

WILLIAM F. McMURRY

WILLIAM F. McMURRY & ASSOCIATES
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BORN: Paducah, Kentucky, August 17, 1955

ADMITTED TO BAR: Kentucky, 1979, bar number 46750
Florida, 1981, bar number 315540
United States District Court, Western District of Kentucky, 1979
United States District Court, Middle District of Florida, 1985
United States Court of Appeals, 6th Circuit, 1983
United States Court of Appeals, 11th Circuit, 2003

EDUCATION: University of Kentucky, B.G.S. with high distinction, 1976
University of Louisville, J.D., 1978

AWARDS: Inducted into the Kentucky Civil Rights Hall of Fame for Exemplary Leadership in Civil Rights by the Kentucky Commission on Human Rights, October 16, 2014

2014 Pro Bono Lawyer of the Year, Florida Bar Association

American Jurisprudence Award in Criminal Law,
Bancroft-Whitney Lawyers Cooperative Publishing Co., 1977

CERTIFICATIONS: BOARD Certified as a Medical Malpractice Trial Specialist by the American Board of Professional Liability Attorneys, 1994, recertified 1999, 2006, 2011, 2016.

Board Certified as a Legal Malpractice Trial Specialist by the American Board of Professional Liability Attorneys, 1994, recertified 2000, 2006, 2011, 2016.

Board Certified as a Civil Trial Specialist by the National Board of Trial Advocacy, 1993, recertified 1998, 2003, 2008, 2013, 2018.

CERTIFICATIONS:

Board Certified as a Civil “Pre-Trial” Specialist by the National Board of Trial Advocacy, 2012 - 2019.

Board Certified as a Civil Trial Specialist by the Florida Bar Board of Legal Specialization and Education, 1991, recertified 1996, 2001, 2006, 2011, 2016.

HONORS:

Martindale-Hubble, 2001-2019 designated *Preeminent* by lawyers and judges in Legal Malpractice. Martindale-Hubbell Rating: “AV,” the highest possible rating awarded by Martindale-Hubble.

Peer-selected for *Kentucky Super Lawyers*, designation of the top five percent of lawyers in Kentucky, 2007-2019.

Peer-selected for Kentucky Super Lawyers, **TOP 50 Super Lawyers in Kentucky**, 2019.

Top 10 Nursing Home Trial Lawyers in Kentucky, 2019, by The National Trial Lawyers Association.

Top 25 Medical Malpractice Trial Lawyers in Kentucky, 2019, by The National Trial Lawyers Association.

Top 25 Brain Injury Trial Lawyers in Kentucky, 2019, by The National Trial Lawyers Association.

Top 100 Trial Lawyers in the State of Kentucky, 2007-2018, designated by The National Trial Lawyers Association (ATLA)

Passed the Multi-State Professional Responsibility Examination, administered by the National Board of Bar Examiners, November 5, 2011.

Top 10% in the USA – Recognizing Excellence in Medical Malpractice Law, 2018, *Lawyers of Distinction*.

PROFESSIONAL MEMBERSHIPS:

American Board of Professional Liability Attorneys (ABPLA)

National Board of Trial Advocacy (NBTA)

Kentucky Bar Association (KBA)

Louisville Bar Association (LBA)

The Florida Bar

American Association for Justice (AAJ)

Kentucky Justice Association (KJA)

The National Trial Lawyers Association (NTLA)

American Bar Association (ABA)

**PROFESSIONAL
HISTORY:**

William F. McMurry & Associates, Louisville, Kentucky, 2002-
Present

McMurry & Talbott, Louisville, Kentucky, 1994-2002

Oldfather & Morris, Louisville, Kentucky, 1987-1994

Bross, Trachtman, Henderson & Childress, Merritt Island, Florida,
1985-1987

Boehl, Stopher, Graves & Deindoerfer, Louisville, Kentucky,
Associate, 1982-1983; Partner, 1984-1985. Representative
insurance clients include Traveler's Insurance, CNA, Associated
Aviation Underwriters, Medical Protective, St. Paul and The
Hartford

Assistant Commonwealth's Attorney

- Second Judicial District, 1979-1980 (Paducah, Kentucky)
- Thirtieth Judicial District, 1980-1982 (Louisville,
Kentucky)

McMurry & Livingston, Paducah, Kentucky, 1979-1980

**PROFESSIONAL
ASSOCIATIONS:**

Past President, American Board of Professional Liability
Attorneys, June 2010 – 2014.

