



THOMAS V. FLAHERTY

MEMBER

Charleston, WV

t. 304.347.4232

f. 304.345.0260

tflaherty@flahertylegal.com

A founding member of the firm, Tom Flaherty focuses his practice on personal injury defense and commercial civil litigation. So what makes him stand out? “A blue-collar work ethic learned from my father and more than 48 years of trial and appellate experience.”

Tom has a proven track record and is well respected by judges and peers on both sides of the bar. His style of service is described as “diligent, prepared, responsive, efficient and effective with great attention to detail.”

A thinker and sharp strategist, Tom has represented multiple Fortune 100 companies, three West Virginia governors, and four justices of the West Virginia Supreme Court, all in separate matters. He has successfully argued multiple cases before the West Virginia Supreme Court and the 4th U.S. Circuit Court of Appeals.

“I’ve tried more than 100 cases to verdict and won well over 90% of them. I’m passionate about figuring out the best way to get the desired results for my clients.”

Tom has been a member of the board of directors at BrickStreet since the company’s inception, serving as chairman of the board of directors from 2009 through April of 2017. He has also served on the WVU Board of Governors from 2009-2019 and as chair from 2015-2017. Tom has been listed in The Best Lawyers in America for 28 years – longer than any other West Virginia personal injury defense attorney. Additionally, he has been listed as one of the top three lawyers in West Virginia by Thomson Reuters *Super Lawyers* since the inception of that publication. *Super Lawyers* has ranked him the #1 lawyer in West Virginia every year from 2009 through 2018. He has co-chaired the Campaign for Legal Aid in West Virginia and the Capital Campaign for the Ronald McDonald House.

SERVICES

Alternative Dispute Resolution

Appellate

Commercial

Construction Law

Deliberate Intent

Insurance Coverage & Defense

Professional Liability

Transportation

EDUCATION

- J.D., West Virginia University College of Law (1974)
- B.S., West Virginia University (1971)
 - Business Administration

ADMISSIONS

- United States Supreme Court (1993)
- United States Court of Appeals for the Fourth Circuit (1978)
- United States Courts of Appeals for the Sixth Circuit (1978)

PROFESSIONAL INVOLVEMENT

- West Virginia State Bar
 - President (1995-1996)
 - Board of Governors (1985-1987; 1990-1995)
 - Chairman of the Board (1996-1997)
 - Chairman IOLTA Advisory Committee (2009-2013)
- West Virginia Bar Association
- Defense Trial Counsel of West Virginia (DTCWV)
 - Charter Member
 - Original Officer
- Kanawha County Bar Association (President, 1983-1984)
- West Virginia Law Institute
- Defense Research Institute (DRI)
- Trucking Industry Defense Association (TIDA)
- American Bar Association
- Eastern Mineral Law Foundation (EMLF)
- American College of Trial Lawyers, Fellow (Inducted 1996)
- International Academy of Trial Lawyers, Fellow (Elected 1999)
- American Board of Trial Advocates (ABOTA), Advocate (Inducted 1996)
- International Association of Defense Counsel (IADC) (Inducted 2003)
 - State Co-chair (2014)
- National Center for State Courts Lawyers Committee (2014)

COMMUNITY INVOLVEMENT

- West Virginia University Innovation Corporation Board of Directors (2015 - present)
- West Virginia University Alumni Association Board of Directors (2019 - 2022)
- West Virginia University Board of Governors (2009 - 2019)
 - Board Chair (2015 - 2017)
 - Board Vice-Chair (2013 - 2014)
 - Audit Committee Chair (2013 - 2015)

- United States Claims Court (1990)
- Supreme Court of Appeals of West Virginia (1974)
- United States District Court for the Southern District of West Virginia (1974)
- United States District Court for the Northern District of West Virginia (1979)

- Campaign for Legal Aid of West Virginia (Co-chair 2011 - 2014)
- Chairman, Board of Directors, BrickStreet Mutual Insurance Company (January 2009 - April 2017)
- Chairman, Board of Directors, SummitPoint Insurance Company
- Chairman, Board of Directors, PinnaclePoint Insurance Company
- Chairman, Board of Directors, Northstone Insurance Company
- Member, Board of Directors, Motorists Mutual Insurance Company
 - Executive Committee
 - Compensation Committee, Chair
- Legal Aid Society of Charleston (Former Member - Board of Directors)
- Ronald McDonald House of Southern West Virginia
 - Co-Chair of Capital Campaign (2014 - 2017)
 - Former Member-Board of Directors
- Daymark, Inc. (Former Member - Board of Directors)
- St. Anthony School Board (Former President)
- Governor's Judicial Advisory Committee (1992 - 2004)
- Member, West Virginia Roundtable (2005 - 2008)
- Member, Mountaineer Athletic Club of West Virginia University
- Deerfield Village Owners' Council (1989-1999, President - 1997-1999)
- Former Coach - Little League Baseball, Grade School Basketball

