



SAM FOX

MEMBER

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With more than 30 years of experience, Sam Fox knows healthcare law. His areas of focus include medical malpractice defense, risk management, risk avoidance/education and health care licensing. Sam also serves as Chair of our Health Care Practice Group, the largest West Virginia law firm Health Care Practice Group in the state.

When it comes to medical and healthcare-related defense, experience is paramount. Sam Fox has a wealth of knowledge, understanding, insight and strategic thinking to apply to every one of his cases.

"I have focused my practice on the defense of medical malpractice cases almost exclusively since 1989. I've handled thousands of claims and cases. Rarely does an issue appear that I haven't dealt with before."

Sam has enjoyed coaching sports outside of work, including a high school soccer team that won back-to-back state championships and went undefeated in 2011 and 2012. In 2012, the National Soccer Coaches Association of America named him the West Virginia High School Soccer Coach of the Year. In addition, he enjoys spending time on the tennis courts, where he won the 2019 Public Courts Tennis Championship for his age division. Sam and his wife, also an attorney, have two children—a son who recently graduated from the University of Florida Levin College of Law and a daughter who is a law student at that same school.

PROFESSIONAL INVOLVEMENT

- Defense Research Institute (DRI)
- American College of Legal Medicine
- West Virginia State Bar Law & Medicine Committee

SERVICES

Healthcare Regulatory,
Transactions & Compliance
Medical Malpractice Defense

EDUCATION

- J.D., West Virginia University College of Law, Morgantown, WV (1989)
- B.A., West Virginia Wesleyan College, Buckhannon, WV (1986)
 - Government
 - Education
- Saint Vincent College, Latrobe, PA (1982-1984)

ADMISSIONS

- West Virginia (1989)
- United States District Court for the Southern District of West Virginia (1989)
- United States District Court for the Northern District of West Virginia (1993)
- West Virginia Supreme Court of Appeals (1989)

- Saint Thomas More Catholic Lawyer's Society
- WV State Bar Lawyer Information Service-Firm Liaison
- Kanawha County Bar Association Officer

COMMUNITY INVOLVEMENT

- Greater Kanawha Valley Foundation, Scholarship Committee Member
- Kanawha Valley Soccer League, Coach of the Year 2005
- Sacred Heart Co-Cathedral, Member
- Knights of Columbus
- Charleston Catholic Middle School, Head Soccer Coach
- Kanawha-Charleston Soccer Foundation, Board Member
- West Side Soccer Association, President
- Soccer Coach, West Side Diamonds
- Soccer Referee, Certified and Licensed
- Kanawha Valley Catholic Recreation Association, Past-President
- Sacred Heart Church League, Past-President
- Read Aloud West Virginia Participant
- Leadership West Virginia Graduate, WV State Chamber of Commerce, 1996
- Kanawha Valley Mental Health Association, Board Member, 1993-1995
- Theta Chi Fraternity-Delta Gamma Chapter, Alumni Board Member; 1991-2001

EXPERIENCE

Bluefield Regional Medical Center Awarded Summary Judgment in Federal Court
December 2019

Defense Verdict Affirmed in Case Against Bluefield Hospital
November 21, 2018

Defense Verdict Obtained in Jefferson County
October 2017

REPORTED CASES

- Mack-Evans v Hilltop Healthcare Center; Opinion #35338, filed on 9/16/10 (WV 2010)
- Gray v Mena, 218 W.Va.564, 625 S.E.2d 326 (W.Va. 2005)

- State ex rel. Huffman v Stephens, 206 W.Va. 501, 526 S.E.2d 23 (W.Va. 1999)

