



## Matthew Merrill

SHAREHOLDER IN KANSAS CITY, MO

Matt is an equity shareholder of Sandberg Phoenix, a member of the Health Law Practice Group and a member of the firm's seven-person Compensation Committee. He has been advising and defending health care providers in Missouri and Kansas for over 25 years and has tried cases and argued appeals in both state and federal courts. Matt is also licensed in the state of Washington.

Matt's practice emphasizes litigation and consulting, which includes defending professional liability claims such as nursing facility, medical, dental, hospital, chiropractic, correctional and allied health care provider negligence. He also handles complex civil matters and consults with businesses to provide contractual and risk management services.

Matt was born in Kansas City, Missouri, attended a local high school and graduated from the University of Kansas and the University of Kansas School of Law.

When Matt is not working, he enjoys spending time with his daughters, weightlifting and motorcycling. He is a member of the Sandberg Phoenix Wellness Committee and is actively involved in various organizations within the Kansas City community.

### REPRESENTATIVE EXPERIENCE

Numerous judgments in favor of, and dismissals of, individual and corporate health care providers in Missouri and Kansas state and federal court lawsuits (2001-2023). Selected representative examples of favorable outcomes:

\$25 Million, 12-0 unanimous defense verdict in Jackson County, Missouri in favor of skilled nursing facility wrongful death case, November 2023, #4 defense verdict in Missouri in 2023 as published by Missouri Lawyers Weekly

Judgment in favor of dental practice, St. Louis County, May 2023

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### SERVICES

Birth Trauma Litigation

Commercial Litigation

Correctional Medicine

General Business Law

Medical Malpractice Defense

Personal Injury & Tort Defense

Product, Asbestos & Toxic Tort  
Liability

Professional Liability

State Board Disciplinary  
Proceedings

### INDUSTRIES

Hospitals

Insurance Litigation

Lawyers & Law Firms

Long-term Care & Senior Living

Physicians & Allied Health  
Professionals

Judgment in favor of oral surgery group, Kansas federal court, February 2023.

Judgment in favor of general dentist, St. Louis County, November 2022.

In October 2016, Matt obtained judgment in favor of four allied healthcare professionals in Wyandotte County, Kansas.

Matt won a complete defense verdict in favor of his client, a skilled nursing facility, in The Circuit Court of Jackson County, Missouri at Kansas City in May 2013. This was one of the highest-dollar defense verdicts in Missouri in 2013.

Other recent representative verdicts and judgments include a defense judgment in favor of anesthesiologist (2012); defense judgment in favor of pulmonologist (2011); defense judgment in favor of physician group (2010); and defense verdict in favor of dentist (2008).

Matt has been the lead attorney in hundreds of lawsuits covering a wide variety of practice areas including professional liability defense, personal injury defense, premises liability defense, products liability defense and commercial litigation. In addition to trial work, Matt has obtained hundreds of favorable mediation outcomes for his clients.

## **PROFESSIONAL AFFILIATIONS**

Bar Association of Metropolitan St. Louis

Defense Research Institute

Defense Research Institute, Medical Liability and Health

Care Law Committee

Johnson County Bar Association

Kansas Association of Defense Counsel

Kansas Bar Association

Kansas City Metropolitan Bar Association

Kansas City Metropolitan Bar Association, Medical-Legal/Nursing Home Negligence Committee

Missouri Bar Association

Missouri Organization of Defense Lawyers

Washington State Bar Association

## **EDUCATION**

J.D., University of Kansas School of Law

B.G.S. in Political Science, University of Kansas

## **LICENSURE(S) AND ADMISSION(S)**

Missouri

Kansas

Washington

United States Court of Appeals for the Tenth Circuit

United States District Court for the District of Kansas

United States District Court for the Western District of Missouri

United States District Court for the Eastern District of Missouri

## **CIVIC ACTIVITIES**

After the Harvest, Board of Directors

## **PRESENTATIONS**

"Medical Records Review for Dental and Long Term Care Cases," presented at CLE conference (March 2024)

"Dentist Risk Management From a Trial Lawyer's Perspective," presented to dental study club (March 2024)

"Kansas Defense Litigation Round Table," Medical Malpractice Insurer Defense Counsel Seminar (March 2023)

"Senate Bill 591 and Its Potential Impact," in-house counsel CLE conference (June 2020)

"Expert Depositions in Medical Malpractice/Nursing Home Litigation," KCMBA continuing legal education seminar (May 2019)

"Pressure Ulcers, Pressure Offloading and Documentation" Kansas Health Care Stabilization Fund Seminar (May 2019)

"Missouri Nursing Home Law," presented to medical liability analyst and claims management group (July 2018)

"Mock Deposition of Director of Nursing," 2015 NADONA/LTC National Conference (June 2015)

"Common Themes in Nursing Home Litigation," LTC/CCRC insurer (April 2014)

"Risk Management 2011: Practicing Dentistry in Today's Litigious Society," UMKC School of Dentistry Midwest Dental Conference (April 2011)

"Facebook Ethics," CLE program on ethical considerations and social networking websites (2010)

"Challenges to Missouri Tort Reform," Kansas Health Care Stabilization Fund Defense Counsel Seminar (2006)

## PUBLICATIONS

"Cross Examination of Plaintiff's Treating Physician & Other Medical Experts," *Missouri Products Liability Handbook* (Rev. March 2004)

"The Sheep Heard 'Round the World: Legislation vs. Self-Regulation of Human Cloning," *Kansas J.L. & Pub. Pol'y* 169, 185 (1998)

## RECOGNITION

2023

MISSOURI LAWYERS WEEKLY

#4 Defense Verdict in Missouri

\$25 Million, 12-0 unanimous defense verdict in Jackson County, Missouri in favor of skilled nursing facility wrongful death case

2009-2022

MISSOURI & KANSAS SUPER LAWYERS

Super Lawyer

2014-2023

MISSOURI & KANSAS SUPER LAWYERS

Top 100 Attorneys in Missouri and Kansas

2021-2022

A.M. BEST

Client Recommended Attorneys

2012-2020

MISSOURI & KANSAS SUPER LAWYERS

Top 50 Kansas City Attorneys

2010, 2012, 2016

KANSAS CITY BUSINESS JOURNAL

Best of the Bar

Business Litigation and Insurance Coverage

2008

MISSOURI & KANSAS SUPER LAWYERS

Rising Star

2007

MISSOURI & KANSAS SUPER LAWYER

Up & Coming Lawyer