Chairman of the Legal Malpractice Credentialing Committee,
American Board of Professional Liability Attorneys, 2008-2019.

Board of Governors, American Board of Professional Liability
Attorneys, 2006-2019.

**PROFESSIONAL
ASSOCIATIONS:**

Bylaws Committee Chair, American Board of Professional Liability Attorneys, 2019.

Trial Practice Editor, *The Advocate*, Kentucky Academy of Trial Attorneys, 2005.

Legal Aid Society of Louisville, Board Member, 2004-2007

International Academy of Integrative Psychology, Board Member, January 2005.

Paul L. Adams Center for Psychoanalytic Education, Founding Board Member, Sept 2003.

**FEATURED
LECTURER:**

Electronic Medical Records, presented at the Annual Meeting of the American Board of Professional Liability Attorneys (APBLA), New York, NY, May 4, 2018.

Legal Malpractice: The Case Within The Case, presented at the All Stars Conference by the National Board of Trial Advocacy (NBTA), New Orleans, LA, November 8, 2018.

Legal and Ethical Considerations in Traumatic Brain Injury Cases – Automobile crash trauma, presented by Neurosurgery/Pain Management, Louisville, KY, May 25, 2018.

Electronic Medical Records: Proving the Medical Malpractice Case, presented at the Annual Meeting of the American Board of Professional Liability Attorneys, Chicago, IL, May 3, 2018

Legal Ethics: Ethical Dilemmas of Multiple Client Representation, co-presented to the Annual Meeting of the American Board of Professional Liability Attorneys (ABPLA), Miami, Florida May 3, 2014.

Legal Malpractice: The Case within the Case, presented to the Annual Meeting of the American Board of Professional Liability Attorneys (ABPLA), Miami, Florida May 1, 2014.

Legal Liability and Ethical Dilemmas: The Case within the Case, presented to the Annual Meeting of the American Board of Professional Liability Attorneys (ABPLA), New Orleans, LA, April 27, 2013.

**FEATURED
LECTURER:**

Legal Liability and Ethical Dilemmas: The Case within the Case, presented to the Annual Convention of the California Bar, Monterey, California, October 13, 2012.

Masters in Trial, presented by the Foundation for the American Board of Trial Advocacy (ABOTA) and the Nashville Bar Association, April 27, 2012. Performed the Direct Examination of the Plaintiff's expert witness and the Closing Argument for the Plaintiff's case. Mock jury verdict/deliberations in favor of Plaintiff for combined compensatory and punitive damages of \$6.6 million.

The Exercise of a Lawyer's Professional Judgment (The Judgmental Immunity Defense), an adaptation of *How We Decide*, by author Jonah Lehrer, State Bar of California Annual Convention, Long Beach, California, October 11, 2011.

"Rethinking the Value of Emotions: A Trial Lawyer's Quest for Better Decision-making," Tennessee Trial Lawyers, Chattanooga, TN – June 16, 2011.

"Opening Statements in Legal Malpractice," American Board of Professional Liability Attorneys, San Diego, CA May 11, 2011.

"Using the New Science of Decision-Making: The Trial Lawyer's Guide to Better Decisions," Louisiana Trial Lawyers, Carmel, CA – June 27, 2010.

"Rethinking the Value of Emotions: A Trial Lawyer's Quest for Better Decision-making," American Board of Professional Liability Attorneys Annual Meeting, San Diego, CA – June 10, 2010.

"Legal Malpractice: When Medical Malpractice is the Case within the Case," American Board of Professional Liability Attorneys, Annual Meeting, Atlanta, GA - June 8, 2009.

"Fight Hate Now More Than Ever," an in-depth review of William F. McMurry's work with co-counsel Morris Dees in the case of Gruver vs Imperial Klans of America, presented at the Annual Convention of the Southern Trial Lawyers Association, February 20th, 2009.