TEACHING & LECTURING

- October 27, 2016-Healthcare Law Update/Medical Malpractice Roundtable, United Hospital Center, Clarksburg, WV
- August 26, 2010-St Joseph's Hospital Nursing Documentation Seminar
- December 15, 2008-"How to Avoid Having to Meet with an Attorney through Good Nursing Documentation". Princeton Community Hospital.
- October 17, 2008-Crossroads of Emergency Care Conference. Belmont Technical College, St. Clairsville, Ohio. Ohio Valley Medical Center and Upper Ohio Valley Chapter of American Association of Legal Nurse Consultants
- May 16, 2008- "The Perfect Storm-a WV Case Study". West Virginia Bar Association, Legal Nurse Consultant Division. 2008 Medical Legal Conference, Marriott Hotel, Charleston, WV
- February 22, 2008 - "Effective Trial Preparation". NBI Seminar, The Summit Conference Center, Charleston, WV
- October 26, 2007. "The Perfect Storm-a West Virginia Case Study". Jackson General Hospital, Ripley, WV
- May 17, 2007. WVSHRM 19th Annual Mid-Year Conference and Expo-Featured Speaker. Stonewall Jackson Resort. "From Incident to Trial", " The Perfect Storm-a WV Case Study" and presentation of a Medical Malpractice Mock Trial
- May 6, 2007. "Claims and Cases-How to Avoid Being Sued". Waterfront Hotel, Morgantown, WV. WV Osteopathic Medicine Association
- January 24, 2007. "The Perfect Storm-a WV Case Study and Three Case Studies". Holiday Inn, Martinsburg, WV. Eastern Panhandle Medical Society and City Hospital.
- June 19, 2007. "The Perfect Storm-a WV Case Study". Tamarack, Beckley, WV. Raleigh County Medical Society
- May 1, 2007. "The Perfect Storm-a WV Case Study". Aquarium Restaurant, Westover, WV. Monongalia County Medical Society
- March 19, 2007. "The Perfect Storm-a WV Case Study". Holiday Inn, Bluefield, WV. Mercer County Medical Society
- August 31, 2006. Collins High School/Oak Hill High School Alumni Association Annual Banquet. Master of Ceremonies. Tamarack, Beckley, WV
- August 2006-"Claims and Cases-Avoiding Medical Malpractice Claims". The Greenbrier, White Sulphur Springs, WV. West Virginia State Medical Association.
- April 27, 2006. "The Perfect Storm-a WV Case Study". Via Veneto's Restaurant, Bridgeport, WV. The Dyer Insurance Agency and WV Mutual.
- October 2003- "Legal Issues for Physicians-Case Presentation". Princeton Community Hospital Medical Staff

- February 11, 2006. "Claims and Case Studies". Marriott Hotel, Charleston, WV. West Virginia State Medical Association.
- June 2003- "Physician Legal Issues-HIPPA, EMTALA, Anti-Kickback Laws and Asset Protection". West Virginia School of Osteopathic Medicine Summer Conference, Myrtle Beach, SC
- August 2002- "Over Prescription and Under Prescription and the Risks to Physicians". Marshall University School of Medicine Seminar. Cabell-Huntington Hospital, Huntington, WV
- April 2000- "Death, Taxes and Getting Sued...Risk Management". West Virginia School of Osteopathic Medicine Seminar entitled: "Women's and Children's Health Issues", The Homestead, Hot Springs, VA
- 1999- "Medical-Legal Issues for the Turn of the Century" at the West Virginia School of Osteopathic Medicine Summer Conference. Kingston Plantation, Myrtle Beach, SC
- April 1999- "West Virginia Physician Loss Prevention Seminar". Medical Assurance of West Virginia Seminar, Glade Springs Resort, Daniels, WV
- 1998- "West Virginia Physician Loss Prevention Seminar". Medical Assurance Seminar, Fincastle Country Club, Bluefield, VA
- 1998- "Risk Management for Medical Students". Marshall University School of Medicine Seminar, VA Hospital, Huntington, WV
- April 1997- "Confidentiality of Medical Records". Medical Education Services, Inc., Holiday Inn, Charleston, WV
- January 1997- "Anatomy of a Medical Malpractice Lawsuit, Risk Management and Organ Donation in West Virginia". West Virginia School of Osteopathic Medicine Ski Emergency Medicine Conference, Canaan Valley Lodge, Davis, WV
- 1997- "West Virginia Physician Loss Prevention Seminar". Medical Assurance Seminar, Radisson Hotel, Huntington, WV
- 1996- "West Virginia Physician Loss Prevention Seminar". Medical Assurance Seminar, Blennerhassett Hotel, Parkersburg, WV
- 1995 through present- Lecturer/Speaker at various Seminars and In-services for Medical Staffs and Nursing Staffs at Princeton Community Hospital, Princeton, WV and St. Joseph's Hospital of Parkersburg, Parkersburg, WV
- 1995- "West Virginia Physician Loss Prevention Seminar". Medical Assurance Seminar, Martinsburg, WV
- 1993- "Marbury v Madison Medical Malpractice Case Study". CNA Loss Prevention Workshop, Stratford Springs, Wheeling, WV
- 1993- "Marbury v Madison Medical Malpractice Case Study". CNA Loss Prevention Workshop, Holiday Inn, Clarksburg, WV
- 1992- "Marbury v Madison Medical Malpractice Case Study". CNA Loss Prevention Workshop, Ramada Inn, South Charleston, WV

