



Corey Hogan

Partner, HoganWillig PLLC

Corey Hogan's membership in the exclusive Multi-Million Dollar Advocates Forum should be a pretty good indication of how successful he's been at representing patients in medical-malpractice cases.

The forum, which includes Million Dollar Advocates, has about 3,000 U.S. attorney-members who have won at least one case that resulted in million-dollar or multimillion-dollar verdicts, award or settlements.

Hogan has two recent cases in the multiple category: a \$7 million case and another for \$9 million, both involving misdiagnoses of breast cancer.

The founder of HoganWillig in Amherst has been in the law for 35 years, and added medical malpractice to his litigation practice about a decade ago when cases started coming to the attention of the firm.

Taking a case to trial is intense, requiring physical and emotional stamina to handle 12-hour days, seven days a week in prep time and court time. Investing all that focus makes it difficult to accept a verdict for the defendant, he says.

Things can tilt for the plaintiff in a big way when doctors get on the stand and deny making a mistake, Hogan says.

"That's the reason for the large awards," he says.

Hogan, 60, grew up in Kenmore. He has an undergraduate degree from the University of Notre Dame and an MBA and a law degree, both from the University at Buffalo.

– By Annemarie Franczyk



Laraine Kelley

Senior partner, Lipsitz Green Scime Cambria LLP

The early years were a lot like going back to school for Laraine Kelley, a plaintiffs' attorney.

Kelley started out in labor law, but when her firm began taking medical-malpractice cases, she studied basic medical textbooks and surrounded herself with medical literature to go toe-to-toe with defense attorneys. It took seven years of this before she felt she'd passed her self-imposed apprenticeship.

"You become the expert, and that takes time," she says.

"The amount of work is phenomenal. There's a steep learning curve. Any attorney has to be medically sophisticated – otherwise, you're absolutely at the mercy of the doctor and the medical profession."

Even today, she professes to enjoy the learning that comes with the job.

"It's almost like being a detective. You have a medical reason in every case. It's what makes it interesting," she says.

During her 25-year career, she's achieved multimillion-dollar awards and settlements, including a \$9 million structured settlement for a brain-injured child and \$1.9 million for a patient who suffered liver damage through prescription-drug use.

Why plaintiffs' work?

"I like the underdog," she says.

Kelley grew up in New Jersey and got an undergraduate degree from the University of Virginia. She came to Buffalo specifically for a public-university education for her law degree.

– By Annemarie Franczyk



Phillip Magner

Retired

Phillip Magner wants to make it known that he has "respect and admiration" for the majority of medical personnel, whom he calls professional, competent and dedicated.

His interesting stories, however, revolve around the few whose work has fallen below industry standards. One surgeon was "literally leaving quadriplegics and paraplegics around Western New York," Magner says.

In one case, the surgeon performed back surgery on a 50-ish woman, neglecting to check her post-operative progress for three days. That's when he found her paralyzed from a blood clot that had settled in her spine.

The surgeon professed to have examined her in the intervening time, finding nothing wrong. Then Magner produced golf scores from the local paper: The surgeon had been playing in a country-club tournament at the time he claimed to be at the hospital.

Another doctor testified that he'd stopped prescribing asthma medication that was causing complications – facial contortions and a severely cricked neck – in a female patient. The pharmacy that filled the prescription had gone bankrupt and closed, but Magner followed the paper trail to court records, and found a prescription slip that countered the doctor's story.

Magner tried his first plaintiff's case in 1961 and was one of few in the field until New York's no-fault law came into being in 1974.

He tried his last case in 1998, and is now retired and living in Florida. He'll be 83 in May.

– By Annemarie Franczyk



Kathleen Sweet

Partner, Gibson McAskill Crosby LLP

Medical-malpractice defense suits Kathleen Sweet just fine.

It puts her with highly educated and very interesting people – exceptional intellectuals, she calls them.

"It's a challenge every day to hang with them intellectually and have to boil it down and serve it to the jury (members), who are not doctors, not lawyers and who don't have graduate degrees," says Sweet. "I'm not sitting in my office reviewing contracts, doing closings or looking at tax forms. That's not my personality."

The Clarence native earned an undergraduate degree from Boston College and graduated from the Villanova University Law School.

As a new lawyer, she was intent on criminal defense, but a "temporary" assignment in medical malpractice during an early job at a private law firm sparked an unexpected interest.

She's learned that her clients – primarily physicians, nurses, nurse practitioners and nurse midwives – are victims of a litigious society and patients' unrealistic expectations, she says.

Sweet, 45, has taken several medical-malpractice cases to verdict during her 18 years in practice.

There's another thing she's learned: "I don't like to lose," she says.

– By Annemarie Franczyk



Barbara Schifeling

Partner, Damon Morey LLP

Defense attorney Barbara Schifeling approaches a jury very much the way she approached her students back when she taught in Chicago.

She doesn't argue a case – she teaches.

"I think that's effective," says Schifeling.

Teaching was a first love for the Nebraska native. Schifeling followed up her undergraduate degree from The Lindenwood Colleges in Missouri with a master's from the University of Chicago and taught high school.

She became interested in the law after some involvement in community organizations, and realized she had built up some lawyer-like skill with her classroom style of organizing and presenting her lessons to students.

Schifeling and her husband moved to

Buffalo in 1979, he for a job promotion and she for the University at Buffalo Law School.

Schifeling is co-chair of her law firm's health-care practice group. She has been practicing for 26 years, representing hospitals, nursing homes, physicians and allied health professionals.

Why defense? The need to help, she says.

"The people who you are defending need that," she says.

Schifeling, 63, says she is most proud of successfully defending hospitals in four consecutive cases involving brain-injured infants. A key to those cases, she said, was tapping national experts to help explain the risk assumed by hospitals.

– By Annemarie Franczyk