



## Thomas J. Hurney Jr.

Member

### Charleston Office

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**Thomas J. Hurney, Jr., is a trial lawyer with significant experience in the defense and trial of complex, class action and health care litigation. He practices out of the Firm's office in Charleston, West Virginia.**

Tom Hurney is one of Jackson Kelly's most experienced trial lawyers. Over his forty-one years, he has tried cases to juries ranging from health care, products, and environmental liability, insurance bad faith, and commercial disputes. In recognition of his trial skills and civility, he was inducted as a Fellow of the American College of Trial Lawyers and a member of the American Board of Trial Advocates.

Tom's strength is putting together teams to defend clients, both within Jackson Kelly and with other firms. He currently serves as national litigation counsel for a religious organization and has been admitted *pro hac vice* in cases pending in several states. Significant cases include:

- Summary judgment for a law firm in a legal malpractice case
- Lead trial counsel in class action over water contamination
- A nine-week trial in 2018 representing a religious organization in a sexual abuse case.

Tom has defended utilities in class actions over service interruptions, and a variety of defendants in class and mass tort litigation related to transvaginal mesh and other medical devices, pharmaceuticals, and hospital credentialing. His health care practice includes defending medical liability actions and other health care litigation, including negligent credentialing and privileging, peer review and licensing issues, and administrative investigations.

Tom has a significant appellate practice, appearing in the Supreme Court of West Virginia over thirty-five times. An argument in January 2023 resulted in an opinion affirming dismissal of an action against a hospital in *Katrib v. Thomas Mem'l Hosp. Ass'n*, No. 21-0843, 2023 WL 2643787 (W. Va. Mar. 27, 2023). Other successful oral arguments include upholding a defense arbitration award where state agency claimed \$100M in damages in *W. Virginia Inv. Mgmt. Bd. v. Variable Annuity Life Ins. Co.*, No. 17-0486, 2018 WL 2769058 (W. Va. June 5, 2018), and the defense of the constitutionality of non-economic damage limitations in *MacDonald v. City Hospital, Inc.*, 227 W.Va. 707, 715 S.E.2d 405 (2011). He has also filed amicus briefs for several organizations in a variety of cases. He currently serves as chair of the Appellate Practice Group.

Tom is an accomplished legal writer and frequent national speaker on a wide range of topics. He has written extensively on health care litigation, including three law review articles, and received the Robert L. Ghiz Award for Outstanding Service to the Physician Community of West Virginia in 2014 for his work on legislative reform. This past year, he co-authored a white paper titled "Nonlawyer Investment in the Legal Economy" for the DRI Center for Public Policy.

Tom has always been active in the legal community, serving on the State Bar Board of Governors and on various state and local Bar committees. Most recently, he was appointed by the Chief Justice of the Supreme Court of Appeals of West Virginia to the Civil Rules Committee which studied and recommended amendments to the West

Procedure. On March 29, 2023, the Court held a historic oral argument allowing individuals and groups to appear and present their positions on the proposed Rules. Tom appeared before the Court on behalf of the Committee. The oral presentation is available online here: <http://www.courtswv.gov/supreme-court/calendar/2023/dockets/03-29-23ad.html> (Hurney appears at 3:57:20).

Tom is very active in defense legal organizations. From 2017 to 2018, he was President of the Association of Defense Trial Attorneys (ADTA), a select group of trial lawyers whose membership is limited to one lawyer in any city with population of up to one million people. He served as the 26th President of the Defense Trial Counsel of West Virginia in 2008-2009. A DRI member since 1983, he served on its Board of Directors from 2016-2019 and on DRI's Law Institute, which has oversight over DRI's seminar offerings, from 2021 to 2024. He is currently serving on a Task Force on Attorney Advertising for the DRI Center for Law and Public Policy. He is a member of the International Association of Defense Counsel (IADC) and served on its Trial Academy faculty in 2014, and is a member of the Federation of Insurance and Defense Counsel (FDCC). He is a permanent member of the Fourth Circuit Judicial Conference.

As part of his community, Tom serves on the Board of the Kanawha County Public Library and has been fundraising chair for Legal Aid of West Virginia, among other things. When Tom is away from the office, he enjoys home renovation, music and playing guitar, cooking and grilling, walking, traveling the country, and rooting for the Dayton Flyers.

## Awards

- 2025 Award of Merit, West Virginia Bar Association
- Certificate of Appreciation for Service on the West Virginia Civil Rules Committee, Supreme Court of Appeals of West Virginia, Nov. 20, 2024
- G. Duffield Smith Outstanding Publication Award, DRI (2023), as a co-author of "Nonlawyer Investment in the Legal Economy," published by DRI's **Center for Law and Public Policy** in 2022
- President's Award for Outstanding Service, Association of Defense Trial Attorneys (2020)
- Diplomat Award, Defense Trial Counsel of West Virginia (2017)
- Robert L. Ghiz Award for Service to the West Virginia Physician Community (2014)
- Inaugural "West Virginia Defense Lawyer of the Year," Defense Trial Counsel of West Virginia (2014)
- Dean Francis J. Conte Special Award, University of Dayton School of Law Alumni Association (2011)
- Exceptional Performance Citation, DRI (2008-2009)
- Board of Governors Award, Defense Trial Counsel of West Virginia (for DTC E - List) (2005)
- Certificate of Merit, West Virginia State Bar Young Lawyers Section (1991)
- American Board of Trial Advocates (2010)
- American College of Trial Lawyers, Fellow (2007)
- American Jurisprudence Award, Federal Jurisdiction (1983)
- Comments Editor, University of Dayton Law Review (1982-1983)
- Michael White Service Award, Delta Gamma Omega Fraternity (1980)
- Peer Recognition
  - Benchmark Litigation: Local Litigation Star, 2011-2025
  - Chambers USA, America's Leading Lawyers for Business in Litigation:
    - West Virginia, Litigation - General Commercial (2023-25) (Band 1)
    - West Virginia, Litigation - Healthcare (2005-2022) (Band 1)
    - Litigation: Medical Malpractice Defense (2025) (Band 2)
  - *The Best Lawyers in America*® for Health Care Law, Medical Malpractice Law - Defendants and Personal Injury Litigation - Defendants (2005-2026)
    - Charleston, West Virginia, Lawyer of the Year, Health Care Law (2017)
    - Charleston, Lawyer of the Year, WV Personal Injury Litigation – Defendants, multiple times, including the 2025 edition.
    - Charleston, West Virginia, Lawyer of the Year, Medical Malpractice Law – Defendants (2025)

- West Virginia *Super Lawyers*®, 2007 to 2025 (Class Action and Mass Torts, Personal Injury, Medical Malpractice Defense and Healthcare, Environmental, and Business Litigation)
  - Top 10: West Virginia Super Lawyers: 2008 – 2025 (#1 in 2019 and 2020)
- Martindale-Hubbell: AV Preeminent Rating

## Notable Legal Experience

- Lead trial counsel for water utility in multi-year class action litigation arising from a chemical spill
- National coordinating counsel for religious organization in sexual abuse and defamation cases
- Trial counsel in over thirty medical professional and health care related jury trials
- Defeated class certification in action against physicians arising from use of contaminated steroids
- Successfully argued before the Supreme Court of Appeals of West Virginia to defend constitutionality of non-economic damage limitations, *MacDonald v. City Hospital, Inc.*, 227 W.Va. 707, 715 S.E.2d 405 (2011) and uphold a defense arbitration award where state agency claimed \$100M in damages in *W. Virginia Inv. Mgmt. Bd. v. Variable Annuity Life Ins. Co.*, No. 17-0486, 2018 WL 2769058 (W. Va. June 5, 2018)

