

## PROFESSIONAL LEGAL EXPERIENCE

2007–present

### **Pribanic & Pribanic, LLC** (White Oak, Pennsylvania)

- Position: Associate Attorney.
- Profile: <http://www.pribanic.com/Attorneys/Christopher-Buck.shtml>
- Bar Admissions: Bar of the Commonwealth of Pennsylvania (2007); U.S. District Court for the Western District of Pennsylvania (2007).
- Practice areas: Medical malpractice, wrongful death, crashworthiness, products liability, personal injury, briefs on any legal issue, as needed. Settled four cases for \$2.5 million in 2012.
- For representative cases, see below (after "legal publications").

### **Pennsylvania State University, Greater Allegheny** (McKeesport, PA).

- Rank: Adjunct Instructor (under Academic Affairs).
- Course taught: *Introduction to Criminal Justice* (Fall 2011).

## PROFESSIONAL CONSULTING EXPERIENCE

- Client: Megan E. Farrell, Esq., Assistant United States Attorney, Western District of Pennsylvania.
- Expertise: Religion (Islamic Law).
- Case 1: *Rogers, et al. v. United States of America, et al.*, Civil Action No. 08-149E, Erie. Expert report submitted. Summary judgment for Defendants (06/17/2011).
- Case 2: *Keith Ellis, Plaintiff v. United States of America, et al., Defendants*. Civil Action No. 08-160 Erie. Expert report submitted. Report cited, in part, in Magistrate's Judge's Report and Recommendation (06/17/2011), p. 26. Case settled, to forego cost of litigation.

## LEGAL EDUCATION

### **Thomas M. Cooley Law School** (Lansing, Michigan).

- Degree: Juris Doctor (conferred January 22, 2006).
- Attendance: Part-time 2002–2004 while teaching full-time at Michigan State University.
- Academic Honors: Dean's List: Spring 2004 • Summer 2004 • Fall 2004.
- Certificates of Merit: Constitutional Law Seminar (Summer 2004) • Collective Bargaining (Summer 2004) • Federal Indian Law (Fall 2004).
- Scholarships: 25% Honors Scholarship: Winter 2004 • Summer 2005.
- Best Paper: "Frankly, I have been teaching at this law school for 20 years, and I have supervised countless papers, but this is definitely the best paper I have seen." — Prof. Maurice Munroe (Constitutional Law), Cooley Law School.

- Best Presentation: “In the Indian law class, Dr. Buck basically taught the entire two-hour class, complete with the best PowerPoint presentation I have ever seen.” — Prof. Philip Prygoski (Constitutional Law), author, *Sum & Substance Quick Review on Constitutional Law*.
- Published Federal Indian Law Paper: Published research paper written for Federal Indian Law course: “Never Again”: Kevin Gover’s Apology for the Bureau of Indian Affairs, 21 *Wicazo Sa Review* 97 (2006) (peer-reviewed academic journal).
- Published Directed Study Paper: Published research paper written for Independent Study course in Constitutional Law (Professor Maurice Munroe, supervisor) (\$1,000 honorarium when accepted for publication): “The Constitutionality of Teaching Islam: The University of North Carolina Qur’an Controversy.” Chapter 7. *Observing the Observer: The State of Islamic Studies in American Universities*. Edited by Mumtaz Ahmad, Zahid H. Bukhari and Sulayman S. Nyang. Herndon, VA: International Institute of Islamic Thought, 2012. Pp. 110–137. [Published July 1, 2012.] <http://www.amazon.com/Observing-Observer-Islamic-American-Universities/dp/1565645804>. Prepublication draft: <http://iiit.org/iiitftp/PDF's/Islamic-Studies.pdf>. (Discussing *Yacovelli v. Moeser*, 324 F. Supp. 2d 760 (M.D.N.C. 2004).)

