



## **Peter F. Spataro**

### **Principal**

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Peter Spataro primarily concentrates his practice in medical malpractice defense and risk management for physicians and hospitals in Missouri and Illinois. He has defended and tried malpractice suits for virtually every medical specialty, of which approximately 90 percent of the trials resulted in defense verdicts. He is considered one of the lead counsel for The Washington University School of Medicine, one of the top medical schools and research centers in the United States. He is frequently asked to represent the University in its most serious cases and to defend suits brought against its department heads. He defends much of the litigation brought against the University's Department of Neurological Surgery and assists the University in suits involving research issues with its Human Studies Committee.

Mr. Spataro has written articles on the defense of malpractice cases and regularly lectures on risk management and the defense of medical malpractice actions at medical and law schools, physicians, risk managers and members of the St. Louis Bar. He has defended physicians and dentists before the Missouri Board of Healing Arts and Missouri Dental Board. He has assisted his client physicians with complaints filed against opposing expert witness colleagues before national specialty organizations such as the American Association of Neurological Surgeons. He was counsel for the Missouri State Medical Association regarding its stock ownership of the former Missouri Medical Insurance Company. He was also Chairman of the Board of Directors of Interlex Insurance Company, a professional liability insurance company for lawyers.

### **Classes/Seminars**

Frequent Lecturer, Washington University Medical School

Lecturer, BJC Health Systems

Local Legal Education Seminars on Issues of Health Care, Risk Management and Defense of Medical Negligence Cases

Lecturer, ProAssurance

Lecturer, Missouri Bar Association

## Selected Cases

*Parsell v. Washington University*: In September, 2010, Mr. Spataro successfully defended a pediatric otolaryngologist in St. Louis City alleged to have misdiagnosed oral cancer in a seven-year-old child.

*Swyers v. Chin*: In June 2009, Mr. Spataro obtained a defense verdict in Jefferson County, Missouri, for a cardiologist alleged to have misdiagnosed heart disease in a young patient previously diagnosed with lupus.

*Badwan v. Washington University*. In September 2008, Mr. Spataro obtained a defense verdict in this case where a cytopathologist was accused of misreading a fine needle aspirate specimen resulting in unnecessary surgery for the plaintiff.

*Forbis v. Washington University*: In July 2008, Mr. Spataro successfully defended a prominent neurosurgeon accused of negligently monitoring a patient before and after cervical stabilization surgery resulting in a sudden cardiac arrest and death. This verdict was listed as one of Missouri's largest defense verdicts from 2008 by *Missouri Lawyer's Weekly*.

*Blalock v. Vas, et al.*: In June 2007, Mr. Spataro tried this case of alleged medical negligence in St. Louis County. Plaintiff claimed the defendant interventional radiologist negligently placed a wire stent for dialysis access resulting in the perforation of the superior vena cava. The case was tried to a defense verdict.

*Perrigo v. Hannibal Clinic, et al.*: In January 2006, Mr. Spataro obtained a defense verdict in this case tried in Marion County, Missouri. Plaintiffs alleged an incorrect interpretation of a nuclear scan/stress test led to the death of Mrs. Perrigo.

*Meyer v. Washington University*: In October 2005, Mr. Spataro successfully defended this medical negligence claim brought by a minor plaintiff for brain injuries sustained during treatment for a caustic ingestion. The case also involved claims against a pharmaceutical company for products liability. The trial was featured as the lead article in *Missouri Lawyers Weekly*.

*Ferrara v. Washington University*: In September 2004, Mr. Spataro successfully tried this wrongful death suit in the City of St. Louis. The case was brought by the family of a prominent St. Louisian businessman who died following bariatric surgery. The trial was featured as a lead article in *Missouri Lawyers Weekly*, *US Lawyers Weekly* and local television. The case was listed under Missouri's Largest Defense Verdicts of 2004 by *Missouri Lawyer's Weekly*.

*Joyner v. Washington University*: Mr. Spataro was hired to represent the interests of Washington University in a nationally publicized wrongful death suit filed by the family of Olympic gold medalist Florence Griffith Joyner.

*Ottinger v. Washington University*. Mr. Spataro successfully defended a publicized wrongful death case filed against a heart surgeon and Washington University following a heart transplant with a mismatched donor organ.

## Practice Areas

Health Care Liability

## More About Pete

**Education & Bar Admissions**

**Education**

- Marquette University (J.D., 1979)
- Marquette University (B.A., cum laude, 1976)

### **Bar Admissions**

- Missouri
- Illinois
- Wisconsin (inactive)
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Southern District of Illinois

## **Recent Achievements**

- Best Lawyers - Medical Malpractice Law-Defendants, The Best Lawyers in America (2008-2023)
- Awarded No. 3 Top Defense Verdict in Missouri in 2016, Missouri Lawyers Weekly's 2017 Missouri Lawyers Awards
- Super Lawyers - Personal Injury Medical Malpractice: Defense, Missouri & Kansas Super Lawyers (2005, 2007-2022)
- St. Louis' Best Lawyers - Medical Malpractice Law-Defendants, St. Louis Magazine (2008-2013)
- Recipient of two of Missouri's Top Defense Verdicts, Missouri Lawyers Weekly (2008)
- Awarded one of Missouri's Top Defense Verdicts, Missouri Lawyers Weekly (2004)

## **Professional Affiliations**

- Missouri Bar
- Illinois State Bar Association
- Defense Research Institute
- Bar Association of Metropolitan St. Louis
- Missouri Organization of Defense Lawyers

## **Publications**

- "Medical Record Documentation: Do's and Don'ts," Keystone Mutual Insurance Company News (August 2013)
- "Banding in Bangkok, CABG in Calcutta: The United States Physician and the Growing Field of Medical Tourism," Authors: Elliott Mark Weiss, MD, Peter F. Spataro, JD, Ira J. Kodner, MD, FACS, and Jason D. Keune, MD, Surgery; 148: 597-601 (2010)
- "Partners in Health Care," by Andrea Mongler, St. Louis Business Journal, Vol. 27 No. 49 pg. 27 (2007)
- "Preparation of the Defense of a Medical Malpractice Case," by W. Davis, P. Spataro and D. Powell, St. Louis Bar Journal, (Spring 1991)
- "The Parameters of Private Meetings to Discuss A Patient's Condition in the Litigation Setting," Risk Management Newsletter, Vol 18, No. 1 p. 5
- "Confidentiality Concerns of the Physician When Responding to Requests for Medical Records and Interviews with Attorneys," Jewish Hospital MD Newsletter (Spring 1991)

