



## Jeffrey Dunn

SHAREHOLDER IN ST. LOUIS, MO

Jeff is an equity shareholder of Sandberg Phoenix, a member of the firm's Executive Committee (since 2017) and former leader of the firm's Health Care Services practice group (2009 - 2017). Jeff's practice is focused on providing practical solutions to the health care industry. The ever-changing healthcare regulatory and business environment has created both risk and opportunity. Jeff's health care clients seek his advice and judgment to successfully navigate these waters.

Throughout his career, Jeff has represented a wide range of health care clients including: nursing homes, assisted living facilities, residential care facilities, group homes and intermediate care facilities for the developmentally disabled, physicians, hospitals, nurse practitioners, allied health professionals and pain management clinics.

Jeff's litigation experience includes the representation of health care providers, product manufacturers and a wide range of businesses.

### **Health Care**

A substantial portion of his practice concentrates on providing solutions and litigation support for the firm's nursing home clients. He has successfully defended nursing home litigation in Missouri, Illinois, Indiana, Iowa and New Mexico and gone before the Illinois Department of Public Health and Missouri Department of Senior Services representing clients in administrative hearings. He has authored comprehensive admission agreements for multi-state nursing home operators and an article on the Illinois Supreme Court's lifting of restrictions on the filing of the lawsuits under the Illinois Nursing Home Care Act. He has also served as National Coordinating Counsel for a multi-state long term care provider.

Throughout his career, Jeff has represented physicians, chiropractors, nurses, pain management clinics, medical laboratories and allied health professionals.

### **Product Manufacturers**

Since joining Sandberg Phoenix in 2001, Jeff has represented numerous consumer product manufacturers in state and federal litigation, focusing on consumer product liability and fire related suits. He has also represented product manufacturers in claims involving factories, dust explosions, television line cords, surge suppressors, extension cords, power saws, premises liability and benzene.

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### **SERVICES**

Commercial Litigation

Fire & Arson Defense

Health Care Regulatory & Compliance

Personal Injury & Tort Defense

Product & Toxic Tort Liability

### **INDUSTRIES**

Consumer Products

Hospitals

Hunting & Sporting Goods

Long-term Care & Senior Living

Physicians & Allied Health Professionals

Recreational Products

Transportation

Jeff serves as national counsel for a consumer product manufacturer, overseeing and managing their litigation across North America.

### **Business**

A portion of Jeff's practice is dedicated managing risk and providing advice for his corporate clients. Jeff provides consulting advice to resolve breach of contract, fraud and collection claims on behalf of his corporate clients.

### **Litigation**

Jeff is actively involved in all aspects of litigation from investigation through trial. He has represented clients in Missouri, Illinois and Iowa state court, as well as federal court in Missouri and Illinois. He has also represented clients in mediations, arbitrations and state and Federal administrative hearings.

### **Core Values Initiative**

In 2013, Jeff initiated the Sandberg Phoenix Core Values Initiative. The campaign codifies and celebrates the 10 "Core Values" that make Sandberg Phoenix great. By weaving our Core Values into every aspect of what we do, our firm is constantly reminded of what is really important. It all begins with Core Value #1: Put People First.

Though the program we award Monthly "Values Champions", help build training programs and outline recruiting objectives to ensure we only hire new team members that live our values.

You can learn more about the initiative and Sandberg Phoenix's Core Values here: <http://www.sandbergphoenix.com/values/>. For a more lighthearted look, enjoy our Values Videos.

## **SUCSESSES**

*Dalbey v. Heartland Regional Medical Center.* Plaintiff sued Heartland Regional Medical Center and an Emergency Department Physician for a failure to diagnose and timely treat an intraparenchymal aneurism. Plaintiff claimed the failure to order appropriate tests and timely perform surgery caused a massive hemorrhagic stroke, rendering plaintiff permanently disabled. Plaintiff's life care planner and economist opined economic damages of nearly \$4 Million. The October 2019 trial lasted nine days. In closing arguments Plaintiff's counsel asked the jury for \$9.1 Million. The jury rendered an 11-1 defense verdict and also found the Emergency Department Physician was not the agent of the hospital. Missouri Lawyer's Weekly ranked the verdict as the #3 "Top Defense Verdict" in Missouri in 2019.

*Menschik v. Heartland Regional Medical Center.* Plaintiff sued Heartland Regional Medical Center and three physicians alleging a failure to diagnose and timely treat an epidural abscess. Plaintiff claimed the failure to order appropriate tests and timely perform surgery rendered plaintiff a functional quadriplegic with significant neurological impairment of all four limbs. Plaintiff's life care plan and economist opined economic damages of nearly \$5 Million. The November 2015 trial lasted eight days. In closing arguments Plaintiff's counsel asked the jury for \$10 Million. Less than two hours after closing, the jury rendered a defense verdict. The verdict ranked as the Missouri Lawyer's Weekly #8 "Top Defense Win" in 2015.

*Schwab v. Rosewood*. This nursing home case was tried in Madison County, Illinois in October 2007. An 82 year-old resident fell and fractured her neck, requiring significant cervical surgery. The resident died five months later. The medical specials associated with the injury were \$175,000. Plaintiff's counsel sought \$1 million in closing argument. After nearly 20 hours of deliberations over the course of three days, the jury rendered a verdict for plaintiff just over \$58,000.

