations and mediations, as well as second chair in two medical malpractice trials and one employment state court jury trial.
- Defends and conducts discovery and videotaped trial depositions of lay and expert witnesses. Prepares clients, witnesses, and experts for deposition, arbitration, and trial testimony. Screens and retains high level medical and damage experts and oversees preparation of expert reports.
- Analyzes and summarizes medical records and medical journal articles in preparation for depositions and trials. Propounds and responds to written discovery.
- Produces daily strategic advice and regular status and budget

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## PRACTICE AREAS:

[Product Liability](#)

[Commercial Litigation](#)

[Labor & Employment](#)

## STATE ADMISSIONS:

Pennsylvania

New Jersey

## COURT ADMISSIONS:

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

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

U.S. District Court for the District  
of New Jersey

U.S. Court of Appeals for the Third  
Circuit

## EDUCATION:

J.D., Washington College of Law at  
American University, *cum laude*,  
1995; Order of the Coif, Vice  
President of Moot Court Board

B.S. Ursinus College, 1992, *Beta  
Beta Beta* Biological Honor Society

reports to in-house legal counsel, risk managers, insurance directors, and medical-legal consultants concerning litigation matters.

- Expertly and discreetly negotiates favorable settlements and dismissals of individuals and corporations in medical malpractice and nursing home matters, and when necessary, at all stages of litigation or pre-litigation.

## **Commercial Litigation**

- Defended an Oklahoma-based temporary staffing agency and its Pennsylvania franchises in numerous commercial litigation matters including those involving claims of negligent screening, personal injury, and employment-related issues.
- Represented a major chemical company in landfill litigation in New Jersey federal and state courts, and a corporate builder in consolidated action in Pennsylvania federal court concerning the construction of a warehouse.
- Served as local counsel and as a litigation team member representing several national corporations, a research institute, and individual employees in large-scale product liability litigations involving tobacco and pharmaceutical products.
- Represented a law firm and one of its shareholders in a legal malpractice and defamation action concerning their representation of an individual physician in a high-profile medical malpractice case.
- Defended a law firm and one of its shareholders in a legal malpractice action involving creditor/lender rights and obligations.

## **Employment Law**

- Represented a religious organization overseeing numerous religious entities and affiliated institutions and schools throughout Southeastern Pennsylvania, and provides advice and litigation services for all aspects of their employment matters, as well as their nursing home negligence cases.
- Represents individuals, businesses, and public entities in federal and state courts as well as administrative proceedings in a wide range of employment matters, including enforcing and defending against violations of restrictive covenants and employment agreements.
- Represents individuals and employers in state and federal anti-discrimination matters involving claims of sexual harassment; retaliation; discrimination on the basis of age, disability, pregnancy, race, national origin, or sex; and violations of the Family Medical Leave Act.
- Handled matters for a regional health care and long-term care provider as well as an aviation corporation and its executives in claims involving alleged violations of the Fair Labor Standards Act, Pennsylvania Wage Payment and Collection Law, employment agreements, and employment discrimination laws.
- Discreetly and confidentially pursues and negotiates favorable settlements and dismissals of individuals and corporations in employment discrimination matters, when necessary, at all

stages of litigation.

- Actively and routinely counsels, advises, and trains private and public entities and organizations, as well as their executives and employees, on employment-related matters, including but not limited to reductions in force, severance agreements, and employment agreements.
- Drafts, amends, and updates personnel handbooks, hiring guidelines, and personnel-related documents.
- Conducts internal employment investigations for public and private corporations, agencies, and institutions.

## PROFESSIONAL AFFILIATIONS

- Philadelphia Bar Association

## COMMUNITY INVOLVEMENT

- Sunshine Foundation, Secretary and Volunteer Board Member
- Run Walk Bark for Dreams, Subcommittee Member
- Volunteer youth travel softball coach, Southampton and Warminster, PA (2015-19)

## AWARDS AND RECOGNITION

- Selected for inclusion in Pennsylvania Super Lawyers 2022-2023
- Lean Six Sigma, Yellow Belt Certified
- Bomberger Scholarship Recipient
- Robert Trucksees Prize for highest LSAT score

## NEWS AND INSIGHTS

### MEDIA COVERAGE

- ["Eckert Seamans Expands Liability Practice With Philly Partner,"](#) Law360, September 2021.

### SPEAKING ENGAGEMENTS

- Guest speaker at Ursinus College and the Philadelphia High School for Girls on the interaction of science, medicine, and the law.
- "Employment Litigation Matters Affecting Companies Today," Greater Philadelphia Executive Claims Council (GPECC) 2016 Spring Half-Day Seminar, March 2016.
- "The importance of proper note taking in medical records and how it can relate to legal matters," guest speaker to emergency nurses and physicians at the Hospital of the University of Pennsylvania, April 2015.