## Work History

- Jackson Kelly PLLC (1983-Present)
- Jackson, Kelly, Holt & O'Farrell, Summer Associate (1982)
- Anderson, Quinn, Wyland, Yost & Scanlin, Washington, D.C., Summer Clerk (1981)

## Practices

- Appellate
- Class Action & Complex Litigation
- Commercial Litigation
- Appellate
- Health Care Litigation
- Litigation
- Medical Device
- Medical Malpractice
- Pharmaceutical
- Product Liability Litigation
- Professional Liability, Errors & Omissions

## Industries

- Energy
- Health Care
- Manufacturing
- Mining
- Utilities
- Cannabis Law

## Education

- University of Dayton School of Law (OH) (J.D., *cum laude*, 1983)
- University of Dayton (OH) (B.S., 1980)

## Admissions

- West Virginia (1983)
- Supreme Court of the United States (1991)
- U.S. District Court, Northern District of West Virginia (1990)
- U.S. Court of Appeals, Fourth Circuit (1986)
- U.S. District Court, Southern District of West Virginia (1983)

## Professional Organizations

- Board Member, National Foundation for Judicial Excellence (2025-28)
- West Virginia Civil Rules Committee (2019-2024) (Appointed by Supreme Court of Appeals of West Virginia to committee tasked with recommending amendments to the Rules of Civil Procedure which were adopted by order dated January 31, 2024, [here](#))
- Product Liability Advisory Council (PLAC) (Member 2024-present)
  - Third Party Litigation Funding Task Force (2025-)
- American Civil Trial Bar Roundtable, ADTA Representative (2015-2018)
- American College of Trial Lawyers
  - Fellow (2007)
  - Judiciary Committee, Member (2007-2012)
  - West Virginia State Committee
    - Member (2009-2015); (2019-Present)
    - State Chair (2012-2015)
- American Board of Trial Advocates, Advocate (2010)
  - President, West Virginia Chapter (2020-25)
- Litigation Counsel of America, Fellow (2017)
- Association of Defense Trial Attorneys (ADTA)
  - President (2017-2018)
  - President-Elect (2016-2017)
  - Vice President (April 2015-2016)
  - Secretary (April 2012-2015)
  - Executive Council (2009-2012)
  - Marketing Committee (2007-2012)
  - National Issues Committee (2007-2012)
  - Annual Meeting Committee (2014-Present)
  - Vice Chair, Heritage Committee (2022-Present)
  - Annual Memorials (2021 to present)
  - Member (1992)
- Association of Defense Trial Attorneys Foundation (ADTAF)
  - President (2019-2020)
  - Past President (2020-2021)
- DRI
  - Law Institute (2021-Present)
  - Sexual Torts Seminar, Chair, Indianapolis, IND (2023)
  - Board of Directors (2016-2019)
  - Complex Medicine Seminar, Co-Chair, San Diego, CA (2008)
  - Audit Committee (2020-2023)
  - Medical Liability and Health Care Law Annual Seminar Steering Committee, Member (2008-Present)

- Committees: Appellate Advocacy, Medical Liability and Health Care Law, Drug & Medical Device, Litigation Skills
  - The Center for Law and Public Policy
    - Economics of Law Subcommittee, Member (2022-Present)
- Federation of Defense and Corporate Counsel (FDCC), Member (2017)
- International Association of Defense Counsel (IADC), Member (2004)
  - Trial Academy Faculty (2014)
  - Medical Liability Committee
- Defense Trial Counsel of West Virginia
  - Member (1984-Present)
  - 26th President (2008-2009)
  - Board of Governors (2000-2006)
- American Bar Foundation, Fellow (2013)
- West Virginia Bar Foundation, Fellow (2013)
- Fourth Circuit Judicial Conference, Permanent Member
- American Bar Association
  - Sections on Litigation, Health Law, Tort and Insurance
  - Medicine and Law Committee
- West Virginia State Bar
  - Board of Governors District 8 (Kanawha County), Representative (2002-2005)
  - Continuing Legal Education Committee, Chair (1999-2002)
  - Annual Litigation Seminar, Canaan Valley, West Virginia, Chair (1995-2016)
  - Pro Hac Vice Committee, Chair (2004-2006)
  - Judicial Improvement, Law & Medicine Committee, Member
  - Supreme Court Committee on Administrative Appeals Rules (2005-2006)
- Project TEACH (1992)
- Kanawha County Bar Association, Executive Committee (2001-2004)
- West Virginia Bar Association, Member
- WVU School of Medicine, Adjunct Assistant Professor (1995-Present)
- St. Thomas More Catholic Lawyers' Society
- Special Counsel to Attorney General of Ohio, July 2003-04

## Speaking Engagements & Publications

### Speaking Engagements

- Presenter, Memorials for Departed Members, Association of Defense Trial Attorneys Annual Meetings, Yearly since 2020
- Presenter, Ethical Issues and Executive Orders Targeting Law Firms, The West Virginia Bar Association Annual Meeting, The Greenbrier, White Sulphur Springs, West Virginia, August 8, 2025.
- Moderator (with Caroline Massie, Robert L. Massie and Lindsey M. Saad), "Leadership, What Does it Look Like Now? A Four Generation Conversation," Defense Trial Counsel of West Virginia Annual Meeting, Oglebay Park, West Virginia, June 13, 2025.
- Panelist (with Marta Schnabel, New Orleans, La., and Susan Gunter, Toronto, Ontario): Outsmarting Logan Roy: Lessons in Succession Planning, DRI 2025 Law Firm Leaders and Managing Partners Conference, June 5, 2025, Chicago, Ill.
- Presenter, To Try or Not to Try? Evaluating MPLA Cases for Trial, West Virginia Society of Healthcare Risk Managers, Bridgeport, West Virginia, May 8, 2025

