

Charles Eppolito, III

Partner

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OVERVIEW

Chuck Eppolito has found much success in his legal career thanks to his preparation, diligence, advocacy skills and ability to relate to clients and jurors. Additionally, his experience – having practiced in approximately 20 different counties or other jurisdictions, both state and federal, throughout the Commonwealth for more than a quarter of a century – has contributed to successes as well.

His practice consists primarily of medical malpractice defense as well as other insurance-related defense, including general negligence, electrical engineering and product liability issues in utilities cases. Chuck's clients include hospitals and physicians throughout Pennsylvania, utility companies and insurance carriers, including primary, excess and reinsurance, throughout the nation.

Chuck has tried numerous medical and psychiatric malpractice cases to verdict in jury trials and has arbitrated others to successful resolution. He has done so in many fields/specialties, including: anesthesiology, cardiology, cardiothoracic surgery, nephrology, neurosurgery, obstetrics/gynecology, orthopedics, pharmacology, psychology, and urology. He has also handled cases involving addiction medicine and rehabilitation. Chuck has participated in numerous catastrophic medical malpractice and brain injury cases. He also has significant experience in mediating cases and has secured many favorable outcomes through the alternative dispute resolution process.

Chuck leads the firm's internal CLE programming, coordinating monthly educational programs on legal issues across various practice areas.

Chuck is Chair of Pennsylvania's Judicial Evaluation Commission, the organization that is responsible for evaluating and determining/issuing ratings regarding candidates for appellate judicial office in the Commonwealth. He has served as a Hearing Committee Member of the Disciplinary Board of the Pennsylvania Supreme Court. Chuck is an active member of the American, Pennsylvania and Philadelphia Bar Associations, holding a number of leadership positions throughout his career. Chuck served as the 124th President of the Pennsylvania

PRACTICES

Healthcare
Product Liability
Professional Liability

BAR AND COURT ADMISSIONS

Pennsylvania
New Jersey
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Pennsylvania
U.S. Supreme Court

EDUCATION

Villanova University School of Law, JD, 1995
Villanova University, BS, 1992, *cum laude*

MEMBERSHIPS

American Bar Association
Chester County Bar Association
Justinian Society of Philadelphia
Montgomery County Bar Association
Pennsylvania Bar Association
Philadelphia Bar Association



Bar Association in 2018 - 2019. Chuck also recently served as a reviewer for the American Bar Association's Standing Committee for Accreditation of Specialty Certification Programs for Lawyers. In this role, he reviewed/evaluated and recommended re-certification of the ABPLA – Medical Professional Liability Certifying Organization, following review of its procedures, processes and examinations over the past five years.

RECOGNITION AND INVOLVEMENT

In 2022, Chuck has been appointed Chair of the PA Judicial Evaluation Commission.

In 2020, Chuck received a Pennsylvania Bar Association President's Award for his work on the PBA Covid-19 Task Force.

Chuck is dedicated to the bar and has held many leadership positions throughout his career and since 2022, has been named as one of *The Best Lawyers in America*® for Litigation-Health Care.

American Bar Association

- House of Delegates (2005 – 2007; 2012 – Present)
 - Select Committee of the House of Delegates (2012 – 2013)
 - Tellers Committee of the House of Delegates (2006 – 2007)
- Tort Trial and Insurance Practice Section (TIPS) (2007 – Present)
- TIPS Medicine and Law Committee:
 - Chair (2009 – 2010)
 - Member (2007 – Present)
- TIPS General Committee Board, Chair (2020 – Present)
- Medical Professional Liability Standing Committee (2007 – 2019)
- Bioethics and the Law, Special Committee (2010 – 2019)

Pennsylvania Bar Association

- President (2018 – 2019)
- President-Elect (2017 – 2018)
- Vice President (2016 – 2017)
- House of Delegates (2001 – Present)
 - Chair (2011 – 2013)
 - Member (2001 – Present)
- Secretary (2006 – 2009)
- Board of Governors (2001 – 2004, 2007 – 2010, 2011 – 2013, 2016 – 2020)
- Chair, Young Lawyers Division (2002 – 2003)
- COVID-19 Task Force, Member (2020 – Present)



