News

Brogan Named to National Academy of Distinguished Neutrals

Norman Hanson & DeTroy, LLC is pleased to announce that Jonathan W. Brogan has been inducted into the National Academy of Distinguished Neutrals (NADN)

Jonathan W. Brogan is a partner and chair of the firm's litigation group. He is an experienced trial lawyer, having tried more than 250 trials to verdict on a range of issues. He is a Fellow of the American College of Trial Lawyers, considered by most the highest honor a trial lawyer can receive from his peers. Jonathan is also a highly skilled mediator having mediated numerous civil disputes to successful resolution for plaintiffs and defendants.

The National Academy of Distinguished Neutrals is a professional association whose membership consists of ADR professionals distinguished by their hands-on experience in the field of civil and commercial conflict resolution. Membership is by invitation only and all Academy members have been thoroughly reviewed and found to meet stringent practice criteria. Members are amongst the most in-demand neutrals in their respective states, as selected by their peers and approved by local litigators.

"We're delighted to recognize Jonathan W. Brogan to the Academy's Maine Chapter in recognition of Excellence in his mediation practice," commented Darren Lee, Executive Director of NADN.

Hadiaris & Lavoie Secure Defense Verdict

J.D. Hadiaris and Mark Lavoie secured a defense verdict following a medical malpractice jury trial at the Penobscot Judicial Center in Bangor, Maine.

J.D. and Mark's client, an orthopedic surgeon, was accused of breaching the standard of care in obtaining informed consent for shoulder surgery, and causing damages, including shoulder dysfunction and the need for the Plaintiff to undergo further surgery. The jury rejected the Plaintiff's theory, and after six days of trial, found that the surgeon acted appropriately in his care and treatment of the Plaintiff.

J.D. and Mark had also argued that the Plaintiff could not establish the second necessary element of her malpractice claim, *i.e.*, that harm was caused by the alleged negligence of the surgeon. However, in light of the jury's 'no negligence'

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finding, it was not necessary for the jury to address the second necessary element of the Plaintiff's malpractice claim.

JD Hadiaris and Mark Lavoie are Partners in Norman Hanson & DeTroy's Medical Malpractice Litigation Group. They regularly represent health care providers and practitioners in the defense of malpractice claims in Maine and New Hampshire courts, and before medical malpractice prelitigation screening panels.

NHD Wins Major Contract Case

Mark Lavoie recently secured a defense verdict in a seven-figure contract case involving a Maine hospital system.

The Plaintiff, a vendor providing Medicare and Medicaid billing services, claimed that a third-party association had negotiated a contract for a "success fee" (essentially a contingent fee arrangement), so it would receive a percentage of any additional federal reimbursements it secured for the Hospital. In the past, the Plaintiff had been paid a flat fee for its services, and the difference between that fee and the "success fee" was a staggering amount.

Mark and the hospital defended the case by presenting evidence that the association did not have authority to negotiate on its behalf, a hotly contested issue, and that the Plaintiff did not satisfy conditions precedent for collecting its fee. Following a lengthy jury trial and after brief deliberations, the jury returned a unanimous verdict that there was no enforceable contract for a "success fee."

Abby Liberman Joins NHD

Norman, Hanson & DeTroy is proud to announce that Abby Liberman has joined the firm's litigation group. Abby is a proud McAuley High School graduate. She attended Acadia University in Wolfville, Nova Scotia where she graduated with an Honors degree in History. She spent her summers during college working as a horse wrangler in Colorado for a hunting outfitter.

Abby is a 2023 *cum laude* graduate of the University of Maine School of Law. While attending law school, Abby interned at the United States Attorney's Office and participated in Moot Court competitions.

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Kelsey Kenny Joins NHD

Norman, Hanson & DeTroy, LLC is pleased to welcome Kelsey Kenny to the firm. Kelsey is a 2023 *cum laude* graduate of the University of Maine School of Law where she earned a certificate in Information Privacy Law with distinction. She is also a 2018 graduate of the University of Massachusetts–Amherst.

