



## Laura B. Jordan

Partner

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Laura Jordan is co-chair of the firm's national nursing home litigation team within the Medical Malpractice practice. Laura, a former registered nurse, focuses on the defense of medical malpractice and nursing home litigation in state and federal courts. On behalf of institutions and health care professionals, Laura defends against a range of claims from inception through trial preparation.

Laura represents hospitals, doctors, nurses and allied health professionals in personal injury and wrongful death claims arising from all types of medical and surgical procedures, from plastic surgery to traumatic birth leading to infant neurological impairment. Laura also has handled malpractice cases involving the alleged malfunction or misuse of robotic and other surgical devices. Her representation of nursing homes includes the defense of claims arising from fall accidents, subcutaneous ulcers, and failure to timely transfer to the hospital.

Prior to and during law school, Laura worked for nearly 15 years as an operating room nurse. Her medical knowledge and understanding of hospital operations enables her to quickly gain the client's confidence and uncover key issues in a case that may not be apparent from medical records alone.

Laura regularly presents in-service and continuing education programs to residents, interns and other health care professionals on topics ranging from medical malpractice basics to informed consent. She has developed and participated in mock depositions and cross examinations presented to clients, including a program that is now required viewing by one client's insured doctors in order to renew their policies.

### Education

- Brooklyn Law School (J.D., 1993)

### Services

- Medical Malpractice & Health Care

- Hunter College - City University of New York (B.S., 1987)

### **Bar Admissions**

- New York

### **Court Admissions**

- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York

### **Professional Affiliations**

- American Bar Association
- New York State Bar Association

## **Publications**

December 16, 2020

### **Mandatory COVID-19 Vaccination Programs**

## **Client Wins**

### **Jordan and Hofmann Obtain Partial Summary Judgment in Delayed Caesarian Section Claim with Dramatic Reduction in Demand**

Laura Jordan (Partner-White Plains, NY) and Christopher Hofmann (Associate-White Plains, NY) obtained a Decision and Order from Bronx County Supreme Court granting partial summary judgment in favor of a large New York City hospital. The plaintiff alleged that our client failed to timely perform a caesarean section as necessitated by indications of fetal distress in utero resulting in a hypoxic event and causing infant plaintiff's subsequent cognitive and physical developmental delays and impairments. In moving for summary judgment, Laura and Chris argued, among other things, that there was no objective evidence that the infant-plaintiff suffered a perinatal hypoxic ischemic injury, including hypoxic ischemic encephalopathy, during labor and delivery that caused any alleged neurological injuries or any of the infant-plaintiff's impairments. The motion was supported by the affirmation of an expert Board Certified in Obstetrics and Gynecology and Clinical Genetics with a subspecialty in Maternal Fetal Medicine; the affidavit of another expert Board Certified in Pediatrics, Psychiatry, and Neurology; and the affidavit of an expert Board Certified in Radiology with a special qualification in Neuroradiology. The parties were invited to conduct oral argument before the court, with Chris appearing on behalf of our client. Following the court's partial grant of summary judgment, the plaintiff's counsel dramatically reduced their demand from \$3 million to \$150,000, which is attributed to the breadth and sufficiency of the underlying motion papers.

### **Jordan and Hofmann Successfully Defend Orthopedic Surgeon, Discredit Expert**

Laura Jordan (Partner-White Plains, NY) and Christopher Hofmann (Associate-White Plains, NY) obtained a Decision and Order from Westchester County Supreme Court granting their motion for summary judgment in favor of an orthopedic surgeon and his practice group alleged to have failed to properly perform, supervise, and manage post-operative rehabilitation for a 46-year-old patient following right labrum repair. It was alleged that the premature introduction of certain exercises during physical therapy caused the plaintiff to sustain re-injury to his shoulder requiring further surgery that resulted in residual deficits in strength, range of motion, and functionality. Having performed the initial arthroscopy and labrum repair, our orthopedic surgeon ordered and oversaw the plaintiff's course of post-operative rehabilitation, which included attending physical therapy at the practice group with co-defendant physical therapist who was employed by the practice group. In granting our motion for summary judgment, the court agreed with Laura and Chris that the plaintiff's expert affidavit was insufficient to defeat our motion for summary judgment because it was submitted by a physical therapist who did not and could not include in his affidavit that he had personal knowledge of the standard of care in the field of orthopedic surgery. Because the claims against the orthopedic surgeon sounded in medical malpractice, arising from the patient-physician relationship, they argued that the plaintiff's expert was unqualified to opine as to the applicable standard of care. The court also adopted our argument in reply that since plaintiff's expert was a physical therapist rather than a medical doctor, he was unqualified to opine within a reasonable degree of medical certainty that any deviation was a proximate cause of the injuries. The court's Decision also granted co-defendant's motion for summary judgment, which merely adopted and incorporated by reference the expert submissions and arguments raised by Laura and Chris.