- Presenter (with Grace E. Hurney), Leadership, What Does it Look Like Now?, Association of Defense Trial Attorneys Annual Meeting, Lexington, KY, April 25 2025
- Presenter, My Grandma Was a Lawyer: The Life of Lorraine Wall Hurney, Defense Trial Counsel of West Virginia "For Women, By Women" Seminar, Stonewall Jackson Resort, Roanoke, West Virginia March 6-7, 2025
- Panel Member, Significant Decisions of the 2023 Term of the Supreme Court of the United States, West Virginia University Health System CLE presentation, Morgantown, West Virginia, August 27, 2024 (analyzed the "Social Media," "Trump," and Emergency Stay dockets)
- Courtwatch Panel Member, "An Overview of 2023-24 WV Appellate Court Decisions," West Virginia Chamber of Commerce Annual Business Summit, The Greenbrier, White Sulphur Springs, West Virginia, Aug. 28, 2024
- Presenter, "Investment in the American Judicial System: Non-Attorney Ownership of Law Firms and Third-Party Litigation Funding," National Association of Mutual Insurance Companies (NAMIC) General Counsel Connect Meeting, Chicago, Illinois (August 14, 2024)
- Presenter, Inflection Points, Common Threads and Luck: Lawyers and Leadership, West Virginia Bar Association Annual Meeting, Stonewall Resort, July 12, 2024
- Presentations as member of the West Virginia Civil Rules Committee on Amendments to the West Virginia Rules of Civil Procedure, effective January 1, 2025
  - Presentations to Jackson Kelly PLLC and other law firms
  - West Virginia Judicial Association, Bridgeport, W. Va., June 28, 2024
  - Defense Trial Counsel of West Virginia Annual Meeting, Myrtle Beach, W.Va., June 11, 2024
  - Annual Meeting of the West Virginia Association for Justice, Charleston, W. Va. June 6, 2024
  - West Virginia State Bar Regional Meetings in Charleston, Sept. 12, 2024, Parkersburg, Nov. 7, 2024, and Wheeling, Nov. 8, 2024.
  - Supreme Court of Appeals Webinar, November 20, 2024
- Panel Member, Effective Use of Medical Literature in the Modern Medical Malpractice Case, DRI Medical Liability and Health Care Law Seminar, Feb 28, 2024 (with Whitney Burkett, Andrew DeSimone and Phil Willman)
- Presentation with Ricardo A. Woods, Mobile, AL, Communication Skills for Leaders, 2023 DRI Leadership Conference, San Antonio, Texas, October 28, 2023
- "Playing in the Sandbox: The Alternative Business Structure Movement": Panel Presentations with Marta Schnabel, New Orleans, Louisiana, and Susan Gunter, Toronto, Canada
  - Association of Defense Trial Attorneys, Online CLE Presentation, September 7, 2023.
  - DRI, Webinar Presentation, March 23, 2023
  - DRI, 2022 Professional Liability Seminar, New York, New York, Dec. 8-9, 2022
  - DRI, 2022 Law Firm Leaders and Managing Partners Conference, San Diego, California, Nov. 1-2, 2022
- Panelist, Nuclear Verdicts, 41st Annual Meeting, Defense Trial Counsel of West Virginia, Stonewall Resort, West Virginia, June 19, 2023
- Presenter, Five Things, JK Summer Clerk Orientation, June 6, 2023
- Interview, Celebrating 20 Years – Tom and Grace Hurney, Legal Aid of West Virginia (Nov. 4, 2022) (Interview [here](#)).
- Co-presenter with Marc Williams and Zak Ritchie, "Appellate Advocacy," Legal Aid of West Virginia, Annual Lawyer Conference, Glade Springs, West Virginia, Sept. 29, 2022
- Remote Presentation, "Top Five Recent MPLA Decisions," Defense Trial Counsel of West Virginia, Medical Liability Committee, Sept. 16, 2022
- Courtwatch Panel Member, "An Overview of WV Supreme Court Decisions," West Virginia Chamber of Commerce Annual Business Summit, The Greenbrier, White Sulphur Springs, West Virginia, Aug. 30, 2022-Sept. 2, 2022
- Presenter, Conducting Effective Depositions in Habeas Cases, West Virginia Public Defender Services, February 25, 2022 (via Zoom)



- Panelist, "Not All Evidence Is Equal. What Sort of 'Evidentiary Proof' Will Satisfy Rule 23?," 2022 IADC Mid-Year Meeting, Scottsdale, Arizona, Feb. 20, 2022 (On Demand offering; paper available [here](#))
- Panelist, "Ethics in the Real World - How the 'Fourth Party' Affects Mediation Ethics," ABA Dispute Resolution Section, 18th Annual Advanced Mediation & Advocacy Skills Institute, Mediation Beyond Boundaries: Competencies & Ethics in a Digital World, Virtual Meeting, Nov. 5, 2021
- Interview, Appealing to Win – A Q&A with Appellate Advocates, The West Virginia Lawyer 38 (Winter 2021-2022)([Article available here](#))
- Courtwatch Panel Member, "An Overview of WV Supreme Court Decisions," West Virginia Chamber of Commerce Annual Business Summit, The Greenbrier, White Sulphur Springs, West Virginia, Sept. 1, 2021
- Speaker (with Monte Williams), "The Monte & Tom Show: Diversity, Inclusion, Being Curious & Doing the Right Thing," Association of Defense Trial Attorneys, Remote CLE, March 18, 2021
- Courtwatch Panel Member, "The Impact of the West Virginia Supreme Court of Appeals on Our State's Economy," West Virginia Chamber of Commerce Virtual Annual Meeting, Nov. 19, 2020
- Speaker (with Marc Williams), "Emergencies, Remoteness and Don't Do That," Defense Trial Counsel of West Virginia Virtual Annual Meeting, May 14, 2020
- Speaker, "2018-19 Supreme Court of Appeals of West Virginia Review," West Virginia Mutual Insurance Co. Annual Defense Counsel Meeting, Charleston, West Virginia, Nov. 6, 2019
- Panel Member (with Tojya Kelly, Mary T. Novacheck and Timothy Pratt), "Recent Developments in Federal Rules and 30(b)(6)," 2019 FDCC Counsel Corporate Counsel Symposium, Philadelphia, Pennsylvania, Sept. 23, 2019
- Panel Member, "Transparent Management: A Key to Hiring and Keeping Lawyers in These Changing Times," DRI - the Voice of the Defense Bar Annual Managing Partners and Law Firm Leaders Conference, Denver, Colorado, Sept. 5, 2019
- Courtwatch Panel Member, "An Overview of WV Supreme Court Decisions," West Virginia Chamber of Commerce Annual Business Summit, The Greenbrier, White Sulphur Springs, West Virginia, Aug. 28, 2019
- Presenter, "Practicing Law in the Age of Big Data," Arkansas Association of Defense Counsel 2019 Annual Meeting, Fayetteville, Arkansas, Aug. 2-3, 2019
- Presenter, "Practicing Law in the Age of Big Data," Washington Defense Lawyers Association 2019 Annual Meeting and Convention, Cle Elum, Washington, July 18-21, 2019
- Presenter with Haley Robb, "General and Specific Personal Jurisdiction," Jackson Kelly PLLC Litigation Training, Charleston, West Virginia, June 24, 2019
- Panel Member, Ethical Issues in Drug & Device Litigation: "Ex Parte Contact with Treating Physicians," DRI 2019 Drug and Medical Device Seminar, Washington, District of Columbia, May 17, 2019 (with Janet H. Kwon, Reed Smith, Los Angeles, California, and Christopher Loder, Bayer Corporation, Whippany, New Jersey)
- Interview, DRI "A Conversation With..." Podcast Series, April 10, 2019. (Listen to the podcast [here](#))
- Panelist, "Litigation Skills Workshop: Challenging Life Care Planning Experts," DRI Medical Liability and Health Care Law Annual Seminar, Nashville, Tennessee, March 20, 2019
- Presenter with Al Sebok, "Depositions III: Rule 30(b)(6)-(7) Depositions," Jackson Kelly PLLC Litigation Training, Charleston, West Virginia, March 19, 2019
- Speaker with Robby J. Aliff, "Defending Depositions: Holiday Edition," Jackson Kelly PLLC Litigation Training, Charleston, West Virginia, Dec. 5, 2018
- Speaker, "2017-18 Supreme Court of Appeals of West Virginia Review," West Virginia Mutual Insurance Co. Annual Defense Counsel Meeting, Charleston, West Virginia, Oct. 30, 2018
- Panel Member, "Generational Changes in the Practice of Law," University of Dayton School of Law, Dayton, Ohio, Sept. 15, 2018
- Speaker with Robby J. Aliff, "Taking Depositions," Jackson Kelly PLLC Litigation Training, Charleston, West Virginia, Sept. 12, 2018
- Panel Member and Co-author, Law Firm Culture: It Matters!, DRI Law Firm Leader and Managing Partner Seminar, Chicago, Illinois, Sept. 7, 2018