## GRADUATE EDUCATION

### University of Toronto (Toronto, Ontario, Canada).

- Degree: Doctor of Philosophy (conferred Nov. 12, 1996). GPA 3.9.
- Discipline: Academic Study of Religion (Phenomenology of Religion and the Comparative Method).
- Dissertation Published: *Paradise and Paradigm* (Albany: State University of New York Press, 1999).
- Defense: June 1996. See <http://www.religion.utoronto.ca/people/phd-graduates>.
- Supervisor: Willard G. Oxtoby, PhD (1933–2003), founder, Centre for the Study of Religion, University of Toronto.
- External Examiner: Jonathan Z. Smith, Robert O. Anderson Distinguished Service Professor of the Humanities, University of Chicago.
- Examiner’s Evaluation: “Of the nearly one hundred dissertations I have served as director or reader for, in the fields of history of religions and early Christianities, this is, without question, one of the two or three best.” — Jonathan Z. Smith.
- Contribution to scholarship: “This is an extremely powerful contribution to an important part of comparative religions, and will establish its author as a major academic scholar... Both in its methodology and its scholarly treatments of Persian Christianity and Bahā’ī Faith, the book is insightful. It gives its subjects allure.” — Robert Cummings Neville, author of *The Truth of Broken Symbols*.

### University of Calgary (Calgary, Alberta, Canada).

- Degree: Master of Arts (conferred June 1991). GPA 3.73.
- Discipline: Academic Study of Religion.
- Thesis Published: *Symbol and Secret*. Los Angeles: Kalimāt Press, 1995. Reprinted 2004.
- Supervisor: Andrew Rippin, PhD (now University of Victoria, emeritus; former Dean of the Faculty of Humanities).
- Contribution to scholarship: First academic monograph on a major Bahā’ī text published in a Western language.

## LEGAL PUBLICATIONS

Academic <http://christopherbuck.com/>

Legal <http://www.pribanic.com/Attorneys/Christopher-Buck.shtml>

Email [buckc@msu.edu](mailto:buckc@msu.edu)

Email [DrBuck@Pribanic.com](mailto:DrBuck@Pribanic.com)

**Legal Studies Publications**

10. 2012 [“The Constitutionality of Teaching Islam: The University of North Carolina Qur’an Controversy.”](#) Essay VIII. *Observing the Observer: The State of Islamic Studies in American Universities*. Edited by Mumtaz Ahmad, Zahid H. Bukhari and Sulayman S. Nyang. Herndon, VA: International Institute of Islamic Thought, 2012. Pp. 137–177.
9. 2012 [“Public Schools May ‘Teach About Religion’—Not ‘Teach Religion.’”](#) [World Religions: Belief, Culture, and Controversy](#). Santa Barbara, CA: ABC-CLIO, 2012. [Introduces Buck’s “DREAMS Paradigm.” “DREAMS” is a mnemonic acronym for the Doctrinal, Ritual, Ethical, Artistic, Mystical, and Social dimensions of religion. Developed as a classroom tool (for university students) in formally comparing world religions.]
8. 2010 [“Plessy v. Ferguson.”](#) *Encyclopedia of African American History*. Edited by Leslie Alexander & Walter Rucker. Santa Barbara, CA: ABC-CLIO, 2010. Pp. 959–963 (Vol. 3).
7. 2010 [“Thirteenth Amendment.”](#) *Encyclopedia of African American History*, 2010. Pp. 549–550 (Vol. 2).
6. 2010 [“Fifteenth Amendment.”](#) *Encyclopedia of African American History*, 2010. Pp. 768–770 (Vol. 3).
5. 2008 [“Religious Minority Rights.”](#) *The Islamic World*. Edited by Andrew Rippin. London/New York: Routledge, 2008. Pp. 638–655. [Final chapter.]
4. 2008 [“Plessy v. Ferguson.”](#) *Encyclopedia of Race, Ethnicity, and Society*. Edited by Richard T. Schaefer. Thousand Oaks, CA: Sage Publications, 2008. Pp. 1048–1051. DOI: <http://dx.doi.org/10.4135/9781412963879.n429>.
3. 2008 [“Bureau of Indian Affairs.”](#) *Encyclopedia of Race, Ethnicity, and Society*. Pp. 215–220. DOI: <http://dx.doi.org/10.4135/9781412963879.n91>.
2. 2007 [“Judicial Activism.”](#) *Encyclopedia of Activism and Social Justice*. Edited by Gary L. Anderson & Kathryn G. Herr. Thousand Oaks, CA: Sage Publications, 2007. Vol. 2, 785–789. DOI: <http://dx.doi.org/10.4135/9781412956215.n459>.
1. 2006 [“Never Again’: Kevin Gover’s Apology for the Bureau of Indian Affairs.”](#) *Wicazo Sa Review: A Journal of Native American Studies* 21.1 (2006): 97–126. DOI: <http://dx.doi.org/10.1353/wic.2006.0002>.

