



## Edward E. Taber

### Partner

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Ed Taber is a trial lawyer with 25 years of experience defending the health care industry in tort litigation, including academic medical centers, medical device manufacturers, pharmaceutical companies, and other health care entities.

Ed's practice over those 25 years has been a complementary mix of high-end medical malpractice defense for leading academic medical centers, combined with a nationwide product liability practice in defense of America's medical device and pharmaceutical manufacturers. He has handled cases in numerous federal and state court jurisdictions in 20 different states across the U.S.

Ed has participated on national defense teams for 18 federal multidistrict litigations involving medical products. He has tried more than 20 jury cases to verdict, and prevailed on summary judgment for his clients more than 50 times.

Ed greatly enjoys complex medicine and science, and the individual stories behind the plaintiff and defense sides of personal injury lawsuits, whether it be in a mass tort context or an individual case.

Ed and his wife have four children, born in two waves separated by 17 years. In between trials, he likes to spend time with family at Lake Huron, or on a motorcycle, or fixing things (sometimes successfully).

### **Education**

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- University of Cincinnati College of Law (J.D., 1996); Order of Barristers; Moot Court Board, Director
- University of Michigan (B.A., 1993)

### **State Admissions**

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- Ohio, 1996

### **Federal Admissions**

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- United States Court of Appeals, Sixth Circuit
- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio

### **Service Areas**

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- Life Sciences Litigation
- Medical Privacy
- Mass Tort & Product Liability
- Business Litigation
- Privacy & Data Security
- Medical Malpractice Litigation
- Health Care
- Health & Life Sciences

## Experience

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- Secured denial of class certification, an order striking class action allegations, and favorable resolution of an issue of first impression regarding class-action tolling under Ohio law in a putative class action based on a variety of state tort- and contract-based claims alleged against a major hospital system
- *Degidio v. Centocor, et al.*, United States District Court, Northern District of Ohio (2014). Obtained the exclusion of Plaintiff's medical and regulatory experts' testimony under *Daubert*, resulting in summary judgment for pharmaceutical manufacturer in case involving alleged injuries from prescription biologic.
- *Williams v. Bausch & Lomb Company, et al.*, United States District Court, Southern District of Ohio (2011). Pharmaceutical product liability action creating new law on the application of the new statutory damage caps set forth in Ohio's Tort Reform Act (Senate Bill 80).
- *Howell v. University Hospitals of Cleveland*, Common Pleas Court of Cuyahoga County, Ohio. Medical Privacy, 2008.
- *Rife v. Matrixx, et al.*, United States District Court, Southern District of Ohio. Pharmaceutical Product Liability, 2007.
- *Spadichi, Inc. v. Cheslin Chevrolet*, United States District Court, Northern District of Ohio. Product Liability, 2007.
- *Lightbody v. Rust*, Common Pleas Court of Cuyahoga County, Ohio. Breach of Contract, 2006 (retrial).
- *Rickett v. University Hospitals of Cleveland*, Common Pleas Court of Cuyahoga County, Ohio. Medical Malpractice / Birth Injury, 2002.
- *Henes v. Cleveland Clinic Foundation*, Common Pleas Court of Butler County, Ohio. Medical Malpractice, 2001.
- *Sullins v. University Hospitals of Cleveland*, Common Pleas Court of Cuyahoga County, Ohio. Medical Malpractice / Wrongful Death, 2001.

## Publications & Events

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### RECENT SPEAKING ENGAGEMENTS

- “Legal Issues Facing Nurses in the OB Care Setting,” Southwest General Health Center, Cleveland, Ohio (April 2022)
- “Patient-Provider Communications, Technology, and Apologies,” 2018 Medical/Legal Summit, Cleveland Metropolitan Bar Association, Cleveland, Ohio (April 2018)
- “[New Frontiers in HIPAA & Privacy Enforcement: State Courts, FTC and OIG](#),” Ohio Hospital Association Centennial Annual Meeting, Columbus, Ohio (June 2015)
- “Physician Extenders,” 2015 Medical/Legal Summit, Cleveland Metropolitan Bar Association/Academy of Medicine Foundation/Academy of Medicine of Cleveland & Northern Ohio, Cleveland, Ohio (April 2015)
- “Opening Statement & Closing Argument,” Ohio State Bar Association Litigation Basics Seminar, Cleveland, Ohio (October 2014)

### RECENT PUBLICATIONS

- “[Drug and Device Lawyers Need to Be Mindful of Recent HIPAA and State Medical Privacy Law Developments](#),” DRI’s *RX for the Defense* (October 2015)
- “[Reforming Tort Reform: What’s Going On with Ohio’s Affidavit of Merit?](#),” published in *Northern Ohio Physician* (September/October 2013)
- “[U.S. Supreme Court Issues Landmark Decision Regarding Pharmaceutical Warnings](#),” published in *Northern Ohio Physician*, Vol. 94, No. 4 (July/August 2009)
- “[The Push for Transparency in Healthcare](#),” published in *OACTA Quarterly Review* (Spring 2009)
- “[Physician Interaction with Pharmaceutical Companies: New Rules and Nationwide Trends](#)” (April 2009)
- “[Medical Privacy Litigation: What You Don’t Know About this New Trend Could Burn You](#),” published in the *Cleveland Metropolitan Bar Journal*, Vol. 1, No. 12 (March 2009)

### Honors

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- The Best Lawyers in America® (2012–2023)
  - » 2015 Cleveland Lawyer of the Year (Medical Malpractice Law – Defendants)

### In the Community

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- Defense Research Institute
- Academy of Medicine of Cleveland & Northern Ohio
- International Association of Defense Counsel
- University of Michigan Alumni Association
- American Motorcyclist Association