- Courtwatch Panel Member, "An Overview of WV Supreme Court Decisions," West Virginia Chamber of Commerce Annual Business Summit, The Greenbrier, White Sulphur Springs, West Virginia, Aug. 29, 2018
- Speaker with Emily Coughlin (Boston, MA), "Big Data & You: Practicing Law in the Age of Unlimited Information," Defense Lawyers' Association of Wyoming, Sheridan, Wyoming, Aug. 9-10, 2018
- Panel Member, "Contribution and Indemnity, the Empty Chair, and Verdict Forms after W.Va. Code §§ 55-7-13a to 13d," Defense Trial Counsel of West Virginia Annual Meeting, Stonewall Jackson Resort, Roanoke, West Virginia, May 16-18, 2018
- Speaker, Closing Arguments, IADC "How To" Series, July 21, 2017 (On YouTube at <https://www.youtube.com/watch?v=Dr5Mv8vd42A>)
- Panel Member and Co-author, "How to De-Bunk and Explain Plaintiff's Voodoo Economics to Juries in Catastrophic Injury Cases," International Association of Defense Counsel Annual Meeting, Quebec City, Quebec, Canada, July 11, 2017" ([https://www.iadclaw.org/assets/1/7/7.1-\\_Miller-\\_Final\\_IADC\\_Annual\\_Meeting\\_Paper.pdf](https://www.iadclaw.org/assets/1/7/7.1-_Miller-_Final_IADC_Annual_Meeting_Paper.pdf))
- Panel Member, "Advanced Trial Tactics," Association of Defense Trial Attorneys, Annual Meeting, Nashville, Tennessee, April 20, 2017
- Speaker, "A Tribute to Lorraine Wall Hurney," FDCC Women's Forum, Charleston, South Carolina, March 5, 2017
- Speaker, "Defending Against Life Care Plans," DRI Medical Liability and Health Care Seminar, Las Vegas, Nevada, March 2-3, 2017
- Speaker, "Litigating Cases in the Spotlight," DRI Women in the Law Seminar, Scottsdale, Arizona, Feb. 1-3, 2017
- Panelist, "Using Voluntary Bar Associations to Grow Your Practice," Defense Trial Counsel of West Virginia Annual Meeting, Myrtle Beach, South Carolina, June 13, 2016
- Faculty, DRI Deposition Institute, Chicago, Illinois, 2015-2017
- Speaker, "Big Data & You: Practicing Law in the Age of Unlimited Information," West Virginia State Bar Annual Conference and Meeting, The Greenbrier, White Sulphur Springs, West Virginia, April 4, 2016
- Speaker, "Defending Inflated Life Care Plans," International Association of Defense Counsel Mid-Year Meeting, Pebble Beach, California, Feb. 23, 2016
- Speaker, "Big Data II," West Virginia Society of Certified Public Accountants Legislative Conference, Charleston, West Virginia, Jan. 25, 2016
- Annual Presentation (with Marc Williams, Huntington, W.Va.), Review of Decisions of the Supreme Court of Appeals of West Virginia, West Virginia Chamber of Commerce Annual Meeting and Business Summit, The Greenbrier, White Sulphur Springs, West Virginia, 2013-2017
- Co-Presenter (with Tammy Welch, WV Mutual Insurance Company), Medical Malpractice Institute, National Association of Paralegals, 40th Annual Convention, Tulsa, Oklahoma, July 22-24, 2015
- Speaker, "Medical Liability Reform in 2015," Defense Trial Counsel of West Virginia Annual Meeting, Oglebay Park, Wheeling, West Virginia, June 18, 2015
- Speaker, "Big Data," West Virginia Society of Certified Public Accountants Annual Meeting, The Greenbrier, White Sulphur Springs, West Virginia, June 17, 2015
- Speaker, "Product Misuse and the Internet," DRI Product Liability Conference, Las Vegas, Nevada, Feb. 4, 2015
- Presentation with Christopher Parkerson (Boston, Massachusetts), Closing Arguments, International Association of Defense Counsel Trial Academy, Stanford, California, July 30, 2014
- Faculty, 42nd Annual Trial Academy, International Association of Defense Counsel, Stanford, California, July 26-Aug. 1, 2014
- Speaker, "The Good News Blues: Cross of the Shaky but Admissible Expert," Association of Defense Trial Attorneys, Annual Meeting, Vancouver, B.C., April 23, 2014
- Speaker, Jury Selection, Utah Defense Lawyers' Association, Annual Meeting, Salt Lake City, Utah, May 8, 2014 (DRI sponsored)
- Various presentations to Jackson Kelly PLLC Litigation A Practice Group (Young Lawyers) on trial practice, discovery and case handling, business development and ethics (2010-2014)



