



JOSEPH A. FARCHIONE

Partner

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Joseph Farchione has trial experience in the defense of healthcare professionals, hospitals, and their insurers in high-exposure medical malpractice cases, especially in the area of birth trauma. He has tried more than 100 cases to verdict across the country and serves as national SWAT counsel for numerous insurers and healthcare clients.

EDUCATION

Case Western Reserve University, J.D., 1987

State University of New York at Buffalo, B.A., 1984, Political Science

OTHER EXPERIENCE

Sutter O'Connell & Farchione Reminger Co., LPA
Jacobson, Maynard & Tuschman

ADMISSIONS

Ohio
Colorado

PRACTICE AREAS

- Healthcare Professional Liability
- Commercial Litigation
- Professional Liability
- Product Liability
- Personal Injury Defense

BIOGRAPHY

Joseph Farchione has trial experience in the defense of healthcare professionals, hospitals, and their insurers in high-exposure medical malpractice cases, especially in the area of birth trauma. He has tried more than 100 cases across the country for a variety of clients. Joe's extensive experience also includes product liability, professional liability, medical devices, pharmaceuticals, and personal injury defense.

Joe's success, knowledge, and experience have earned him a national reputation as a "go-to" trial lawyer for numerous clients and carriers in handling catastrophic cases across the country. His involvement ranges from monitoring counsel to co-counsel to lead trial counsel, sometimes being called in while local counsel is in the process of jury selection. Joe has been appointed to multiple national panels of attorneys who combine their experience and talents to provide the best defense available in catastrophic cases.

A frequent presenter, Joe regularly speaks to healthcare providers, insurance companies, and attorneys on topics ranging from risk management to teaching the skills required to effectively educate jurors on complicated issues at trial.

CASES

- Won a defense verdict in Philadelphia for a hospital and its physician assistant who diagnosed muscle strain when in fact the plaintiff had an infection that resulted in the amputation of her leg. The jury agreed with WTO's arguments that, given the circumstances, the original diagnosis was reasonable.
- Won a defense jury verdict in Ohio for two neonatologists facing claims of negligently handling the care of a newborn baby.
- Won a defense jury verdict in Ohio for an obstetrician facing claims of medical negligence and lack of informed consent, and damages claims in excess of \$15 million, arising from a stroke suffered by a newborn following a difficult delivery. The obstetrician passed away tragically and unexpectedly before trial, making the defense of the care problematic.
- Won a complete defense jury verdict in a \$31 million medical malpractice lawsuit in Illinois involving a newborn who contracted meningitis.
- Won a complete defense jury verdict in Ohio in a two-week trial involving allegations of medical malpractice resulting in birth injuries. The plaintiffs sought over \$18 million in damages, and WTO lawyers were brought in to defend the case just three weeks before trial in Ohio.
- Won a complete defense jury verdict in Columbus, Ohio, in a medical

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malpractice case involving paraplegia allegedly resulting from failure to timely diagnose a spinal epidural abscess.

- Won a complete defense verdict in state court in Minnesota in a case involving allegations that a doctor's spinal epidural injection resulted in paraplegia. Prior to trial, the plaintiffs rejected a \$4 million offer of judgment. Following two weeks of testimony, the jury deliberated 11 hours over two days, returning with a unanimous defense verdict.
- Obtained voluntary dismissal of all claims alleging that our client's hospice bed started a fire that killed a palliative care patient and caused his widow to suffer post-traumatic stress disorder.
- Won a unanimous defense verdict for four psychiatric hospital nurses in a two-week medical malpractice trial in Boston involving the tragic death of a child. Despite the fact that one nurse admitted negligence for herself and implicated the other three, WTO lawyers effectively argued that the nurse's negligence did not cause the patient's death and that the other nurses acted appropriately within the scope of their responsibilities.
- Obtained a favorable outcome in a Florida medical malpractice trial involving the death of a 43-year-old man following out-patient hernia surgery. Brought in just a week before trial, the WTO team effectively argued for our client in court, leading the jury to assign primary liability to the patient's family and a non-party surgeon, not to WTO's client. The resulting jury award was less than what our client had offered during trial to settle the case.
- Obtained a favorable settlement for a large excess insurance company in a medical malpractice case involving a permanent disability to a young child resulting from surgery conducted by a doctor who was not board certified.

ARTICLES & PRESENTATIONS

- "Trial Techniques for Every Stage of an Obstetric Malpractice Case," presented at the 11th Annual Advanced Forum on Obstetric Malpractice, Philadelphia, PA (June 18, 2012).