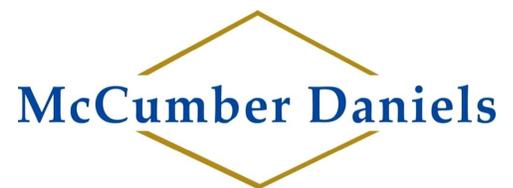




CIVIL LITIGATION AND APPELLATE FIRM

Full-Service, Martindale-Hubbell AV-Rated



With extensive legal, corporate, medical, administrative and legislative experience, McCumber Daniels provides full-service representation for clients in all types of disputes and litigation. Our attorneys are zealous advocates, providing thorough investigation, negotiation, trial, and appellate services, including:

Malpractice Defense

- Hospitals and administrators
- Physicians
- Nurses and certified nursing assistants
- Medical technicians
- Laboratories
- Mental health counselors
- Social workers
- Pharmacists
- Dentists

Insurance Coverage, First Party, and Bad Faith Defense

- National and regional insurance companies
- Property
- Casualty
- Commercial general liability
- Professional liability
- Auto liability
- Umbrella
- Reinsurance

Third Party and General Liability

- Premises liability
- Slip & fall
- Negligent security defense
- Automotive liability
- Boating & watercraft liability
- Trucking liability
- Construction defects
- Products liability
- Personal injury defense
- Wrongful death defense

Professional Liability Defense

- Errors & omissions liability
- Directors & officers liability
- Accountants, physicians, nurses, and engineers liability
- Architects and lawyers professional liability
- Legal malpractice
- Employer liability
- Medical professional malpractice
- Licensure proceedings
- Real estate professional liability

Appellate Practice

- All District Courts of Appeal for the State of Florida
- Florida Supreme Court
- United States Court of Appeals for the 11th Circuit
- All Courts of Appeal for the State of Mississippi
- All Courts of Appeal for the State of Pennsylvania
- All State Courts of Appeal for the State of New Jersey
- United States Court of Appeals for the 5th Circuit
- United States Court of Appeals for the 3rd Circuit
- United States Supreme Court

Alternative Dispute Resolution (ADR)

- Arbitration
- Conflict Resolution
- Dispute Resolution
- Negotiation
- Mediations
- Party-Directed Mediations
- Neutral Evaluations
- Commercial Mediations

Hospitals, Clinics, and Health Care Institutions

- Medical Malpractice
- Health Care Institution Defense
- Administrative Law and Health Care Regulation
- Director and Officer Liability
- Emergency Medical Services
- Health Care Legislation
- Hospital Liability Defense
- Commercial and Employment Litigation

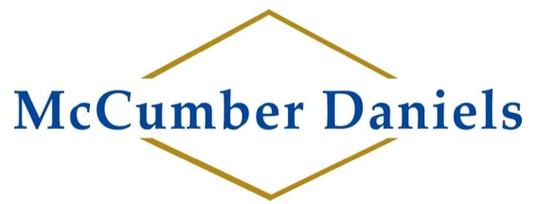
Nursing Homes and Assisted Living Facilities

- Litigation
- Liability Claims
- Negligence and Wrongful Death Suits
- Administrative, Employment, Commercial Matters
- Arbitration Agreements and Supporting Policies
- Legislative Affairs

Health Care Law

- Licensure Proceedings and Defense
- Legislative Efforts and Regulatory Matters
- Medicare/Medicaid Investigations and Audits
- Whistleblower and Qui Tam/False Claims Actions
- Government Fraud Investigations
- White Collar Criminal Defense

MEET OUR ATTORNEYS



Our Experienced Team, Supporting You



Derek Daniels

Derek is a Florida Board Certified Civil Trial Attorney, a designation that less than 5% of Florida attorneys receive. With over 20 years of civil jury trial experience in the defense of hospitals, long-term care facilities, and medical professionals, Derek has tried numerous cases to verdict and leads the firm's litigation department. [Read More](#)



Rick Buntz

Rick concentrates his practice in the defense of healthcare professionals and long-term care facilities. He has extensive experience in regulatory matters, frequently defending clients in various board and administrative actions. Rick has extensive jury trial experience in multiple jurisdictions. [Read More](#)



Mark Hartig

Mark is the firm's managing shareholder. Mark also has an active litigation and arbitration practice both litigating multiple types of professional liability claims and serving as an arbitrator for a wide variety of clients. [Read More](#)



Kenneth Puig

Kenneth focuses his practice on the defense of hospitals and has extensive general liability and professional liability experience. Kenneth is an active advocate of the industries he represents, and he has served as the co-chair of both the professional liability committee of the Claims and Litigation Management Alliance. [Read More](#)



Elaine Ross

Elaine is the managing and lead trial attorney for the Pennsylvania office. She has started more than 100 jury trials in her career and tried more than 50 cases to verdict, including around 45 verdicts in medical professional liability defense cases. Elaine has secured defense verdicts in about 95 percent of her cases. [Read More](#)



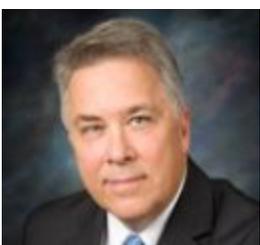
Amy Dilday

Amy is a Florida Bar Certified Appellate Attorney. Her practice reaches a range of civil, appellate issues, including property rights, punitive damages claims, arbitration, family law, and constitutional and statutory interpretation. Amy has appeared before every Florida District Court of Appeal and the Supreme Court of Florida. [Read More](#)