- Panelist & Speaker, "Just Do It: Training Young Lawyers," Association of Defense Trial Attorneys, Annual Meeting, The Greenbrier, White Sulphur Springs, West Virginia, April 23, 2013
- Speaker, "Danger Will Robinson! Discovery Sanctions under Rule 26(b)," West Virginia Continuing Legal Education, Annual Litigation Seminar, Canaan Valley, West Virginia, Feb. 22-23, 2013
- Speaker (with Marc Williams, Huntington, W.Va.), "Climbing Out of the Hellhole: Litigation Reforms in West Virginia," Defense Trial Counsel of West Virginia Annual Meeting, Myrtle Beach, South Carolina, June 9-12, 2013
- Speaker, "Great Work Product," JK Summer Clerk Orientation, June 5, 2013
- Speaker, "Medical Professional Liability Year in Review," West Virginia CLE, Annual Health Law Seminar, 2010-14
- Panelist, "Do's and Don'ts of Discovery" (with Judge Louis Bloom and Nick Casey), West Virginia Bar Association Young Lawyers "Legal Ease" Conference, Edgewood Country Club, Nov., 21, 2012 ([http://wvbarassociation.org/assets/pdf/communique/WVBARJune13\\_ONLINE.pdf](http://wvbarassociation.org/assets/pdf/communique/WVBARJune13_ONLINE.pdf))
- Interview, In the Footsteps of Big Grandma, West Virginia Super Lawyers Magazine (June 15, 2012) (Interview [here](#)).
- Speaker, "Effective Use of Medical Literature," Defense Trial Counsel Annual Meeting, The Greenbrier, White Sulphur Springs, West Virginia, June 14, 2012
- Speaker, "The Fabric of a Trial: Wearing the Tapestry from Voir Dire Through Examination to Final Argument," DRI Trial Tactics Seminar, Las Vegas, Nevada, March 2012
- Speaker, "Effective Presentation of the Standard of Care, 28th Annual Conference on Obstetrics, Gynecology, Perinatal Medicine, Neonatology and the Law, Boston University School of Medicine, Costa Rica, Jan. 2012
- Speaker, "Punitive Damages," Edison Electric Institute 2011 Claims Committee Meeting, Sept. 18-21, 2011, Santa Fe, New Mexico
- Speaker, "Telling Stories: Closing Arguments and the Talking Frog," Iowa Defense Counsel Association Annual Meeting, Sept. 16, 2011, Des Moines, Iowa (DRI sponsored)
- Webinar Panelist (with Ed Birk, Jacksonville, FLA), "Deposing the Plaintiff," Association of Defense Trial Attorneys Webinar Series, Aug. 17, 2011
- Speaker, "Telling the Story in the Closing Argument," 2011 West Virginia State Bar Annual Meeting, Charleston, West Virginia, April 18, 2011
- Speaker, "Health Law and Litigation," West Virginia Medical Group Management Association Spring Conference, March 11, 2011
- Co-presenter, "The Latest on Jury Selection," Alabama Defense Lawyers Association, Sandestin Beach Resort, Florida June 17-20, 2010 (with Randall Sellers, Birmingham, Ala.)
- Speaker, "Getting It In: The Fundamentals of Admitting Evidence," Young Lawyers, Eden Roc Hotel, Miami Beach, Florida, June 17, 2010
- Speaker, "Defending Negligent Credentialing and Privileging Claims," DRI Medical Liability & Health Care Seminar, Arizona Biltmore, Phoenix, Arizona, Feb. 11-12, 2010
- Guest, "Talkline," Subject: Judicial Selection, Sept. 24, 2009
- Appearance as Representative of Defense Trial Counsel of West Virginia, Public Hearing, Governors' Independent Commission Judicial Reform, West Virginia University College of Law, Morgantown, West Virginia, Sept. 21, 2009
- Speaker, "Telling Your Client's Story from the Answer to the Closing Argument," Tri-State Defense Lawyers Annual Meeting, Portsmouth, New Hampshire, Sept. 12, 2009 (DRI sponsored)
- Speaker, "Telling Your Story: Direct and Cross Examination," West Virginia State Bar Annual Meeting, Oglebay Park, Wheeling, West Virginia, April 25, 2009
- Speaker, "Preemption, Shack, ADTA and the Talking Frog," ADTA Annual Meeting, Phoenix, Arizona, April 19, 2009
- Speaker, "The Law of Expert Witnesses in West Virginia," West Virginia University/CLE Annual Litigation Seminar, Canaan Valley, West Virginia, Feb. 6-7, 2009
- Hearing on Judicial Selection, Appearance as Representative of West Virginia Bar Association Judicial Improvement Committee and Defense Trial Counsel of West Virginia President, Joint Interim Session House and Senate Judiciary Committees, West Virginia Legislature, Charleston, West Virginia, Dec. 7, 2008

- Speaker (with Randy Sellers, Birmingham, Alabama), "Techniques for Jury Selection and Use of Jury Questionnaires," IADC 2008 Annual Meeting, The Greenbrier, White Sulphur Springs, West Virginia, July 5, 2008
- Panel Member, "Issues Facing the West Virginia Bar," West Virginia Association for Justice Annual Meeting, Charleston Marriott, Charleston, West Virginia, June 12, 2008 (invited panelist as President, Defense Trial Counsel of West Virginia)
- Commencement Speaker, St. Agnes Middle School, June 3, 2008 (final graduating class upon closing of Middle School)
- Panel Member, "Issues for Paralegals," Defense Trial Counsel of West Virginia Annual Meeting, Glade Springs, West Virginia, May 16, 2008
- Panel Member, "Long Range Planning for SLDO's," DRI Central Regional Meeting, Ritz-Carlton Hotel, Cleveland, Ohio, April 25, 2008
- Speaker, "National Issues," Association of Defense Trial Attorneys Annual Meeting, Charleston, South Carolina, April 11, 2008
- Speech and Paper, "Medical Professional Liability Review," and "On the Docket," West Virginia Mutual Insurance Company, Defense Panel Forum, Charleston, West Virginia, Nov. 15, 2007
- Faculty, "Opening and Closing Statements," Defense Trial Counsel of West Virginia Trial Academy, Jackson Kelly Conference Center, Sept. 15, 2007
- Presentation, "Review of Current Decisions of the Supreme Court of Appeals of West Virginia," Jackson Kelly General Counsel Summit, Cheat Mountain Club, Sept. 14, 2007
- Panelist, "Trends in the Court and Their Impact on West Virginia Physicians and the Care They Deliver," West Virginia State Medical Association Annual Meeting, The Greenbrier, White Sulphur Springs, West Virginia, Aug. 25, 2007
- Speech and Paper, "Judicial Disqualification and Other Impossible Positions for Defense Lawyers," ADTA Annual Meeting, San Diego, California, April 19, 2007
- Panel Member, "Defending Birth Injury Cases from the Pros," Birth Injury Blockbuster Program, DRI Medical Liability Seminar, Atlanta, Georgia, March 7-9, 2007 (Neonatal Issues)
- Speaker, "Physician Testimony," Berry Hills Country Club, Charleston, West Virginia, Feb. 13, 2007, sponsored by Thomas Hospital Foundation and West Virginia Mutual Insurance Company (with Judith A. Davis, Director of Risk, WVMIC)
- Speaker, "Sequestration of Witnesses," Bailey & Wyant PLLC Firm Retreat, Summit Conference Center, Charleston, West Virginia, June 9, 2006
- Co-chair, West Virginia Continuing Legal Education Mountaineer Series, "Evidence," Morgantown, West Virginia, 2004-2006
- Moderator, Bench & Bar Meeting: Circuit Court of Kanawha County Judges, Charleston, West Virginia, Oct. 18, 2005
- Mock Trial Presentations, Constitution Day, St. Agnes Middle School, Sept. 17, 2005
- Panelist, "Expertise for Experts: Practical Pearls," International Association of Defense Counsel (IADC) 2005 Midyear Meeting, Westin Reo Mar, San Juan, Puerto Rico, Feb. 15, 2005 (panel discussion and presentation on cross examination of expert witnesses)
- Speech and Paper, "2004 Medical Professional Liability Review," West Virginia University/CLE Annual Litigation Seminar, Canaan Valley, West Virginia, Feb. 4-5, 2005
- Panel Member, "The Kessel Case: Are Exclusive Contracts Dead in West Virginia Hospitals?," West Virginia Hospital Association, Charleston, West Virginia, Nov. 10, 2004
- Moderator, Debate on the Patriot Act, Kanawha County Bar Association, Charleston, West Virginia, May 20, 2004
- Presentation, "Civil Justice Reform in West Virginia," DRI Central Region Meeting, The Greenbrier, White Sulphur Springs, West Virginia, May 1, 2004
- Moderator, Bench & Bar Meeting: Supreme Court Candidates Forum, Joint Meeting of Kanawha County and West Virginia Bar Association, Charleston, West Virginia, March 18, 2004