**LexisNexis Publications (Online Legal Research)**Academic <http://christopherbuck.com/>Legal <http://www.pribanic.com/Attorneys/Christopher-Buck.shtml>Email [buckc@msu.edu](mailto:buckc@msu.edu)Email [DrBuck@Pribanic.com](mailto:DrBuck@Pribanic.com)

7. 2012 *Owens v. Humane Society of Cambria County, Inc.*, 3196-2006, Court of Common Pleas, Cambria County, April 9, 2012, *Brief in Response to Defendant's Motion for Reconsideration/Certification for Interlocutory Appeal*. 2012 PA Sup. Ct. Motions LEXIS 3; 2006 PA C.P. Ct. Motions 585968. LexisNexis (legal research provider) online publication.
6. 2012 *Owens v. Humane Society of Cambria County, Inc.*, 3196-2006, Court of Common Pleas, Cambria County, January 6, 2012, *Response to Motion for Summary Judgment, and Brief in Support*. 2012 PA Sup. Ct. Motions LEXIS 2; 2006 PA C.P. Ct. Motions 585968. LexisNexis (legal research provider) online publication.
5. 2011 *Petricca v. Consolidation Coal Co.*, Case No. GD-08-009966, Court of Common Pleas, Allegheny County, December 11, 2011, *Response to Defendant's Reply Brief*. 2011 PA Sup. Ct. Motions LEXIS 5; 2008 PA C.P. Ct. Motions 9966. LexisNexis (legal research provider) online publication.
4. 2011 *Petricca v. Consolidation Coal Co.*, Case No. GD-08-009966, Court of Common Pleas, Allegheny County, November 28, 2011, *Response to Motion for Summary Judgment, and Brief in Support*. 2011 PA Sup. Ct. Motions LEXIS 3; 2008 PA C.P. Ct. Motions 9966. LexisNexis (legal research provider) online publication.
3. 2010 *Johnson v. City of Memphis*, No. 10-696, Supreme Court of United States, November 22, 2010, *Petition for Writ of Certiorari*, with Appendix. 2010 U.S. Briefs 696; 2010 U.S. S. Ct. Briefs LEXIS 4596. LexisNexis (legal research provider) online publication.
2. 2009 *Willyoung v. Colorado Custom Hardware, Inc.*, Civil Action No. 1:08-cv-17-SJM, United States District Court of Pennsylvania, Erie Division, March 9, 2009, *Plaintiff's Response to Renewed Motion to Dismiss of the Bent Gate, Inc. t/d/b/a Bent Gate Mountaineering, and Brief in Support*. 2008 U.S. Dist. Ct. Motions 480617; 2009 U.S. Dist. Ct. Motions LEXIS 44039. LexisNexis (legal research provider) online publication.
1. 2009 *Willyoung v. Colorado Custom Hardware, Inc.*, Civil Action No. 1:08-cv-17-SJM, United States District Court of Pennsylvania, Erie Division, January 16, 2009, *Plaintiff's Response to Colorado Custom Hardware's Renewed Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(2), and Brief in Support*. 2008 U.S. Dist. Ct. Motions 480617; 2009 U.S. Dist. Ct. Motions LEXIS 44038. LexisNexis (legal research provider) online publication.

### Human Rights Op-Eds

16. 2010 ["The Trial of the Yaran under the Iranian 'Citizens' Rights' and 'Legal Procedures for Revolutionary Courts' Standards."](#) Iran Press Watch (Feb. 20, 2010).
15. 2010 [Persian translation: "The Trial of the Yaran under the Iranian 'Citizens' Rights' and 'Legal Procedures for Revolutionary Courts' Standards."](#) [Iran Press Watch Farsi](#) (Jan. 15, 2012). [Persian translation](#) by Faruq IZADINIA.