EXPERIENCE

Court Rules CBS Opioid Broadcast Did Not Defame
August 2018

Child Placing Agency Awarded Summary Judgment
August 2018

REPORTED CASES

- Ballengee v. CBS Broadcasting, Inc., et al., 331 F.Supp.3d 533 (S.D.W.Va 2018); Affirmed 968 F.3d 344 (4th Cir. 2020)
- Blankenship, Admx. v. NECCO, LLC, et al (S.D.W.Va. Jul. 25, 2018) Civil Action No. 2:16-cv-12082; Affirmed (4th Cir. Jul. 29, 2019)
- California State Teachers' Retirement System, et al v. Don L. Blankenship, et al., 240 W.Va. 623, 814 S.E.2d 549 (W.Va. 2018)

- Jane Doe, et al v. Corporation of the President of The Church of Jesus Christ of Latter-Day Saints, et al., 239 W. Va. 428, 801 S.E.2d 443 (2017)
- Covol Fuels No. 4, LLC v. Pinnacle Mining Co., LLC, 785 F.3d 104 (4th Cir. 2015)
- Lightner v. Riley, 233 W. Va. 573; 760 S.E.2d 142 (2014)
- Boggess v. City of Charleston, 234 W. Va. 366, 765 S.E.2d 255 (2014)
- Manville Personal Injury Settlement Trust v. Blankenship, 231 W. Va. 637, 749 S.E.2d 329 (2013)
- Hartford Fire Ins. Co. v. Curtis, 231 W. Va. 596, 748 S.E.2d 662 (2013)
- State ex rel. State Farm Mut. Auto. Ins. Co. v. Marks, 230 W.Va. 517, 741 S.E.2d 75 (2012)
- Stewart v. Newtown Energy, Inc., 2012 WL 3079134
- Cal. State Teachers' Ret. Sys. v. Blankenship, 2011 WL 2119761
- State ex rel. W. Va. Citizen Action Group v. Tomblin, 227 W. Va. 687, 715 S.E.2d 36 (2011)
- Mylan Labs. v. Am. Motorist Ins. Co., 226 W. Va. 307, 700 S.E.2d 518 (2009)
- State ex rel. Citifinancial, Inc. v. Madden, 223 W. Va. 229, 672 S.E.2d 365 (2008)
- Horkulic v. Galloway, 222 W.Va. 450, 665 S.E.2d 284 (2008)
- West Virginia University Board of Governors ex rel West Virginia University v. Rodriguez, 543 F.Supp.2d 526 (N. D.W.Va. 2008)
- Wetzel v. Employers Service Corp. of West Virginia, 221 W.Va. 610, 656 S.E.2d 55 (2007)
- In re Tobacco Litigation, 218 W.Va. 301, 624 S.E.2d 738 (W.Va., 2005)
- Goodwin v. Bayer Corp., 218 W.Va. 215, 624 S.E.2d 562 (W.Va. 2005)
- Bennett v. Asco Services, Inc., 218 W.Va. 41, 621 S.E.2d 710 (W.Va. 2005)
- Deskins v. S.W. Jack Drilling Co., 215 W.Va. 525, 600 S.E.2d 237 (W.Va. 2004)
- State ex rel. E.I. Dupont De Nemours and Co. v. Hill, 214 W.Va. 760, 591 S.E.2d 318 (W.Va., 2003)
- Stafford EMS, Inc. v. J.B. Hunt Transport, Inc., 270 F.Supp.2d 773 (S.D.W.Va. 2003)
- Marks v. Watters, 322 F.3d 316 (W.Va. 2003)
- Marks v. West Virginia Dept. of Health & Human Resources, 181 F.Supp.2d 639 (S.D.W.Va. 2002)
- Shonk Land Co., LLC v. Ark Land Co., 170 F.Supp.2d 660 (S.D.W.Va. 2001)
- Westwood v. Fronk, 177 F.Supp.2d 536 (N.D.W.Va. 2001)
- Harris v. Allstate Ins. Co., 208 W.Va. 359, 540 S.E.2d 576 (W.Va. 2000)
- State ex rel. Huffman v. Stephens, 206 W.Va. 501, 526 S.E.2d 23 (W.Va. 1999)
- Devine v. American Ben. Corp., 56 F.Supp.2d 679 (S.D.W.Va. 1999)
- Devine v. American Ben. Corp., 27 F.Supp.2d 669 (S.D.W.Va. 1998)
- State ex rel. Erie Fire Ins. Vo. v. Madden, 204 W.Va. 606, 515 S.E.2d 351 (W.Va. 1998)

