



## John H. Beyer

Partner

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John Beyer is the head of the Professional Negligence & Product Liability Defense Group. He regularly represents hospitals, physicians, nurses, other medical professionals, medical device manufacturers, and their insurers.

His experience includes professional malpractice defense and risk management issues for hospitals, physicians, and other learned professionals, as well as personal injury, wrongful death, and property damage claims. He has deep experience representing clients before various licensing boards. John also advises on workplace accidents, premises liability claims, nursing home negligence claims, sexual abuse claims, and insurance coverage disputes.

He has served on the board of directors of the North Carolina Association of Defense Attorneys. He is a member of the Defense Research Institute.

### REPRESENTATIVE EXPERIENCE

- *Cestron v. Orthopedic Surgeon* – An orthopedic surgeon and his practice group were sued for medical negligence arising from the administration of a hematoma block prior to reducing a child's fractured forearm in the emergency department. The child developed grand mal seizures and was admitted to the ICU. Plaintiff claimed that the child sustained an anoxic brain injury that resulted in cognitive impairments, learning disabilities, and behavioral problems. After a month of trial, the jury returned a verdict of no negligence. The family's lowest settlement demand had been \$2 million.
- *Strong v. Hospital and Attending Hospitalist* – The family of a patient brought a wrongful death action against hospital and one of its employed physicians claiming the decedent received an overdose of Demerol through a PCA pump for postoperative pain control resulting in cardiac arrest and ultimately death. It was alleged that the defendants failed to appropriately resuscitate the patient when he became unresponsive. At the conclusion of a three-week trial, the jury returned a verdict of no negligence in favor of the defendants. Plaintiff's counsel asked the jury to award his client \$4 million.
- *Ludemann v. Obstetrician* – This wrongful death action involved a full term delivery of a severely depressed newborn with a tight, triple nuchal cord. The baby died in the hospital on the third day of life. Plaintiffs alleged the defendant obstetrician failed to provide appropriate prenatal care so as to identify growth restriction and the nuchal cord prior to



#### CHARLOTTE OFFICE



#### PRACTICE AREAS

- Professional Negligence Defense
- Product Liability & Mass Tort
- Litigation
- Medical Malpractice Defense



#### EDUCATION

- University of North Carolina at Chapel Hill  
JD, 1997
- Davidson College  
BA, 1992



#### ADMISSIONS

- North Carolina, 1997



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delivery. The jury returned a verdict of no negligence after three weeks of trial.

- *Huffman v. Hospital and Nursing Staff* - The decedent in this wrongful death action presented to the emergency department complaining of difficulty breathing and disorientation. After admission to post-ICU, the patient received medication rendering him incontinent of bowel. A nurse requested assistance to clean the patient. During the cleaning, the patient stopped breathing. The patient did not respond to resuscitation efforts and was pronounced dead 20 minutes later. At trial, the estate alleged that the nursing staff acted negligently by laying the decedent flat in order to clean him and by failing to notify a physician of the patient's respiratory difficulties. After almost three weeks of trial, the jury returned a verdict of no negligence in favor of the hospital and the nursing staff.
- *Watson v. Pediatricians* - The minor plaintiff was born via spontaneous vaginal delivery. Initially, the baby was clinically stable but thereafter showed signs of infection and was admitted to the NICU. Blood and CSF cultures came back positive for Group B Strep. Diagnostic studies revealed hypoxic-ischemic brain injury resulting in a diagnosis of cerebral palsy at 6 months of age. Plaintiffs alleged that the baby's clinical condition should have alerted her treating physicians to the possibility of infection and should have prompted a more timely order for antibiotics so as to avoid Group B Strep sepsis, meningitis and encephalopathy. The case resulted in a defense verdict after three weeks of trial. The lowest settlement demand had been \$3.5 million.
- *Molina v. Obstetrician* - Plaintiffs alleged that the defendant obstetrician and/or the labor and delivery nurses failed to recognize the likelihood of fetal macrosomia and resulting shoulder dystocia, failed to offer the plaintiff a caesarean section rather than a trial of labor, and caused a permanent brachial plexus injury by not managing the shoulder dystocia appropriately. A three-week trial resulted in a defense verdict for the defendant obstetrician.

## CLIENT ALERTS

- "N.C. Governor Signs Law Limiting Liability for Health Care Workers," May 2020
- "Liability Limited for Health Care Workers Amid COVID-19," April 2020



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### HONORS

- *The Best Lawyers in America* "Lawyer of the Year" in Charlotte for Medical Malpractice Law: Defendants, 2020; Health Care Litigation, 2019; Personal Injury Litigation: Defendants, 2018
- *The Best Lawyers in America* in Medical Malpractice Law: Defendants, 2013-2021; Personal Injury Litigation: Defendants, Health Care Litigation, 2016-2021
- Martindale-Hubbell BV® Distinguished™ in Professional Negligence Defense; Products Liability; Tort Defense; Litigation; Insurance Coverage; White Collar Criminal Defense
- *North Carolina Super Lawyers* Rising Star, 2009-2010

### MEMBERSHIPS

- BarCARES of North Carolina, Inc., Board Member, 2006-2009
- North Carolina Association of Defense Attorneys, Chair, Medical Malpractice Practice Group, 2010-2011. Vice Chair, Medical Malpractice Practice Group, 2009-2010
- Defense Research Institute, Member
- Loaves and Fishes, Board Member, 2004-2007