14. 2010 [“The Trial of the Yaran under Iranian Criminal Procedure: ‘The Justice of God’ or Procedural Injustice?”](#) Iran Press Watch (Feb. 6, 2010).
13. 2010 [Persian translation: “The Trial of the Yaran under Iranian Criminal Procedure: ‘The Justice of God’ or Procedural Injustice?”](#) [Iran Press Watch Farsi](#) (Feb. 13, 2010). [Persian translation](#) by Faruq Izadinia.
12. 2010 [“Iranian Islam, not the Yaran, on Trial in the Court of International Opinion.”](#) Iran Press Watch (Jan. 12, 2010).
11. 2010 [Persian translation: “Iranian Islam, not the Yaran, on Trial in the Court of International Opinion.”](#) [Iran Press Watch Farsi](#) (Jan. 17, 2010). [Persian translation](#) by Faruq Izadinia.
10. 2009 [“Criminalizing the Baha’i Religion.”](#) Iran Press Watch (Mar. 15, 2009).
9. 2009 [Persian translation: “Criminalizing the Baha’i Religion.”](#) Iran Press Watch (Mar. 15, 2009). [Persian translation](#) by Faruq Izadinia.
8. 2009 [“Irani Irony: International War Crimes vis-a-vis Internal Peace Crimes.”](#) Iran Press Watch (Feb. 28, 2009).
7. 2009 [Persian translation: “Irani Irony: International War Crimes vis-a-vis Internal Peace Crimes.”](#) Iran Press Watch (Feb. 28, 2009). [Persian translation](#) by Faruq Izadinia.
6. 2009 [“If ‘We are the world,’ then ‘We are Iran’: Time to Join the Global Day of Action for Iran.”](#) Iran Press Watch (July 25, 2009).
5. 2008 [“Denial of Education: An Appeal by an Academic.”](#) Iran Press Watch (Dec. 9, 2008).
4. 2008 [“Religious Minority Rights.”](#) *The Islamic World*. Edited by Andrew Rippin. London/New York: Routledge, 2008. Pp. 638–655. [Final chapter.] [Iran Press Watch](#) (Dec. 3, 2008).
3. 2008 [Persian Translation: “Religious Minority Rights.”](#) [Iran Press Watch](#) (Dec. 3, 2008). [Persian translation](#) by Faruq Izadinia.
2. 2008 [“Islam and Minorities: The Case of the Baha’is.”](#) [Iran Press Watch](#) (Nov. 29, 2008).
1. 2008 [Persian Translation: “Islam and Minorities: The Case of the Baha’is.”](#) [Iran Press Watch](#) (Nov. 29, 2008). Persian translation by Faruq Izadinia.

## REPRESENTATIVE LEGAL CASES

### Representative Crashworthiness Case

#### ***Berry v. General Motors***

- Caption: *Berry et al. v. General Motors et al.* Case 2:07-cv-00258-TFM (W.D. Pa.).
- Overview: Automotive design defect case involved inadequate protection against side-impact crash, fatally injuring nine-year-old boy and a two-year-old girl.
- Animation of Crash Event: 1993 Geo Prizm and 2003 Honda Pilot: <http://www.centrew.com/pribaniclaw/video.mov>.
- Animation of Crash Event under Safer, Alternative Design: [http://www.centrew.com/pribaniclaw/Berry\\_Animation\\_9.avi](http://www.centrew.com/pribaniclaw/Berry_Animation_9.avi).
- Plaintiff's Experts: (1) Byron Bloch (Auto Safety Expert); (2) Richard M. Ziernicki, Ph.D., P.E. (Accident Reconstructionist/Mechanical Engineering Expert); (3) Mariusz Ziejewski, Ph.D., Inz. (Injury Biomechanics Expert); (4) Kenneth C. McCrory, CPA, CFE (Forensic Economist).
- Settlement: Case settled for confidential sum on August 8, 2008. Mediator praised 49-page mediation statement as "stellar."

### Representative Products Liability Case

- Caption: *Willyoung v. Colorado Custom Hardware, Inc. et al.*, Case No. 1:08-cv-17-00017SJM (W.D. Pa.).
- Overview: Design defect/manufacturing defect case involving 2007 "Alien" cam (rock-climbing anchor to safeguard against accidental falls), manufactured in March 2007. Testing revealed the cam joints were improperly brazed (high thermal stresses by rapid cooling), leading to premature failure.
- Settlement: Case settled for confidential sum in 2010.
- Briefs Published:
  - "Zippo Analysis": *Willyoung v. Colorado Custom Hardware, Inc. et al.*, 2009 U.S. Dist. Ct. Motions LEXIS 44038 (W.D. Pa. 2009). [First Legal Brief] Published online via Lexis.
  - "Zippo Analysis": *Willyoung v. Colorado Custom Hardware, Inc. et al.*, 2009 U.S. Dist. Ct. Motions LEXIS 44039 (W.D. Pa. 2009). [Second Legal Brief.] Published online via Lexis.