- Hager v. Marshall, 202 W.Va. 577, 505 S.E.2d 640 (W.Va. 1998)
- Matter of Starcher, 202 W.Va. 55, 501 S.E.2d 772 (W.Va. 1998)
- Stump v. Ashland, Inc., 201 W.Va. 541, 499 S.E.2d 41 (W.Va. 1997)
- State ex rel. West Virginia Fire & Cas. Co. v. Karl, 199 W.Va. 678, 487 S.E.2d 336 (W.Va. 1997)
- Costilow v. Elkay Min. Co., 200 W.Va. 131, 488 S.E.2d 406 (W.Va. 1997)
- State ex rel. Blankenship v. Richardson, 196 W.Va. 726, 474 S.E.2d 906 (W.Va. 1996)
- Wisman v. William J. Rhodes and Shamblin Stone, Inc., 191 W.Va. 542, 447 S.E.2d 5 (W.Va. 1994)
- Powroznik v. C. & W. Coal Co., 191 W.Va. 293, 445 S.E.2d 234 (W.Va. 1994)
- Henderson v. Meredith Lumber Co., Inc., 190 W.Va. 292, 438 S.E.2d 324 (W.Va. 1993)
- Kaiser Aluminum and Chemical Corp. v. Westinghouse Elec. Corp., 981 F.2d 136 (W.Va. 1992)
- United Mine Workers of America v. Faerber, 179 W.Va. 73, 365 S.E.2d 353 (W.Va. 1986)
- United Mine Workers of America v. Faerber, 179 W.Va. 65, 365 S.E.2d 345 (W.Va. 1986)
- Farmer v. L. D. I., Inc., 169 W.Va. 305, 286 S.E.2d 924 (W.Va. 1982)
- Mollohan v. Black Rock Contracting, Inc., 160 W.Va. 446, 235 S.E.2d 813 (W.Va. 1977)

TEACHING & LECTURING

- Frequent Lecturer for West Virginia Mandatory Continuing Legal Education Commission, Defense Trial Counsel of West Virginia, West Virginia Trial Lawyers Association, National Business Institute, West Virginia Business Summit, Virginia Trial Lawyers Association, Energy and Mineral Law Foundation and Client Groups. Recent presentations include:
 - Mediation, Defense Trial Counsel of West Virginia (2008)
 - Employer's Immunity Under Workers' Compensation Statutes, Energy and Mineral Law Foundation (2007)
 - Joint and Several Liability Law: Changes in the Law and the Impact on Settlement and Litigation Strategies, West Virginia Trial Lawyers Association (2007)
 - Insurance Coverage Litigation, National Business Institute (2007)
 - Electing Judges in Virginia: Would that Assure Judicial Independence?, Virginia Trial Lawyers Association Annual Meeting (2005)
 - Trial Lawyer's Mistakes: Eliminating Yours, Exploiting Theirs, Virginia Trial Lawyers Association 43rd Annual Convention (2002)

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 ...

June 2022

CHAMBERS USA RECOGNIZES FIVE FLAHERTY ATTORNEYS

Five Flaherty Sensabaugh Bonasso attorneys were recently ranked in the 2022 edition of Chambers USA.

- Michael Bonasso – Litigation: General Commercial (Senior Statesman)
- Robert L. Coffield – Healthcare
- Thomas V. Flaherty – Litigation: General Commercial (Senior Statesman)

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.

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 ...

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

CHAMBERS USA RECOGNIZES FLAHERTY SENSABAUGH BONASSO ATTORNEYS

Five Flaherty Sensabaugh Bonasso attorneys were recently ranked in the 2021 edition of Chambers USA.

Michael Bonasso – Litigation: General Commercial (Senior Statesman)

Robert L. Coffield – Corporate/Commercial: Healthcare

Thomas V. Flaherty – Litigation: General ...

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

CHAMBERS USA RECOGNIZES FLAHERTY SENSABAUGH BONASSO AS "TOP RANKED"

The 2020 edition of Chambers USA recognizes Flaherty Sensabaugh Bonasso as "Top Ranked" for **General Commercial Litigation**.