While in law school, Kelsey was a managing editor of the Maine Law Review and co-founded the Student Journal of Information Privacy Law. She is published in both journals and participated in multiple moot court competitions. Kelsey was summer associate at Norman, Hanson & DeTroy and served as a judicial extern to Magistrate Judge Karen Frink Wolf in the Federal District Court for the District of Maine.

Erika Roberge Joins NHD

Norman, Hanson & DeTroy, LLC is pleased to welcome Erika Roberge to the firm. Erika is a 2023 *cum laude* graduate of the University of Maine School of Law and a 2016 *summa cum laude* graduate of Husson University. She will primarily focus her practice on workers' compensation matters. Erika has a background in workers' compensation after having worked as an adjuster for MEMIC both before and during law school.

While attending the University of Maine School of Law, Erika completed externships at the Androscoggin County District Attorney's Office and the United States Attorney's Office. She also served as a student attorney for the Youth Justice Clinic at Maine Law. Erika graduated from Maine Law cum laude and with a distinction for Pro Bono Service. A lifelong Mainer, Erika lives in Sebago with her husband and two hound dogs.

NHD honored to be included among the top "Highly Recommended" law firms in Maine

Norman Hanson & DeTroy is honored to be included among the top of the "Highly Recommended" law firms in the State of Maine in the 2024 edition of *Benchmark Litigation's* "The Guide to America's Leading Litigation Firms and Attorneys." In addition, the following attorneys received individual recognition from *Benchmark Litigation*:

Local Litigation Stars

- Mark G. Lavoie – 2024
- Jonathan W. Brogan – 2024

Future Stars

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- Thomas S. Marjerison – 2024

Business Today Names NHD Attorneys as "Top 10 Most Influential"

Business *Today* named Mark Lavoie, Chris Taintor, Jonathan Brogan and JD Hadiaris to the "*Top 10 Most Influential Maine Medical Malpractice & Insurance Defense Lawyers 2023.*"

- **Mark Lavoie** was noted as: "Excelling in medical malpractice litigation, including critical work pertaining to the opioid crisis."
- **Chris Taintor** was described as: "An expert in medical malpractice, with a particular excellence in appellate and regulatory work."
- **Jonathan Brogan** was recommended as: "An experienced trial lawyer, adept in medical malpractice and personal injury defense cases."
- **JD Hadiaris** was noted as: "Garnering a reputation for medical malpractice defense, representing care providers, hospitals, and physicians."

Well-deserved congratulations to all. Click here for the full article.

Chambers & Partners Names NHD Top Firm

Chambers and Partners released their 2023 Rankings, and Norman, Hanson & DeTroy was listed as the top firm (Band 1) for *Litigation: Medical Malpractice & Insurance Defense*. Four Maine firms were listed in Band 2. We are proud of our reputation in the legal and business community, and look forward to providing unparalleled service to our clients in the future.

Chambers & Partners' Attorney Recognitions

Chambers & Partners USA 2023 has recognized Norman, Hanson & DeTory as a Top Firm in the categories of Litigation: General Commercial and Medical Mapractice & Insurance Defense. Additionally, the following NH&D attorneys have received the **"Ranked Lawyer"** distinction in the publication:

- Mark G. Lavoie – Maine Litigation: Medical Malpractice & Insurance Defense
- James D. Poliquin – Maine Litigation: General Commercial
- Jonathan W. Brogan – Maine Litigation: Medical Malpractice & Insurance Defense
- Christopher C. Taintor – Maine Litigation: Medical Malpractice & Insurance Defense
- Russell B. Pierce – Maine Litigation: General Commercial

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- Emily A. Bloch – Maine Litigation: Medical Malpractice & Insurance Defense
- Joshua D. Hadiaris – Maine Litigation: Medical Mapractice & Insurance Defense.

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