### Representative Wrongful Death Cases

#### ***Black***

- Caption: *Barbara Robinson, as Personal Representative of the Estate of Jason E. Black, her brother, Plaintiff, v. Tina Sines Quairiere, Defendant.* Case No. 2008 – 00349 (Fayette County).
- Overview: Wrongful death action involving combined toxicity of alcohol, Oxycodone and Alprazolam from pills allegedly given by Plaintiff to Decedent, who later died in his sleep several hours later.
- Plaintiff's Experts: (1) Cyril Wecht, M.D., J.D. (Toxicology Expert); (2) Donal F. Kirwan, SPHR (Forensic Economist).
- Settlement: Case settled for confidential sum on November 5, 2012.

#### ***Petricca***

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- Caption: *Donald Petricca, Personal Representative of the Estate of Angelo A. Petricca, Jr., Plaintiff, v. Consolidation Coal Company, Defendant*. Case No. GD–08–009966 (Allegheny County).
- Overview: Wrongful death action arising out of fatal electrocution of Angelo A. Petricca, Jr., on February 18, 2008, on the Harmar 14 North abandoned mine site, owned by Consolidation Coal Company (“Consol”), when the boom of a truck-mounted crane was energized by the overhead 25,000-volt power line. Plaintiff argued that Consol exposed Petricca to a peculiar risk of harm by using (1) the wrong tool for the job (boom-truck crane); (2) the wrong subcontractor for the job (a machine shop); (3) the wrong safety plan for the job; and (4) the wrong supervisor for the job. Consol negligently exercised its retained control by failing ensure that the appropriate equipment, subcontractor, safety plan and supervisor were used—in violation of §§ 413, 414, 416 and 427 of the Restatement (Second) of Torts, exceptions to non-liability for independent contractors.
- Plaintiff’s Experts: (1) Ronald J. Panunto, PE, CFEI, CFC (Electrical Safety Expert); (2) Jon J. Pina, MS, CSP (Environmental Safety Expert); (3) John P. Wikswo, Ph.D., Vanderbilt University (Biophysics Pain Expert); (4) Donal F. Kirwan, SPHR (Forensic Economist).
- Settlement: Case settled for confidential sum at mediation on March 19, 2012.

### ***Hornfeck***

- Caption: *Victoria Hornfeck, Personal Representative of the Estate of Joseph Matta, Sr., and Margaret Matta, his wife and heir, Plaintiffs v. White Oak Village Apts. et al., Defendants*. Case No. GD–08–009234 (Allegheny County).
- Overview: Wrongful death action involving a carbon monoxide (CO) poisoning event due to faulty heat exchanger, triggering dementia, medical decline and the eventual death of an 83-year-old victim, as a result of “delayed neuropsychiatric syndrome” (theory proposed by attorney and accepted by toxicology expert as accurate), also referred to as “delayed neuropsychiatric impairment.”
- Plaintiff’s Experts: (1) Richard J. Hallowell, Jr., PE, CFC (Forensic Engineering Expert); (2) Cyril Wecht, M.D., J.D. (Toxicology Expert).
- Settlement: Case settled for confidential sum on May 10, 2011.

## **Representative Medical Malpractice Cases**

### ***McCullough***

- Caption: *Betty L. McCullough, Personal Representative and/or Guardian Ad Litem of the Estate of George R. McCullough, Plaintiff, v. The Ellwood City Hospital, Defendant*. Case No. 2009–30009 (Lawrence County).
- Overview: An “overwhelming post-splenectomy sepsis” case, involving (1) failure of physician to administer intravenous antibiotics; (2) failure of physician to admit Mr. McCullough; (3) failure of physician to perform diagnostic laboratory evaluation of Mr. McCullough, including the collection of specimens for culture; (4) failure of physician to review the past medical records, including reviewing the medical record of past infections and episodes of sepsis; (5) failure of physician to document and properly consider Mr. McCullough’s past medical history and risk factors of sepsis, including diabetes, cirrhosis, previous infections and splenectomy; (6) failure of nurse to properly document Mr. McCullough’s allergies; and (7) nurse’s erroneous documentation of a history of gout.
- Plaintiff’s Experts: (1) John Tafuri, M.D. (Emergency Medicine); (2) Donald Craven, M.D. (Infectious Diseases).
- Settlement: Case settled for confidential sum on May 10, 2013.