Theresa Domenico

Theresa has over 15 years of trial experience spanning criminal law cases to the defense of healthcare clients. She is frequently called upon by clients to assist with risk management and providing creative solutions to minimize their legal exposure. [Read More](#)



Edward Stolarski

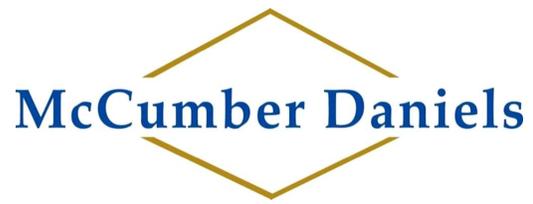
Edward has over 30 years of trial experience and has achieved numerous successful verdicts for the firm's clients. Due to his breadth of experience, he has been an instructor for peer attorneys at the Claims and Litigation Management Alliance's Claims College. [Read More](#)



Karen Tucci

Karen is an experienced trial attorney, who has represented healthcare clients and served as lead defense counsel for large insurance carriers with automotive, trucking, premises, and personal liability policies. She volunteers, serving the Montgomery County Child Advocacy Project, as an advocate for child victims of abuse and neglect in the courts and social services agencies. [Read More](#)

CASE HIGHLIGHTS



Discover Proven Results

Trials

- Defense verdict on behalf of a regional hospital after two weeks of trial in a failure to diagnose infection wrongful death case.
- Defense verdict on behalf of a regional hospital after two weeks of trial in failure to diagnose abdominal infection.
- Defense verdict on behalf of a regional hospital inpatient suicide after two weeks of trial.
- Defense verdict on behalf of a physician and hospital in bilateral testicular failure as a result of alleged negligent hernia surgery in a 30-year-old male after one week of trial.
- Defense verdict in a second trial lasting three weeks on behalf of an obstetrician in severely brain-injured baby due to an alleged failure to timely diagnose and treat placental abruption after a hung jury in the first trial lasting six weeks.
- Defense verdict on behalf of a gynecologist for alleged failure to properly treat post-operative bowel obstruction resulting in the death of 60-year-old patient: unnecessary hysterectomy to treat cervical carcinoma in situ of cervix; lack of informed consent after nine days of trial.
- Defense verdict on behalf of a radiologist in alleged failure to diagnose lymphoma in a 34-year-old attorney, resulting in alleged loss of chance of cure and income loss after two weeks of trial.
- Defense verdict on behalf of a urologist in alleged damage to urinary sphincter during prostate surgery resulting in total urinary incontinence in a 62-year-old male after ten days of trial.

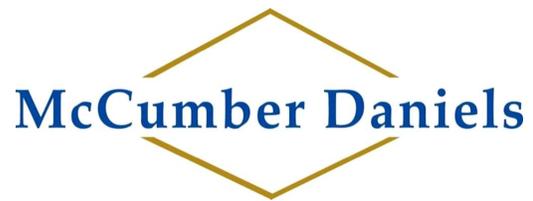
Appeals

- Obtained an appellate win in which Florida's Third District Court of Appeal clarified the statutes governing the distribution of surplus tax deed sale proceeds to settle the date on which the priority of entitlement to the proceeds vests.
- Obtained an opinion from Florida's Fifth District Court of Appeal, in a case of first impression, determining that Florida Rule of Civil Procedure 1.190(f), governing motions to add a claim for punitive damages, requires the trial court to hold a hearing on the motion.
- Obtained an appellate win in which Florida's Fifth District Court of Appeal clarified, in a case based on riparian rights, that land added to waterfront property through the natural process of the water receding is encumbered by the mortgage on the waterfront property.

For additional case highlights, [read more.](#)

CLIENTS

Your Partner, Achieving Your Success



Sample Clients

ACE Group
Adventist Care Centers
All Children's Hospital
Allied World National
American Business Capital, Inc.
American Re Insurance
American Residential
Argo Group US
Argo Pro
Atria Management Company
Baycare
Brookdale Senior Living
CHUBB
CNA HealthPro
Community Health Systems
Creative Risk Solutions
ESIS
Florida Capital Bank
Florida Health Care Assoc.
Florida Living Options
HISCOX
Invitation Homes
IronShore
John Knox Village
Liberty Mutual
Markel

Mease Manor
MedPro
Memorial Hospital
Millenia Claims Mgmt.
Millennium Physician Group
Munich RE
Northern Health Facilities, Inc
Obstetrician and Gynecologist Risk
Retention Group of America, Inc.
Omnicare Pharmacy
OneBeacon Insurance
Pacifica Senior Living
Positive Physicians
Preferred Care
Princeton Insurance Company
Resurgens Specialty Underwriting
Sedgwick Claims
SenCare Management
Sentry Select Insurance Company
Specialty Claims, Inc
Tampa General Hospital
Tampa General Medical Group
The Hartford
Traditions Management, LLC
Ventas, Inc.
Western Litigation
York Pro, Inc.

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We are your advocates and a full-service, Martindale-Hubbell AV-Rated firm.

Contact McCumber Daniels to schedule a consultation.