- Interviewed for Article, "Steering Clear of Malpractice Problems in Residency," American College of Physicians Observer, Sept. 2003
- Speech and Paper (with Gretchen M. Callas), "Dealing with the Peer Review Privilege in West Virginia and Virginia," Joint Meeting of the West Virginia and Virginia Bar Associations, The Greenbrier, White Sulphur Springs, West Virginia, July 11, 2003
- Panelist, "Is There A Medical Malpractice Crisis in West Virginia?," Hugh O'Brien Youth Leadership, West Virginia Leadership Seminar, Charleston, West Virginia, May 16, 2003
- Presentation (with David J. Romano, Clarksburg, West Virginia) and Paper, "Attorney Client Privilege and Work Product in Third Party Bad Faith Actions in West Virginia," West Virginia State Judicial Association Annual Conference, Snowshoe Resort Mountain, West Virginia, May 8, 2003
- Speech, "West Virginia's New Medical Professional Liability Amendments: HB 2122," Southern West Virginia Chapter of AALNC, Charleston, West Virginia, May 1, 2003
- Speech, "Dealing with Settlement Pressure," MAWV West Virginia Defense Attorney Workshop, Charleston, West Virginia, April 11, 2003
- Moderator, Panel Discussion of Kanawha County Judges, Kanawha County Bar Association Meeting, Charleston, West Virginia, March 20, 2003
- Panelist, Medical Professional Liability Issues, Kanawha County Bar Association, Charleston, West Virginia, Feb. 13, 2003
- Speech, "Strange Cases, Rules and Other Secret Stuff I Learned By Accident," Farrell Law Firm Annual Retreat, White Sulphur Springs, West Virginia, Nov. 8, 2002
- Testimony as Representative of Defense Trial Counsel of West Virginia regarding changes in West Virginia's Wrongful Death Statute, Joint Judiciary Subcommittee B, June 14, 2002
- Speech and Outline, "Documentation and Charting for the Future," Lorman Education Services, Charleston, West Virginia, Feb. 6, 2002
- Speech, "HB 601 and the Status of Tort Reform in West Virginia," Defense Trial Counsel of West Virginia, Student Chapter, Morgantown, West Virginia, Oct. 18, 2002
- Panelist, Medical Malpractice Tort Reform Colloquium, West Virginia University College of Law, Morgantown, West Virginia, Oct. 16, 2002
- Speech, "Accountability," Capital Area Radiologic Technologist's Fall Seminar, South Charleston, West Virginia, Sept. 28, 2002
- Speech and Paper, "A Review of the 2001 Medical Liability Enactments (HB 601)," 2002 Defense Trial Counsel of West Virginia Annual Meeting, Lakeview Resort, Morgantown, West Virginia, May 31, 2002
- Panelist, "Is There a Medical Malpractice Crisis in West Virginia?," 2002 Hugh O'Brien Youth Foundation Seminar, Charleston, West Virginia, May 17, 2002
- Speech and Paper, "2001 Medical Professional Liability Reforms: An Overview," West Virginia University/CLE Annual Litigation Seminar, Canaan Valley, West Virginia, Feb. 8-9, 2002
- Guest, "Talkline," Subject: "Medical Malpractice Crisis." Oct. 16, 2001
- Speech, "Do's and Don'ts of Documentation," Thomas Hospital 12th Annual Patient Care Symposium, Charleston, West Virginia, Oct. 10-11, 2001
- Guest Lecture, "Medical Professional Liability," Masters of Legal Studies Program, West Virginia University, Charleston, West Virginia, Oct. 15, 2001
- Co-chair, WVU/CLE Mountaineer Series, "Litigation," Morgantown, West Virginia, Oct. 5, 2001
- Speech, "Medical Records in Litigation," West Virginia University School of Medicine Pediatric Residents, Charleston, West Virginia, Jan. 2001
- Speech, "Documentation and Communication: The Medical Record in Litigation," Capital Area Radiologic Technologist's Winter Seminar 2001, Charleston, West Virginia, Feb. 2001

- Speech, "Deliberate Intention Litigation and Medical Monitoring," Jackson & Kelly PLLC Client Seminar, Charleston, West Virginia, Nov. 16, 2000
- Speech, "Healthcare Issues 2000 - Documentation Workshop," Thomas Memorial Hospital Workshop, Charleston, West Virginia, Nov. 8-9, 2000
- Co-chair, WVU/CLE Mountaineer Series, "Civil Discovery," Morgantown, West Virginia, Sept. 15-16, 2000
- Speech and Paper, "Medical Professional Liability," West Virginia University/CLE Annual Litigation Seminar, Canaan Valley, West Virginia, Jan. 22-23, 1999
- Workshop, "Medical Professional Liability," New River Family Health Center, Daniels, West Virginia, Jan. 1999
- Speech, "Legal Issues for the Elderly," Thomas Memorial Hospital/PsyCare Mountain Retreat, Snowshoe, West Virginia, Oct. 1998
- Workshop, "Legal Issues and Confidentiality Concerns," WV Health Information Management Association, Semi-Annual Meeting, Glade Springs Resort, Daniels, West Virginia, May 1998
- Workshop, "Medical Professional Liability," WVU Family Practice Residency Program, Charleston, West Virginia, March 1998
- Panelist, "Medical Records in Litigation," WV State Bar Annual Meeting, Charleston, West Virginia, May 1997
- Speech and Paper, "Release of Mental Health Patient Records," Medical Education Services Seminar, Charleston, West Virginia, Nov. 1996
- Panel Member, "A Bench and Bar Discussion on Practice Before the United States District Court for the Southern District of West Virginia," WVU/CLE, Morgantown, West Virginia, Sept. 1996
- Co-chairman, WV CLE "Law and Medicine Seminar," Morgantown, West Virginia, Sept. 1996
- Speech, "Current Legal Issues for Social Workers in West Virginia," National Association of Social Workers, WV Chapter, Annual Meeting, Charleston, West Virginia, 1992, 1993, 1994, 1996, 1997, 1998, 1999
- Speech and Panel Presentation, "Liability Concerns for Social Workers," University of Charleston, Charleston, West Virginia, 1995
- Speech, "Medical Malpractice," West Virginia Association of Physician's Assistants, Spring Conference, South Charleston, West Virginia, March 30, 1995
- Speech, "Medical Malpractice and Insurance Bad Faith," Mutual Assurance Lawyers' Conference, Birmingham, Alabama, Oct. 1994
- Speech and Paper, "What *Morris v. Consol* Means To You," Jackson & Kelly Seminar, University of Charleston, Charleston, West Virginia, Sept. 1994
- Speech and Paper, "Confidentiality of Medical Records in West Virginia," WV State Bar Annual Litigation Seminar, Canaan Valley, West Virginia, Feb. 1994
- Speech and Paper, "F frivolous Litigation in West Virginia," Lorman Business Center Seminar, Charleston, West Virginia, March 1992, April 1993
- Speech and Paper, "Medical Malpractice in West Virginia," Jackson & Kelly Client Seminar, "Health Care in the 90's," Morgantown, Martinsburg & Charleston, West Virginia, April 1992
- Speech and Paper, "Medical Malpractice in West Virginia," WV State Bar Annual Meeting, Morgantown, West Virginia, May 1992
- Speech and Paper, "Mandolitis Litigation Today," West Virginia State Bar Annual Litigation Seminar, Canaan Valley, West Virginia, Feb. 1992
- Speech and Paper, "F frivolous Litigation in Ohio," Lorman Business Center Seminar, Cincinnati, Ohio, Dec. 1991
- Speech and Paper, "Confidentiality of Medical Records," Medical Education Services Seminar, Charleston, West Virginia, Feb. 1991
- Speech and Paper, "Third Party Access to Medical Records," Lorman Business Center Seminar, Charleston, West Virginia, Oct. 1990
- Speech and Paper, "Liability for the Torts of the Intoxicated," WVU/CLE Series, WVU College of Law, Morgantown, West Virginia, Sept. 1990