**Lepresti**

- Caption: *Derek J. Lepresti, Personal Representative of the Estate of Patricia J. Lepresti, Plaintiff, v. Prime Medical Group, P.C., Ambaram V. Chauhan, M.D., Albert Gallatin Home Care and Hospice Services, L.L.C., and Monongehela Valley Hospital, Inc., Defendants, v. Surinder K. Aneja, M.D., Additional Defendant.* Case No. 837 of 2009 (Fayette County).
- Overview: This wrongful death case is primarily about outpatient anticoagulation management gone awry. In brief, this case involves allegedly substandard Coumadin (crystalline warfarin sodium, USP) monitoring, resulting in Coumadin toxicity, followed by overly aggressive Coumadin reversal leading to the patient's death by way of a morphine overdose.
- Plaintiff's Experts: (1) Gerald W. Smetana, M.D. (General Medicine – Warfarin Monitoring Liability Expert); (2) Janet Colville, R.N., M.S.N., D.N.P (Nurse Expert – Nursing Liability); (3) Robert M. Stark, M.D., F.A.C.C. (Cardiology Expert – Liability & Causation); (4) Warren D. Widmann, M.D., F.A.C.S., (Post-Thoracic Surgery Care Expert – Liability & Causation).
- Settlement: Case settled for confidential sum on February 27, 2013.

**Gabriel**

- Caption: *Brian P. Gabriel, Personal Representative of the Estate of John Gabriel, Plaintiff, v. Associates in Gastroenterology of Pittsburgh, Inc. and George Arnold, M.D., Defendants.* Case No. GD-05-000202 (Allegheny County).
- Overview: Wrongful death of patient by gastroenterologist who failed to timely diagnose and treat the patient's rectal cancer, missed during a diagnostic colonoscopy performed due to occult blood in stool. Procedure performed without nursing assessment, physical exam, consent form, formal consultation, informed consent, digital rectal examination, retroflexion of the colonoscope, photo documentation of abnormalities, recovery room notes, discharge orders/instructions.
- Plaintiff's Experts: (1) Arthur D. Heller, MD, FACP (Gastroenterologist); (2) Joseph A. Scoma, MD, FACS (Colorectal Surgeon); (3) James J. Stark, MD, FACP (Oncologist).
- Settlement: Case settled for confidential sum on November 16, 2011.

**Colusci**

- Caption: *Nathan S. Colusci, an incapacitated person, by his guardians, Dennis Colusci and Linda L. Colusci, Co-Guardians, Plaintiffs, v. D. Kyle Kim, MD, a/k/a D. Kim, MD, Allegheny General Hospital, and West Penn Allegheny Health System, Defendants.* Case No. GD-07-020080 (Allegheny County).
- Overview: Case in which the patient presented to the Emergency Department with a reported CSF leak and abnormal temperature following a recent shunt revision. To rule out suspected meningitis in the differential diagnosis, the ER senior resident ordered a complete blood count (CBC), erythrocyte sedimentation rate (ESR) and C-reactive protein (CRP) test. Four physicians—the attending physician and his resident, the consultant neurosurgeon and his resident—each evaluated the patient prior to discharge, yet failed to follow up on these STAT tests. The patient returned that evening with fulminating meningitis, resulting in cortical blindness and neurological deficits.
- Plaintiff's Experts: (1) Gary J. Lustgarten, MD (Neurosurgeon); (2) John C. Schaefer, MD (Infectious Disease Expert); (3) Donna Micklow, RN, BSN, MPA, CRRN, CLCP, NHA (Life Care Planner); (4) Richard P. Bonfiglio, MD (Physiatrist); (5) Donal F. Kirwan, SPHR (Forensic Economist).
- Settlement: Case settled for confidential sum on October 19, 2011.

