



Marcia L. Pearson

Partner

marcia.pearson@wilsonelser.com

Louisville, KY – 502.736.8918

Nashville, TN

Marcia Pearson maintains a civil litigation practice that includes the defense of for-profit nursing home companies involving their operations in Kentucky. Marcia defends these companies from claims of medical negligence, corporate negligence, violations of Kentucky's long-term care residents' rights statute, wrongful death and punitive damages. She places an emphasis on early dismissal of parties and claims that are not viable under law.

In the employment area, Marcia advises human resources personnel regarding hiring, firing, accommodations, FMLA leave, wage and hour issues, diversity training, employment policies and employee handbooks. She also provides sexual harassment training and assists with internal investigations involving claims of harassment. In addition, Marcia defends employers in claims alleging race, sex, religious, national origin, disability and sexual orientation discrimination and has handled cases involving discrimination claims, retaliation, wrongful discharge, defamation, sexual harassment and collective actions under the Fair Labor Standards Act.

Marcia also handles a range of other personal injury claims and general commercial disputes, including professional malpractice claims and claims involving allegations against life insurance agents and broker-dealers. In addition, her practice is expanding to include the defense of product liability claims.

Marcia places significant emphasis on e-discovery and alternative dispute resolution strategies to achieve successful outcomes for clients. She views her obligations to her clients as extending well beyond the courtroom. Her approach to defending her clients includes efforts to prevent litigation from occurring by collaborating on risk management strategies and balancing business needs with litigation risk. Marcia's familiarity with the business side of the health care industry provides her with the unique ability to offer meaningful pre-litigation counseling and defense of employment claims to health care

Services

- Medical Malpractice & Health Care
- Long-Term Care
- Alternative Dispute Resolution
- e-Discovery
- Employment & Labor
- Life Sciences
- Professional Liability & Services

clients as well as clients in other highly-regulated industries.

Community Involvement

A former board member of Big Brothers Big Sisters of Kentuckiana, Marcia continues to provide this organization with *pro bono* legal advice.

Nursing Home Litigation

Marcia represents owners and operators of long-term care facilities, assisted-living facilities and hospitals located throughout Kentucky and surrounding states in lawsuits that involve allegations of medical negligence, corporate negligence, administrative negligence, inadequate staffing, wrongful death and statutory violations of residents' rights. Marcia also routinely assists her health care clients with internal investigations, regulatory compliance and pre-suit production of medical records.

Employment

In the employment area, Marcia advises human resources personnel regarding hiring, firing, accommodations, FMLA leave, wage and hour issues, diversity training, employment policies and employee handbooks. She also provides sexual harassment training and assists with internal investigations involving claims of harassment. In addition, Marcia defends employers in claims alleging race, sex, religious, national origin, disability and sexual orientation discrimination, and she has handled cases involving discrimination claims, retaliation, wrongful discharge, defamation, sexual harassment and collective actions under the Fair Labor Standards Act.

Professional Liability

Marcia handles professional liability matters involving insurance agents & brokers, medical & health care professionals, lawyers, life agents and broker-dealers.

Education

- University of North Carolina School of Law (J.D., 2003)
 - cum laude
- Franklin College (B.A., 1999)
 - summa cum laude

Bar Admissions

- Kentucky
- Ohio
- Tennessee

Court Admissions

- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Eastern District of Kentucky
- U.S. District Court, Western District of Kentucky

- U.S. District Court, Southern District of Ohio
- U.S. District Court, Middle District of Tennessee
- U.S. District Court, Western District of Tennessee

Professional Affiliations

- American Bar Association
- Kentucky Bar Association
- Louisville Bar Association

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America®*, 2024-2026
- Selected for inclusion in *The Best Lawyers in America® Women in Law*, 2025
- 2023 Lawyer of the Year, Litigation – Health Care, *The Best Lawyers in America®*
- Selected as one of *The Best Lawyers in America®* in Health Care Litigation and Medical Malpractice areas, 2019-2023
- Selected for inclusion in *Kentucky Super Lawyers Rising Stars*, 2015