*Welch Products v. Cumberland Engineering*. Two week product liability Jury Trial in the United States District Court for the Eastern District of Missouri (2004) over the explosion of a tire recycling plant.

## **PROFESSIONAL AFFILIATIONS**

Defense Research Institute

Illinois State Bar Association

Madison County Bar Association

Missouri Bar Association

Professional Liability Defense Federation

From 2009 - 2017, Jeff was Practice Group Leader for the firm's health law practice group.

Jeff chaired the Sandberg Phoenix Recruiting Committee for five years and served as the firm's Mentoring Program Chair and Technology Committee Chair. He has also served as a member of the firm's Diversity Committee, Associate Development Board, Summer Associate Committee and numerous additional firm committees and task forces.

Currently, he serves on the firm's Practice Committee, Strategic Planning Committee and Compensation Committee.

Since 2013, Jeff has lead the firm's "Core Values" Committee and Firm Culture Initiative program, focusing on strengthening the firm's culture.

## **EDUCATION**

J.D., Saint Louis University School of Law

Jeff served as President of the Health Law Association and winner of the school's moot court competition. He was also awarded the Dowd Award for Appellate Advocacy.

B.A. with a double major in Speech Communication and Political Science, University of Illinois

## **LICENSURE(S)**

Illinois

Iowa

Missouri

United States District Courts for the Southern District of Illinois

United States District Courts for the Central District of Illinois

United States District Courts for the Eastern District of Missouri

United States District Courts for the Western District of Missouri

## CIVIC ACTIVITIES

### **Lutheran Senior Services**

2019 - Present: Chair

2015 - Present: Board of Directors

### **Concordia Foundation**

2011 - 2014: Board President

2008 - 2014: Board of Directors

**Manor Grove** - A 117 bed not-for-profit, skilled nursing facility in Kirkwood, Missouri

2009 - 2010: Chair of the Strategic Planning Committee

2006 - 2010: Board of Directors

**Voices for Children** - A not-for-profit providing volunteer advocates and legal services for abused and neglected children in the City of St. Louis

2005 - 2014: Board of Directors

2007 - 2011: Executive Committee, General Counsel and Governance Committee  
Chairman

2007 - 2008: Board President

## PRESENTATIONS

Panelist, "Gateway to Success: A Young Lawyer's Guide to Successfully Navigating Your Organization," American Bar Association Young Lawyers Division CLE

"Sorry Seems to be the Hardest Word: Using Effective Contrition Techniques to Mitigate Exposure," 2013 Professional Liability Defense Federation Annual Meeting

"There's an App for That: Effectively Using Technology in a Long Term Care Case," American Conference Institute – 3rd Annual Forum on Preventing and Defending Long Term Care Litigation, Miami, Florida

"Lien on Me: Handling, Reporting and Negotiating the Medicare Lien Maze," St. Louis Paralegal Day, Missouri Athletic Club, St. Louis, Missouri

"HIPAA, Social Media and Assisted Living," Missouri Assisted Living Association Annual Meeting, The Chateau, Branson, Missouri

"Social Media and the Nursing Home Setting," Missouri Health Care Association

Jeff has lectured in several states on topics facing the long-term care industry, including legislative changes, risk management, effective charting, event handling and HIPAA.

He has spoken at Saint Louis University's law school and lectures on the effective use of technology at trial, and recently lectured about the practice of litigation to members of the graduating class.

He also recently presented on the proliferation of the class action lawsuit to a metropolitan legal group.

## **PUBLICATIONS**

Co-author, "The Interlocutory Appeal of Class Certification: Illinois Amends Rule 306," *Illinois State Bar Association Journal* (May 2003)

## **RECENT PRESS**

"With the Future of Federal Law Uncertain, Health Care Law Continues to Grow," *Missouri Lawyers Weekly* (March 20, 2017)

"Stop Anti-Arbitration Rule for Nursing Homes Group Demands in Federal Suit Against HHS," *Bloomberg BNA's Health Law Reporter* (2016)

"CMS Pre-Dispute Arbitration Contract Ban Likely to Garner Compliance, Legal Challenge," *Bloomberg BNA's Health Law Reporter* (2016)

"Rule Barring Arbitration in Nursing Home Contracts Will Face Legal Tests, Lawyers Say," *Law.com* (September 29, 2016)

"Table of Experts: Health Care Partners," *St. Louis Business Journal* (July 15, 2016)

"Table of Experts: Health Care Discussion," *St. Louis Business Journal* (February 11, 2016)

## **RECOGNITION**

2019

MISSOURI LAWYERS WEEKLY

Missouri Lawyers Awards

Top Defense Verdicts. *Dalbey v. Heartland Regional Medical Center*: Missouri Lawyer's Weekly ranked the verdict as the #3 "Top Defense Verdict" in Missouri in 2019

2013-2019

MISSOURI & KANSAS SUPER LAWYER

Super Lawyer

Medical Malpractice

2011-2012

MISSOURI & KANSAS SUPER LAWYER

Rising Star

2006

MISSOURI LAWYERS WEEKLY

Up & Coming Lawyer