**Smith**

- Caption: *Treasia E. Smith, Individually, and as Personal Representative of the Estate of Burton T. Smith, Sr., Plaintiff, v. Allegheny General Hospital, and West Penn Allegheny Health System, Defendants, v. Carl Minneci, R.N. and AMN Healthcare, Inc., Additional Defendants*. Case No. GD-08-027194 (Allegheny County).
- Overview: Wrongful death by patient neglect involving traveling nurse in ICU, who claimed he was ordered by charge nurse to circulate in another patient's room. Systemic failure in the Surgical Intensive Care Unit at Allegheny General Hospital alleged as basis for corporate negligence claim, above and beyond professional medical negligence by ICU nurses, technician and physicians.
- Plaintiff's Experts: (1) John R. Butterly, MD (Cardiologist); (2) Michelle Cannon, RN (Nurse Expert); (3) Donal F. Kirwan, SPHR (Forensic Economist).
- Settlement: Case settled for confidential sum on September 14, 2011.

**Scobbie**

- Caption: *Scott Scobbie and Kimberly Scobbie, Plaintiffs, v. UPMC Horizon, UPMC, University of Pittsburgh Physicians, and Murray Towle, M.D., Defendants*. Case No. 2008–4049 (Mercer County).
- Overview: Tragic case involving a patient who presented to the ER, time after time, with stabbing abdominal pain, severe loss of weight, and “fear of food” (sitophobia)—classic symptoms of chronic mesenteric ischemia (CMI), in which the patient's intestines are dying inside his body. Undiagnosed for months, this CMI developed into acute mesenteric ischemia (AMI), an event that is life-threatening. Failure to appropriately test, diagnose, refer, or treat patient for CMI.
- Plaintiff's Experts: (1) Martin A. Fogle, MD (Vascular Surgeon); (2) Fred Berkowitz, MD (General Surgeon); (3) B.A. McGettigan, RN, MS, CCM, CPUR, CRRN, CNLCP, ABDA, LNCC (Life Care Planner); (4) Donal Kirwan, SPHR (Forensic Economist).
- Settlement: Case settled for confidential sum on July 12, 2011.

**Nagy**

- Caption: *Mary Ann Stanchik, Personal Representative of the Estates of Michael A. Nagy and Mildred A. Nagy, Plaintiffs, v. UPMC-McKeesport, University of Pittsburgh Physicians and Allen R. Hodges, Personal Representative of the Estate and/or Guardian Ad Litem of the Estate of Amril G. Crichlow, MD, and/or Crichlow, Inc., Defendants*. Case No. GD-09-006961 (Allegheny County).
- Overview: The patient's right leg had to be amputated due to gangrene resulting from the poor circulation caused by the sequential compression devices. Communication failure between nursing staff and physicians, intern's insufficient fund of knowledge, and inexperienced trainee's failure of supervision led to a two-day delay in diagnosis of critical and acute limb ischemia, resulting in delay in surgical consultation and the loss of opportunity to perform a limb-saving operation rather than a major amputation.
- Plaintiff's Experts: (1) Paul Genecin, MD, FACP (Internist); (2) Martin A. Fogle, MD, FACS, MS, RPVI (Vascular/Endovascular Surgeon); (3) Michelle Cannon, BSN, RN, CRNI (Nurse Expert).
- Settlement: Case settled for confidential sum on April 19, 2011.

**Clark**

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- Caption: *Darlene Clark et vir., Plaintiffs, v. Geisinger Health System et al., Defendants*. Case No. 2008–3950 (Centre County).
- Overview: During a hysterectomy, failure to directly observe or locate the ureter—by direct observation, simple palpation, or tracing the ureter from the pelvic brim—before placing the figure-of-eight suture, which led to ureter obstruction.
- Plaintiff’s Experts: (1) Bruce A. Rosenzweig, M.D. (OB/GYN); (2) Deborah Schultz, RN, CLCP, CCM, CDMS (Life Care Planner); (3) Donal F. Kirwan, SPHR (Forensic Economist).
- Settlement: Case settled for confidential sum in March 29, 2011.

### **Lockett**

- Caption: *Linda Lockett, individually and as personal representative of the Estate of Gilbert W. Lockett v. Clearfield Hospital, Clearfield Area Health Services et al.* Case No. 08–1691-CD (Clearfield County).
- Overview: Failure to diagnose emergent urosepsis, resulting in wrongful death of patient after discharge. Dead on arrival when brought back home by family.
- Plaintiff’s Experts: (1) Joseph R. Yates, MD, FACEP (Emergency Care Expert); (2) John C. Schaefer, MD (Infectious Disease Expert); (3) Mehboob K. Chaudhry, MD (Critical Care/Sepsis Expert); (4) Joanne Mullin, RN, BSN, LNC (Nursing Negligence Expert).
- Settlement: Petition for settlement (for confidential sum) approved by The Hon. Fredric J. Ammerman, President Judge, on January 11, 2011.

