



DAVID S. GIVENS

MEMBER

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David Givens has been practicing law for more than 25 years, concentrating on wide-ranging civil litigation – specifically medical malpractice, legal malpractice, breach of contract, product and commercial litigation, employment law, domestic law, medical staff credentialing and defamation matters.

David has significant trial experience and has tried breach of contract, automobile liability, civil rights, defamation, premises liability and multiple medical malpractice claims to verdict. He has represented healthcare defendants at trial in infant death cases, neonatal brain damage cases, and other claims asserting wrongful death. In addition, he has handled complex commercial litigation matters in state and federal courts and has represented employers in administrative claims before the United States Department of Labor and binding arbitration.

David served on the Board of Governors for the Defense Trial Counsel of West Virginia from 1999 to 2005. In 2005, he assumed the managing member position of Flaherty's Wheeling office. In 2008, he served as a court-appointed "McKenzie Friend" in a complex lands trust act case in Southampton, Great Britain. In 2009, David represented West Virginia's largest hospital in appeals before the Fourth Circuit Court of Appeals and the Supreme Court of the United States, which raised important issues regarding the proper application of the civil immunity provisions of the Health Care Quality Improvement Act.

SERVICES

Complex Tort and Product Liability

Deliberate Intent

Medical Malpractice Defense

Professional Liability

EDUCATION

- J.D., West Virginia University College of Law (1993)
- B.A., Philosophy, Psychology & English, Lynchburg College, Virginia (1990)

ADMISSIONS

- West Virginia
- Ohio
- United States Supreme Court
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Northern District of West Virginia
- West Virginia Supreme Court of Appeals
- United States District Court for the Southern District of West Virginia

INSIGHTS

August 2022

28 FLAHERTY ATTORNEYS RECOGNIZED BY BEST LAWYERS®

Flaherty Sensabaugh Bonasso is pleased to announce that 28 of the firm's attorneys have been selected for inclusion in the 2023 edition of *The Best Lawyers in America*® and *Best Lawyers: Ones to Watch*.

Additionally, six attorneys were named *Best Lawyers 2023 Lawyer of the Year*. Only one ...

August 2021

TWENTY-EIGHT FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY BEST LAWYERS®

Flaherty Sensabaugh Bonasso is pleased to announce that twenty-eight of the firm's attorneys have been selected for inclusion in the 2022 edition of *The Best Lawyers in America*® or *Best Lawyers: Ones to Watch*.

Additionally, Sam Fox was named *Best Lawyers 2022 Lawyer of the Year* ...

August 2020

THIRTY FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY BEST LAWYERS®

Flaherty Sensabaugh Bonasso is pleased to announce that thirty of the firm's attorneys have been selected for inclusion in the 2021 edition of *The Best Lawyers in America*® or *Best Lawyers: Ones to Watch*.

Additionally, three Flaherty attorneys were named as *Best Lawyers 2021 Lawyers of the* ...

April 2020

NEW SECTIONS IN WEST VIRGINIA CODE RELATING TO TELEHEALTH

Alert by **David Givens**

West Virginia House Bill 4003 passed on March 7, 2020, adding new sections to the West Virginia Code relating to telehealth. These sections require health insurance coverage for certain telehealth services provided after July 1, 2020, and direct health care boards to ...

- Supreme Court of Ohio

April 2020

TEMPORARY AND EMERGENCY CHANGES TO MEDICARE'S PAYMENT OF VIRTUAL SERVICES

Alert by **David Givens**

The Centers for Medicare & Medicaid Services (CMS) is expanding access to telehealth services on a temporary and emergency basis retroactive to March 1, 2020. Telehealth, or Telemedicine, refers to the exchange of medical information from one site to another through ...

August 2019

FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY THE BEST LAWYERS IN AMERICA© 2020

Flaherty Sensabaugh Bonasso PLLC is proud to announce that 21 of the firm's attorneys have been selected for inclusion in the 2020 edition of *The Best Lawyers in America*.

Additionally, four Flaherty attorneys were named as *Best Lawyers®* 2020 Lawyers of the Year. Only one lawyer in each area ...

August 2018

FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY THE BEST LAWYERS IN AMERICA© 2019

Flaherty Sensabaugh Bonasso PLLC is proud to announce that 22 of the firm's attorneys have been selected for inclusion in the 2019 edition of *The Best Lawyers in America*.

Additionally, three Flaherty attorneys were named as *Best Lawyers®* 2019 Lawyers of the Year. Only one lawyer in each ...

HONORS & AWARDS

- Listed, *The Best Lawyers in America©* since 2010
 - Medical Malpractice Law – Defendants (2011 - 2023)
 - 2019 – Lawyer of the Year – Morgantown, WV – Medical Malpractice Law - Defendants