INSIGHTS

April 2023

15 FLAHERTY ATTORNEYS RECOGNIZED BY SUPER LAWYERS

Flaherty Sensabaugh Bonasso PLLC is pleased to announce that 15 of the firm's attorneys have been named to the 2023 list of West Virginia Super Lawyers and Rising Stars.

No more than 5 percent of a state's lawyers are named to the Super Lawyers list, with just 2.5 percent of a state's

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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 ...

May 2022

14 FLAHERTY ATTORNEYS RECOGNIZED BY SUPER LAWYERS

Flaherty Sensabaugh Bonasso PLLC is pleased to announce that 14 of the firm's attorneys have been named to the 2022 list of West Virginia Super Lawyers and Rising Stars.

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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 ...

May 2021

16 FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY SUPER LAWYERS

Flaherty Sensabaugh Bonasso is pleased to announce that 16 of the firm's attorneys have been named to the 2021 list of West Virginia Super Lawyers and Rising Stars.

No more than 5 percent of a state's lawyers are named to the Super Lawyers list, with just 2.5 percent of a state's lawyers ...

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

17 FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY SUPER LAWYERS

Flaherty Sensabaugh Bonasso is pleased to announce that 17 of the firm's attorneys have been named to the 2020 list of West Virginia Super Lawyers and Rising Stars.

No more than 5 percent of a state's lawyers are named to the Super Lawyers list, with just 2.5 percent of a state's lawyers ...

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 ...

April 2019

19 FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY SUPER LAWYERS

Flaherty Sensabaugh Bonasso is pleased to announce that 19 of the firm's attorneys have been named to the 2019 list of West Virginia Super Lawyers and Rising Stars.

No more than 5 percent of a state's lawyers are named to the Super Lawyers list, with just 2.5 percent of a state's lawyers ...

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 ...

April 2018

22 FLAHERTY SENSABAUGH BONASSO ATTORNEYS RECOGNIZED BY SUPER LAWYERS

Flaherty Sensabaugh Bonasso PLLC is pleased to announce that 22 of the firm's attorneys have been named to the 2018 list of West Virginia Super Lawyers and Rising Stars.

No more than 5 percent of a state's lawyers are named to the Super Lawyers list with just 2.5 percent of a state's lawyers ...

HONORS & AWARDS

- Listed, *The Best Lawyers in America*®
 - Health Care Law (2016 - 2023)
 - Medical Malpractice Law – Defendants (2017 - 2023)
 - 2022 - Lawyer of the Year - Charleston, WV - Health Care Law
- Listed, West Virginia Super Lawyers
 - Personal Injury Defense: Medical Malpractice (2017 - 2023)
- West Virginia University College of Law, Moot Court Board & Craven Cup Participant
- West Virginia University College of Law, Class President, 2nd and 3rd-year classes
- Omicron Delta Kappa
- Mortar Board

ADDITIONAL LEGAL EXPERIENCE

- Member, Flaherty Sensabaugh Bonasso (1995 – Present)
- Associate, Flaherty Sensabaugh Bonasso (1991 – 1994)
- Associate, Kay, Casto & Chaney, Charleston & Morgantown, WV (1989 – 1991)
- WVU College of Law Clinic Program and Kennedy Center FCI Clinic Program (1988 – 1989)
- Summer Associate, U.S. Attorney's Office for the Southern District of West Virginia, (1988)
- Summer Associate, Appalachian Research & Legal Defense Fund-Fayetteville, WV, (1987)

PRACTICE CONCENTRATIONS

- Medical Malpractice Defense
- Hospital and Physician Risk Management Education
- Health Care Law
- Board of Medicine

- General Litigation