"The team is known for a deep bench serving national and multinational companies from the manufacturing, healthcare and automotive sectors with noted ...

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 ...

July 2019

TOM FLAHERTY APPOINTED TO WVU ALUMNI ASSOCIATION BOARD OF DIRECTORS

The West Virginia University Alumni Association Board of Directors has appointed Gregory Darby, Darren Feeley, **Thomas Flaherty**, James "Rocky" Gianola and Tracy Schoenadel to serve six-year terms on the board.

[Click here to read full release at WVU Today](#)

May 2019

TOM FLAHERTY SHARES 'TEN ATTRIBUTES FOR SUCCESS' DURING WEST VIRGINIA UNIVERSITY INSTITUTE OF TECHNOLOGY COMMENCEMENT ADDRESS

Attorney **Tom Flaherty** had the honor of addressing 2019 graduates at West Virginia University Institute of Technology Commencement on May 4th. He acknowledged that each graduate had undergone a transformation as a result of their education and time at the University.

"What happened to me ...

April 2019

CHAMBERS USA RECOGNIZES FLAHERTY SENSABAUGH BONASSO AS "TOP RANKED"

The 2019 edition of Chambers USA recognizes Flaherty Sensabaugh Bonasso as "Top Ranked" for General Commercial Litigation.

"The team is known for a deep bench serving national and multinational companies from the manufacturing, healthcare and automotive sectors," noted ...

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 ...

May 2018

CHAMBERS USA RECOGNIZES FLAHERTY SENSABAUGH BONASSO AS "TOP RANKED"

The 2018 edition of Chambers USA recognizes Flaherty Sensabaugh Bonasso as "Top Ranked" for **General Commercial Litigation**.

"The team is known for a deep bench serving national and multinational companies from the manufacturing, healthcare and automotive sectors," noted ...

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 ...

February 2018

TOM FLAHERTY HONORED BY RONALD MCDONALD HOUSE CHARITIES

Ronald McDonald House Charities of Southern West Virginia honored Tom Flaherty as part of their annual McGala fundraiser on Saturday, February 10 at Charleston's Embassy Suites. A longtime supporter, Tom was honored for his 30+ years of service to RMHC of Southern West Virginia.

Watch the ...

October 2017

BRICKSTREET ENDOWS WVU LAW SCHOOL SCHOLARSHIP IN HONOR OF TOM FLAHERTY

As published on WVU Today

10/27/17

A scholarship at the West Virginia University College of Law, endowed by The BrickStreet Foundation and honoring Charleston attorney Thomas V. Flaherty, was announced Friday at the University's Board of Governors meeting.

Click to read the full ...

June 2015

TOM FLAHERTY ELECTED CHAIR OF WVU BOARD OF GOVERNORS

Flaherty Sensabaugh Bonasso attorney Tom Flaherty was recently elected Chair of the West Virginia University Board of Governors, effective July 1.

A founding member of the firm, Tom has served on the Board of Governors since 2009.

"The person I am today is a result of the values instilled in ...

HONORS & AWARDS

- Recipient, Distinguished West Virginian Award
- Fellow, American Bar Foundation
- Listed, *The Best Lawyers in America*® since 1995
 - Appellate Practice (2016 - 2023)
 - Bet-the-Company Litigation (2014 - 2023)
 - Commercial Litigation (2013 - 2023)
 - Legal Malpractice Law – Defendants (2013 - 2023)
 - Mediation (2016 - 2023)
 - Personal Injury Litigation – Defendants (2011 - 2023)
 - 2009 - Lawyer of the Year - Charleston, WV - Personal Injury Litigation-Defendants
 - 2012 - Lawyer of the Year - Charleston, WV - Personal Injury Litigation-Defendants
- Listed, West Virginia Super Lawyers (2007 - 2022)
 - Top Ten Attorneys in West Virginia (2021, 2022)
 - Top Ten, Ranked Number One in West Virginia (2009 - 2018)
 - Top Ten, Ranked Number Two in West Virginia (2008, 2019)
 - Top Ten, First Edition (2007)
- AV Preeminent® Peer-Review Rated by Martindale-Hubbell®
- West Virginia Bar Foundation, Fellow (Inducted 2003)
- Fourth Circuit Judicial Conference, Permanent Member
- American Inns of Court, Judge John A. Field, Jr. Chapter (Charter Member)
- Listed, Chambers USA, Litigation: General Commercial (2004 - 2022)
- Listed, Irish Legal 100 (2018)
- Outstanding Service Award - DTCWV
- Outstanding Service Award - West Virginia State Bar