- Speech and Paper, "Defense Perspective on Insurance Bad Faith," PESI Insurance Litigation Seminar, Charleston, West Virginia, June 1990
- Speech and Paper, "Confidentiality of Psychological Records," WV Psychological Assn. Annual Meeting, Pipestem State Park, West Virginia, Oct. 1989
- Speech and Paper, "Rule 11 Sanctions," West Virginia Continuing Legal Education Mountaineer Series, Morgantown, West Virginia, Sept. 1988
- Speech and Paper, "Nursing Malpractice," Nursing & The Law '87, Charleston Area Medical Center, Charleston, West Virginia, June 1987

## Writings and Publications

- Author and co-author, West Virginia Medical Professional Liability & Health Care Litigation Review, Defense Trial Counsel Annual Litigation Digest (Yearly since 2003).
- Author, Watch What You File, It May Get Unsealed: A Primer on the Judicial Document Doctrine, The DTCWV Defender (Winter 2025) ([https://dtcwv.org/assets/pdf/newsletters/Winter\\_WEB\\_2025.pdf](https://dtcwv.org/assets/pdf/newsletters/Winter_WEB_2025.pdf)).
- Co-author with Peggy Schultz, Be a Leader by Following in the Footsteps of Others, DTCWV Defender 33 (Fall 2025).
- Co-author (with Kaillee Jackson-Russo and Lane Jordan, Jackson Kelly 2025 summer clerks), **Ethical Issues and Executive Orders Targeting Law Firms**, The West Virginia Bar Association Annual Meeting, The Greenbrier, White Sulphur Springs, West Virginia, August 8, 2025.
- Co-Author (with Grace E. Hurney, Caroline G. Massie, and Robert L. Massie), Leadership – What Does it Look Like Now?, Defense Trial Counsel of West Virginia Annual Meeting Oglebay Park, West Virginia, June 2025 (Updated from prior paper for ADTA)
- Author, Plaintiffs' Jury Verdicts Overturned Due to Social Media Posts by Counsel During Trial, The Voice, Vol. 24, Issue 5 (DRI May 2025) (<https://www.dri.org/newsletters/the-voice/2025/may#center1>)
- Co-Author, with Grace E. Hurney, Leadership – What Does it Look Like Now?, ADTA Annual Meeting, Lexington, KY, April 25, 2025
- Author, Intermediate Court of Appeals of WV Upholds Covid-19 Act Immunity, Jackson Kelly Health Law Monitor, March 21, 2025
- Author, Supreme Court to Decide Whether Federal Courts Will Enforce State Statutes Requiring Pre-Suit Affidavits Against Health Care Providers, Jackson Kelly Health Law Monitor, March 10, 2025
- Author, Third Party Litigation Financing, The DTCWV Defender (Fall Ed., 2023)
- Author, Big Verdicts in West Virginia and What Drives Them, Defense Trial Counsel of West Virginia Annual Meeting, Stonewall Resort, June 19, 2023.
- Guest Post, "More on Expert Gatekeeping in West Virginia," Drug & Device Law, June 13, 2023 (<https://www.druganddevicelawblog.com/2023/06/guest-post-more-on-expert-gatekeeping-in-west-virginia.html>)
- Thomas J. Hurney, Jr. and Maureen V. Runyon, Understanding Child Sexual Abuse Disclosures And Forensic Interviewing, For the Defense 27 (DRI May 2023). The article is available at: [May FTD\\_Runyon\\_Hurney.pdf](#)
- Thomas J. Hurney, Jr., Marc Williams and Zak Ritchie, Pigs, Truffles and Random Tips on Appellate Work in West Virginia, Legal Aid of West Virginia Training Conference, Glade Springs Resort, Daniels, West Virginia, September 29, 2022
- Author, "MPLA Stuff," Defense Trial Counsel of West Virginia Medical Liability Committee (Aug. 16, 2022) (Paper supporting presentation on "Top Five MPLA Cases")
- Author, "WV Supreme Court Reinforces Mandatory Pre-Suit Requirements in Medical Professional Liability Actions," Jackson Kelly PLLC *Health Law Monitor*, July 12, 2022
- Co-author with Summer Associate Anna Williams, "*Kemp v. United States* – The Supreme Court Finds that a Judge's Error of Law is a 'Mistake' Under Rule 60(b)(1)," Jackson Kelly PLLC *The Legal Brief*, June 16, 2022
- Co-author, "Nonlawyer Investment in the Legal Economy," DRI Center for Law and Public Policy (2022)



- Co-author with Neil C. Brown, "Ohio Court Denies Preliminary Injunction Requiring Administration of Ivermectin," Jackson Kelly PLLC *Health Law Monitor*, Sept. 8, 2021
- Author, Life During COVID 2020, The Defender, Spring 2020, (Online at [https://dctcwv.org/assets/pdf/newsletters/Spring-2020\\_.pdf](https://dctcwv.org/assets/pdf/newsletters/Spring-2020_.pdf))
- Co author with Lauren Riesenger , Challenging CT Scans In Medical Monitoring Claims, Law 360 Expert Analysis, August 11, 2020, <https://www.law360.com/articles/184491/challenging-ct-scans-in-medical-monitoring-claims>
- Author, A Guide to West Virginia Courts' Resumption of Operations after Covid-19 Judicial Emergency, West Virginia State Bar, May 20, 2020 (online at <https://wvbar.org/wp-content/uploads/2020/05/A-Guide-to-West-Virginia-Courts-Resume-Operations-4839-7732-6780.pdf>)
- Author, "Supreme Court of Appeals of West Virginia Issues Resumption of Operations Order and Protocols for Court Operations After Expiration of Judicial Emergency," Jackson Kelly PLLC *The Legal Brief*, May 7, 2020
- Author, "Supreme Court Issues Temporary Amended Order on Civil Cases," Jackson Kelly PLLC *The Legal Brief* , April 26, 2020
- Author, "Supreme Court of Appeals of West Virginia Extends Judicial Emergency to May 15, 2020," Jackson Kelly PLLC *The Legal Brief*, April 24, 2020
- Author, "Kanawha Judge Issues Order for Ankle Monitors for Violators of COVID-19 Quarantine," Jackson Kelly PLLC *The Legal Brief*, April 7, 2020
- Author, "West Virginia Insurance Commissioner Issues Orders and Bulletins related to COVID-19 Crisis," Jackson Kelly PLLC *Health Law Monitor*, April 6, 2020
- Author, "WV Governor Issues Additional Orders for Specific Counties," Jackson Kelly PLLC *The Legal Brief*, April 5, 2020
- Author, "Supreme Court of Appeals of West Virginia Extends Judicial Emergency Order to May 1, 2020," Jackson Kelly PLLC *The Legal Brief*, April 4, 2020
- Author, "Courts Continue to Deal with COVID-19," Jackson Kelly PLLC *The Legal Brief*, March 25, 2020
- Author, "COVID-19 and its Effect on the Courts," Jackson Kelly PLLC *The Legal Brief*, March 18, 2020
- Author, "West Virginia Issues COVID-19 Guidance for Circuit Courts," Jackson Kelly PLLC *Health Law Monitor*, March 13, 2020
- Author, "WV Supreme Court Dismisses Medical Professional Liability Claim Where Patient Left AMA," Jackson Kelly PLLC *Health Law Monitor*, Nov. 11, 2019
- Author, "Redaction in the News," Jackson Kelly PLLC *Anticipation of Litigation Advisor*, Jan. 21, 2019
- Column, "A Word from Lou," ADTA *The Association Press*, Fall 2018 (and periodically thereafter)
- Guest post, "Don't Come to West Virginia Without Your Expert," *Drug & Device Law*, June 8, 2018.
- Author, "WV Supreme Court Enforces Arbitration Agreement in Employment Case," Jackson Kelly PLLC *Labor & Employment News Alert*, Feb. 18, 2018
- Author, "Supreme Court of Appeals of West Virginia Affirms Evidentiary Rulings Prohibiting "Reptile" Tactics," DRI *The Voice*, Vol. 16, Issue 35 (Sept. 6, 2017)
- Guest post, "West Virginia Court Finds Both Fraudulent Joinder & Misjoinder in Opioid Action," *Drug & Device Law*, July 21, 2017
- Co-author with Judge Patricia Kerrigan, "Independent Judicial Decision Making in the New Millennium," Association of Defense Trial Attorneys Annual Meeting, Nashville, Tennessee, April 20, 2017
- Co-author with Jennifer Mankins, "Medical Professional Liability in West Virginia," Part II, 114 *West Virginia Law Review* 573 (Winter 2012)
- Co-author with Jennifer Mankins, "Supreme Court of Appeals of West Virginia Upholds Non-economic Damages Cap," 2011 Physician Insurer (2nd Quarter 2011) (published by PIAA)
- Co-author with Kellie Clark, "*State ex rel State Farm v. Bedell*: The Scope of Protective Orders for Medical Records," Law360, April 2011
- Co-author with Ryan E. Voelker, "*Willey v. Bracken*: The Erosion of the 'Borrowing' Statute?"