Pennsylvania Bar Foundation

- Board Member (2016 – Present)
- Fellow

Philadelphia Bar Association

- Environmental and Energy Law Committee, Co-Chair (2012 – 2016)
- Young Lawyers Division Executive Committee (2003 – 2009)
- Insurance Committee (2003 – 2005)

REPRESENTATIVE MATTERS

White and Williams Obtains Defense Verdict Following Arbitration in Case Alleging Wrongful Death Due to Improper Administration of Anesthesia

4.10.18

White and Williams Obtains Dismissal of Civil Rights Claims Against Medical Providers Arising From A Child Abuse Evaluation

4.2.18

Obtained defense verdict with a specific finding of no liability on behalf of a major utility company in an arbitration proceeding in a death case in Lancaster County, PA, in which the driver of a truck sustained fatal crush injuries from a falling tree. It was alleged that the utility company was responsible for the tree, which was adjacent to its power lines, and failed to properly inspect and remove the dead/dying tree to prevent it from falling and/or causing injury or damage. Co-defendants included a national tree expert company and the township. After a full-day arbitration proceeding, which included live testimony from several witnesses as well as presentation of expert opinions from experts in multiple specialties, the arbitrator found in favor of the defendant utility company.

Obtained defense verdict in jury trial in negligence/malpractice case tried in Luzerne County, PA. Plaintiff alleged that a nurse allowed an elastic tourniquet to remain tied around her arm during a five-hour ER stay causing nerve compression injury in her arm which then lead to chronic regional pain syndrome (CRPS) throughout her body. Plaintiff claimed total permanent disability, and sought to recover substantial damages for lost earnings and earning capacity, future medical expenses, physical and emotional pain and suffering, and disfigurement. Defense presented evidence, including trial testimony from treating healthcare providers and experts, establishing that a tourniquet was not allowed to remain on and, further, that a tourniquet could not have caused the injuries alleged. The case was tried over three weeks; jury returned a verdict in favor of the defense, specifically finding no negligence, within approximately 30 minutes.

Obtained the dismissal of three utility company entities which we represented in a construction fatality case in Philadelphia, where the family of the deceased construction worker alleged negligence and product liability theories against multiple defendants. After aggressive discovery, including numerous depositions of relevant witnesses, we filed a Motion for Summary Judgment, which was granted by the Court. All clients we represented were dismissed, with prejudice.

Obtained a defense verdict in a jury trial in a medical malpractice case tried in Harrisburg, Dauphin County, Pennsylvania; plaintiff was a 42-year-old with severe coronary artery disease and aortic stenosis who underwent coronary artery bypass grafting and aortic valve replacement; he died shortly after surgery due to multiple complications; the case was submitted to the jury for determination after nearly one week of trial; the jury returned a unanimous defense verdict, specifically finding no negligence (and not reaching the question of causation), in less than 30 minutes

Obtained a defense verdict in a medical malpractice case tried in Dauphin County, Pennsylvania; plaintiff, a 19-year-old mother, alleged failure to timely diagnose and treat a spinal fracture suffered during childbirth, resulting in total disability; the jury found that the defendants were not negligent

Obtained a defense verdict in an arbitration proceeding in a medical malpractice case venued in Montour County, finding that the defendant anesthesiologist, two certified registered nurse anesthetists and hospital all complied with the standard of care; plaintiff was the husband and estate of a patient who died following performance of cardiac surgery to remove a large atrial myxoma (tumor) in her heart; plaintiff criticized the anesthesia care provided by the defendants, including the administration of Midazolam, and contended that the anesthesia caused the patient's death.