### **Falla**

- Caption: *Estate of Myrna Falla et vir. v. Frick Hospital et al.* Case No. GD-07-024599 (Allegheny County, PA).
- Overview: Case involving “patient dumping” and “reverse patient dumping” in alleged violation of the federal EMTALA statute. Patient presented to the ED with open (compound) fracture of the left lower leg. Although triaged and worked up, her injury was not stabilized. Initial attempt to transfer complicated by inaccurate insurance information, resulting in refusal of other hospital to accept transfer, based on ability to pay. Delay of over six hours before definitive treatment ultimately resulted in two amputations, due to comorbidities.
- Plaintiff’s Experts: (1) John Weltmer, Jr., M.D., F.A.C.S. (Orthopedist); (2) Richard Keith Bachman, MD, CPE, FACPE (Hospital Executive).
- Settlement: Case settled for confidential sum on October 29, 2010.

### **Devinney**

- Caption: *Chad M. Devinney, et ux., Plaintiffs, v. Conemaugh Valley Memorial Hospital, et al.* Defendants. Case No. 2008–2591 (Cambria County, PA).
- Overview: In craniospinal radiation treatment planning for adult medulloblastoma, Defendant radiation oncologist failed to ascertain and individualize the depth of his patient’s thecal sac and to set an appropriate 1–2 cm dosimetric margin to the caudalmost extent of the patient’s thecal sac — a “geographic miss” placing the patient at higher risk of cerebrospinal fluid (CSF) seeding, resulting in recurrent medulloblastoma tumors in the dose fall-off region, and in terminal leptomeningeal metastasis to the brain.

- Plaintiff's Experts: (1) Santosh Yajnik, M.D. (Radiation Oncology Expert); (2) Michelle Whiteman, M.D. (Neuroradiology Expert); (3) David L. Hopkins, ASA, MAAA (Forensic Economist); (4) Deborah Schultz, RN, CLCP, CCM, CDMS (Life Care Planner).
- Settlement: Case settled for confidential sum on August 27, 2010.

### **Burns**

- Caption: *Burns v. J. Rice Oral Maxillofacial and Aesthetic Facial Surgery, P.C. et al.* Case No. 08-146-2008-CD (Jefferson County, PA).
- Overview: Plaintiff suffered severe facial bruising, erythema and petechie in a profound phototoxic adverse reaction to aminolevulinic acid photodynamic therapy (ALA-PDT), which, even after extensive corrective treatments, resulted in permanent facial hypopigmentation.
- Plaintiff's Expert: Jon D. Wagner, M.D., D.D.S. (Photodynamic Therapy Expert).
- Settlement: Case settled for confidential sum in February 2010.
- Letter of Appreciation:

July 12, 2010

To Whom It May Concern:

This letter is written on behalf of Dr. Christopher Buck, an attorney with the law firm of Pribanic & Pribanic, whom my husband and I had the privilege of working with during the years on 2008/09. Our litigation required an attorney with a deep research background and we found that Dr. Buck was the individual for the job.

Over the course of the two years our ongoing case benefited from Dr. Buck's efficient, effective, diligent, and determined methods of providing background knowledge and research relevant to our case. He consistently met time lines and took time to explain our legal issues in such a way that we understood the events of the complicated situation. It appeared that he was never too busy to respond to our questions.

Based upon his deep knowledge base, his dedication to his clients, and his outstanding ability to "get the job done," we would highly recommend his expertise to anyone in need.

Sincerely,

Susan E. Burns

### **Crashworthiness Treatise**

- Treatise: Wrote 250-page treatise on Pennsylvania crashworthiness law: *Injury & Jury: Pennsylvania's Unique Crashworthiness Law* (unpublished). Positively evaluated by leading products liability scholar:
- Legal Scholar's Endorsement: "First, let me congratulate you on your enormous accomplishment in writing such a thorough, well written, insightful, and sensitive examination of the law of crashworthiness. It undoubtedly stands alone in quality, and comprehensiveness, in this field." — David G. Owen, University of South Carolina Law School, Columbia, SC. (Email dated August 5, 2007.)

**REFERENCES • LETTERS OF REFERENCE**

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**6. Letters of reference available upon request.**