



## EMILY L. LILLY

SENIOR COUNSEL

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Growing up in a family with a physician for a father and a nurse for a mother, Emily learned how much one's profession could become part of their identity. That's what makes professional liability cases so personal for her. Today, Emily brings nearly 15 years of legal experience to Flaherty's Charleston office.

"One of the most rewarding aspects of my practice is when I can help someone defend the care they provided to a patient."

In addition to serving healthcare clients, Emily has represented many state agencies, government entities, businesses, and individuals in various types of legal matters, including civil rights, contract disputes, products liability, negligence, wrongful death, premises liability, toxic tort, mass litigation, and insurance law.

A creative problem solver, clients can be assured that Emily will work tirelessly to learn the details of their case and inform them of what to expect as it moves forward. In addition, she prides herself on being responsive to any client questions or concerns.

"Though I have practiced litigation every day for over a decade, many of my clients are coming into contact with the court system for the first time. Therefore, my clients must understand the course their case is likely to take and that I am approachable to answer any questions they may have as we work up their case."

When she's not helping her clients navigate the legal world, Emily enjoys spending time with her three young kids and two big dogs.

### PROFESSIONAL INVOLVEMENT

- West Virginia Bar Association

### SERVICES

- Commercial
- Long-term Care Facilities
- Medical Malpractice Defense

### PRACTICE CONCENTRATIONS

- Medical Malpractice Defense
- Long-term Care Facilities
- Home Health and Hospice
- Administrative Law
- General Civil Defense
- Governmental Entity Liability Defense

### EDUCATION

- J. D., West Virginia University College of Law (2008)
  - Honors: Pro Bono/ Public Service Award
- B.A. in Philosophy, West Virginia University (2005), Summa Cum Laude
  - Major: Philosophy with a Pre-Law Emphasis
  - Minor: English

- American Bar Association
- American Health Law Association
- Defense Trial Counsel of West Virginia
- Defense Research Institute
- West Virginia Women Attorneys

## COMMUNITY INVOLVEMENT

- Mid-Atlantic Mothers' Milk Bank Board Member
- West Virginia Judicial and Lawyer Assistance Program Volunteer

## REPORTED CASES

- State of West Virginia ex rel. WVDHHR; Secretary Crouch; and Kanawha County CPS Division v. Hon. Louis H. Bloom, Jennifer R. Victor, and Jennifer N. Taylor, No. 22-0027 (W. Va. Supreme Court, November 17, 2022)(Petition for Writ of Prohibition Granted).
- West Virginia Department of Health and Human Resources v. V.P., 241 W.Va. 478, 825 S.E.2d 806 (2019).
- Eric F. v. Dalrymple, No. 14-1166 (W. Va. Supreme Court, January 29, 2016) (memorandum decision) (affirmed by Eric F. v. Dalrymple, 137 S. Ct. 63, 196 L. Ed. 2d 61(2016)).
- Grace v. Sparks, 2015 U.S. Dist. LEXIS 156323 (S. D. W. Va. 2015) (affirmed by Grace v. Sparks, 668 Fed. Appx. 499 (4th Cir. 2016)).
- Woodruff v. Sparks, 2014 U.S. Dist. LEXIS 63489 (S. D. W. Va. 2014).
- Kanode v. Swope, No. 12-0580 (W. Va. Supreme Court, May 3, 2013) (memorandum decision).
- Sutton v. Brown, 2012 U.S. Dist. LEXIS 19714 (S. D. W. Va. 2012) (proposed findings of fact and recommendations adopted by Sutton v. Brown, 2012 U.S. Dist. LEXIS 19734 (S. D. W. Va. 2012)).
- Jackson v. Nicholas County Sheriff's Department, 2011 U.S. Dist. LEXIS 152664 (S. D. W. Va. 2011) (proposed findings of fact and recommendations adopted by Jackson v. Nicholas County Sheriff's Department, 2012 U.S. Dist. LEXIS 11990 (S. D. W. Va. 2012)).

## ADMISSIONS

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

## INSIGHTS

August 2022

### FLAHERTY WELCOMES ATTORNEY EMILY L. LILLY

Flaherty is pleased to announce that attorney Emily L. Lilly has joined the firm's healthcare practice group.

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Emily brings nearly 15 years of legal experience to ...

## HONORS & AWARDS

- Peer rated as Martindale-Hubbell AV Preeminent, 2016-present
- Selected as Super Lawyers Rising Star, 2022
- Selected as Super Lawyers Rising Star, 2021
- Elected Chairperson of the WVU College of Law Ethics Committee, 2007
- Elected Vice President of WVU College of Law Women's Law Caucus, 2007
- Elected Secretary/Treasurer of WVU College of Law Women's Law Caucus, 2006
- Elected Member of the WVU College of Law Ethics Committee, 2006-2008
- Member Golden Key International Honour Society, 2005-present
- Member Phi Beta Kappa Society, 2005-present
- Daniel Boardman Purinton Scholarship Recipient, 2004
- John Reginald Creswell Outstanding Senior Award Recipient, 2004
- McKay-Coast Award for Academic Excellence Recipient, 2003
- Eberly College of Arts and Sciences Certificate of Achievement for Academic Excellence, 2003-2005

## ADDITIONAL LEGAL EXPERIENCE

- Member Attorney, Shuman McCuskey Slicer PLLC (2016-2022)
- Member Attorney, Pullin, Fowler, Flanagan, Brown & Poe, PLLC (2015-2016)
- Associate Attorney, Pullin, Fowler, Flanagan, Brown & Poe, PLLC (2011-2015)
- Associate Attorney, Lewis, Brisbois, Bisgaard & Smith, LLP (2010-2011)
- Law Clerk to Circuit Court Judge Tod J. Kaufman, West Virginia Supreme Court of Appeals (2008-2010)