Obtained a defense verdict in an arbitration proceeding in a medical malpractice and informed consent case in Montgomery County, Pennsylvania; plaintiff was a 25-year-old who underwent oral surgery for removal of three impacted molars; thereafter, he experienced pain, bleeding and other complications requiring additional surgery; the case was tried before three arbitrators who found in favor of both defendants on all issues and claims, in less than 15 minutes

Secured the dismissal, without the finding of any liability or the payment of monies, in a medical/surgical malpractice action in Montour County, Pennsylvania, where the plaintiffs alleged negligence against a surgeon and hospital in connection with the performance of a Roux-en-Y gastric bypass surgery for recurrent gastroesophageal reflux disease

Secured the dismissal, without the finding of any liability or the payment of monies, in a medical/surgical malpractice action in Luzerne County, Pennsylvania, where the plaintiff alleged negligence and recklessness against a surgeon and hospital in connection with performance of a total thyroidectomy for a goiter

Secured the dismissal, without the finding of any liability or the payment of monies, in a medical malpractice action in Philadelphia County, Pennsylvania, where the plaintiff alleged negligence against several defendants, including a clinic, physician, and the owner of the clinic, in connection with the performance of a radiofrequency thermoneurolysis procedure to her spine, which was designed to relieve pain in the musculature of the lower back

Secured the dismissal, without the finding of any liability or the payment of monies, in a psychiatric malpractice action in Berks County, Pennsylvania, where the plaintiff, the estate of a former patient, initiated this action against the clinical/office and its physician-psychiatrist who provided care and treatment to the patient; the plaintiff alleged that the defendants were grossly negligent in connection with the care and treatment provided to the plaintiff's decedent for her anxiety and depression; the decedent committed suicide shortly thereafter

Secured the dismissal, without the finding of any liability or the payment of monies, in a medical malpractice action in Philadelphia County, Pennsylvania, where the plaintiff alleged negligence, intentional misrepresentation, defamation, fraud, and breach of contract in connection with the obtaining, interpreting and reporting of a urine sample, as well as other treatment associated therewith

IN THE NEWS

Best Lawyers® Recognizes 45 White and Williams Lawyers
Firm News, 8.18.23



Charles Eppolito Named Chair of Pennsylvania Bar Association Commission to Evaluate Candidates for Appellate Courts
10.17.22

Four White and Williams Lawyers Recognized as "Lawyer of the Year" by Best Lawyers®
8.18.22

Best Lawyers® Recognizes 40 White And Williams Lawyers
Firm News, 8.18.22

Best Lawyers® Recognizes 38 White and Williams Lawyers
8.19.21

Charles Eppolito Appointed Vice-Chair of the PBA Judicial Evaluation Commission and Receives Prestigious "President's Award"
11.10.20

Trio of White and Williams Lawyers Honored at PBA Annual Meeting
5.21.19

PBA President Charles Eppolito Speaks on the State of the First Amendment
10.10.18

PBA President Charles Eppolito Returns to Alma Mater for Constitution Day
9.18.18

Charles Eppolito to Serve as President of the Pennsylvania Bar Association
5.7.18

Chuck Eppolito to Serve as President-Elect of the Pennsylvania Bar Association
5.1.17

Chuck Eppolito Elected Pennsylvania Bar Association Vice President
5.10.16

EVENTS

The Anatomy of a Malpractice Case
Physicians Legal Issues Conference (Carlisle, PA), 9.14.19

Dialogue with the Courts and Legislature
Pennsylvania Bar Association Midyear Meeting (Grand Cayman, Cayman Islands), 2.2.19

Medical Malpractice Litigation, Depositions and Documentation
Client Presentation, 6.19.18

Pennsylvania Appellate Court Judges Panel
Pennsylvania Bar Association Midyear Meeting (St. Kitts), 1.26.17



125th
ANNIVERSARY

White and
Williams LLP

Charles Eppolito, III

Hot Topics in Civil Litigation
Pennsylvania Bar Association Midyear Meeting, 1.28.16

PUBLICATIONS

Federal Advisory Warns Hospitals Facing "Increased and Imminent" Cyber Threat; 400 Hospitals Already Targeted
Cyber Law and Data Protection and Healthcare Alert, 10.30.20

What Is a 'Fair' Venue for Medical Malpractice Litigation?
The Legal Intelligencer, 4.9.20