- Co-author with Phil Willman and others, "Coupling Evidentiary and Procedural Tools: Defending Negligent Credentialing Cases," *Medical Liability and Healthy Care Law For The Defense*, July 2010
- Co-author with Rick Jones and others, "Peer Review: A Practical Analysis of HCQIA Immunity," *Medical Liability and Health Care Law In-House Defense Quarterly*, Fall 2009
- Co-author, Appellate Issues, DRI Punitive Damages Compendium, 2009
- Thomas J. Hurney, Randall Sellers, **Techniques for Jury Selection and Use of Jury Questionnaires**, *75 International Association of Defense Counsel Journal* 370, 377 (Oct. 2008)
- Author, "Good Samaritan Statutes," 2009 DRI Medical Liability Compendium (to be published with Jennifer Mankins)
- Author, "Some Thoughts on Issues Facing the West Virginia Bar," West Virginia Association for Justice Annual Meeting, Charleston Marriott, Charleston, West Virginia, June 12, 2008
- Author, "West Virginia Adopts the Continuous Treatment Doctrine," *The Voice* (DRI, Jan. 2008)
- Co-author (with Rob Aliff and Jennifer Mankins), "Buttressing Medical Reform Rules: Constitutional and Other Attacks on Notice of Claim and Certificate of Merit Statutes," *For the Defense* (June 2008)
- Author, "Applicability of the MPLA," DTCWV Newsletter (Winter 2008)
- Bi-annual Paper, "West Virginia Medical Professional Liability Review" (For DTCWV and the West Virginia Mutual Insurance Company) (2006-present)
- Paper, "Discovery Commissioners In West Virginia," *Defense Trial Counsel of West Virginia Annual Notebook*, May 2006
- Paper, "Musings of a Dayton Flyer on Trial Stuff," ADTA Annual Meeting, Fajardo, Puerto Rico, April 26-30, 2006
- Article, "Everything You Wanted To Know About Liability (But Were Afraid To Ask)," *West Virginia Executive* magazine Health-care Issue, p. 95, July/Aug. 2005
- Article, "Things Uncovered," IADC Medical Defense Newsletter, No. 3, May 2005
- Co-author, with Rob J. Aliff, "Medical Professional Liability in West Virginia," *105 West Virginia Law Review* 369, Winter 2003
- Co-author with Gretchen M. Callas, "Dealing with the Peer Review Privilege," 2003 Defense Trial Counsel of West Virginia Annual Meeting CD (May 2003)
- Author, "Tort Reform in West Virginia in 2003: A Review of House Bill 2122," West Virginia's New Medical Professional Liability Act, 2003 Defense Trial Counsel of West Virginia Annual Meeting CD at Tab 9 (May 2003)
- Paper, "The Further Performance of the Medical Professional Liability Act in the Supreme Court of Appeals of West Virginia," 2002 Defense Trial Counsel of West Virginia Annual Seminar Notebook, June 2002
- Author, "A Practical View of Farley v. Sartin," *99 W.Va. L. Rev.*, 263 (1997)
- Paper, "The MPLA: Ten Years Later," 1997 Defense Trial Counsel of West Virginia Annual Seminar Notebook, June 1997
- Paper, "A Defense Attorney's Guide to Confidentiality of Medical Records," *1993 WV D.T.C.* 75, June 1993
- Author, "Hospital Liability in West Virginia," *95 W.Va. L. Rev.* 943 (1993) (Recognized in "Worth Reading" column by Gerome Leone, *National Law Journal*, Feb. 7, 1994, p. 16)
- Paper, "Mandolidis: Here We Go Again," *1991 W.Va. D.T.C.* 110 (1991)
- Hurney & Campbell, "Rule 11 Sanctions in State & Federal Courts in West Virginia," *90 W.Va. L. Rev.* 417 (1988)
- Hurney & Campbell, "The Resurgence of Summary Judgment," *1988 W.Va. D.T.C.* 21 (1988)
- Co-author, "Annual Review of Workers' Compensation Law," West Virginia State Bar Annual Meeting, 1984, 1985
- Note, "The Adjustment of Awards for Lost Future Earning Capacity to Compensate for Inflation and Increased Productivity," *7 U. Dayton L. Rev.* 139 (1981)

## Community

- Kanawha County Public Library Board of Directors (2020- )
  - Chair, Finance Committee

- Legal Aid of West Virginia, Campaign Co-Chair (2015-2016)
- Thomas Hospital Foundation
  - President (2009-2011)
  - First Vice President (2007-2008)
  - Second Vice President (2005-2007)
  - Annual Gala Committee (1999-Present)
  - Board of Directors (2002-2011)
- St. Agnes Parish, Finance Committee (2006-Present); Lay Chair, Bishop's Sharing Appeal (2008); Parish Council (1990-1993)
- St. Agnes School
  - Finance Committee, (2002-2006)
  - Athletic Director (2001-2005)
  - Basketball Coach
- Kanawha Valley Catholic Recreational Association
  - President (2004-2007)
  - Board Member (2001-2007)
- Camden-Clark Memorial Hospital Trust Board (1995-1999)
- Youth & Government Foundation
- Junior Achievement, Business Basics Teacher (1988-1990)
- Cub Scouts, Webelos
  - Den Leader (1985-1986; 1989)
  - Assistant (2006-2007)
- South Hills Raiders (1996) Assistant Soccer Coach
- Smoke on the Water Chili Festival, Charleston, West Virginia (2000-Present) (Benefits Hospice)
- Family Service of Kanawha Valley, Board of Directors (1994-2000, 2001-2007)