"Legal Malpractice Disasters Stemming from the Handling and Litigation of Mass Tort Cases," American Board of Professional Liability Attorneys Conference, Atlanta, Georgia, June 7, 2008.

**FEATURED
LECTURER:**

“Legal Malpractice: When Society Loses Trust in Authority,” National Civil Litigation Conference, Law Education Institute, Aspen, Colorado, January 6, 2007.

“Fresh Approaches to Medical Malpractice: Liability when Treatment Policies Conflict with Hospital Advertising,” Advanced Litigation Symposium, Louisiana Trial Lawyers Association, New Orleans, Louisiana, November 30, 2006.

“Fresh Approaches to Medical Malpractice: Liability when Treatment Policies Conflict with Hospital Advertising,” National Civil Litigation Conference, Law Education Institute, Aspen, Colorado, January 4, 2006.

“Litigating Beyond Borders: Justice in a Global Society,” National Civil Litigation Conference, Law Education Institute, Aspen Colorado, January 5, 2005.

“Crime and Punishment in the Free Market Economy,” Moscow Social and Psychological Institute of the Moscow State Sociological University, Moscow, Russia, December 9, 2004.

“Holding the Vatican Accountable for Its Worldwide Problem of Childhood Sexual Abuse,” Center for International Legal Institute, CILS Conference on Negligence and Damages in the International Setting, Salzburg, Austria, September 24, 2004.

“Keeping Your Clients Informed through the Web,” Kentucky Academy of Trial Attorneys Annual Convention, Louisville, Kentucky, September 9, 2004.

“News Media Relations and Case Management in High Profile Cases,” National Civil Litigation Conference, Law Education Institute, Aspen, Colorado, January 2004.

“Medical Malpractice in Kentucky,” National Business Institute, Louisville, Kentucky, December 2003.

“Legal Ethics in Kentucky,” Lorman Education Services, Louisville, Kentucky, May 2003.

“Ethical Issues Surrounding Use of Courtroom Technology,” Kentucky Academy of Trial Attorneys, Louisville, Kentucky, March 2003.

**FEATURED
LECTURER:**

“Overcoming the Statute of Limitations in Childhood Sexual Abuse Cases,” National Civil Litigation Conference, Law Education Institute, Aspen, Colorado, January 2003.

“Solutions to the Most Common Ethical Challenges,” Eminent Domain Conference, Louisville, Kentucky, June 2002

“Jury Bias in the 21st Century,” Chairperson, Kentucky Academy of Trial Attorneys, Louisville, Kentucky, May 2002.

“Practical Legal Ethics in Kentucky: Issues and Answers,” National Business Institute, Louisville, Kentucky, June 2001.

“Medical Professional Liability, Failure to Properly Treat Carbon Monoxide Exposure,” American Board of Professional Liability Attorneys, Annual CLE Conference, Atlanta, Georgia, October 2000

“Medical Malpractice, The Plaintiff’s Perspective,” National Business Institute, September 1996.

“Premises Liability: Preparation and Trial of a Difficult Case in Kentucky (The Plaintiff’s Perspective),” National Business Institute, Louisville, Kentucky, March 1995.

“Trying the Automobile Accident Case in Kentucky (The Plaintiff’s Perspective),” National Business Institute, Louisville, Kentucky, February 1994.

**PROFESSIONAL
PUBLICATIONS:**

“Litigating UIM Cases After Earle v. Cobb,” The Advocate, Kentucky Academy of Trial Attorneys, Vol. 32, No. 6, November/December 2005.

“Winning During Difficult Times,” The Advocate, Kentucky Academy of Trial Attorneys, Vol. 32, No. 4, July/August 2005

**SELECTED VERDICTS
AND SETTLEMENTS:**

\$25.7 Million Sexual Abuse Class Action Settlement

Arising out of sexual abuse of 243 children, now adults, while attending Catholic churches and schools in the Louisville, Kentucky Archdiocese. At the time of the settlement, this was the largest amount ever paid by an archdiocese out of their own pocket; no insurance proceeds were available.

**SELECTED VERDICTS
AND SETTLEMENTS:**

[Confidential Settlement Amount – after fourth day of trial]

Legal Malpractice settlement arising out of large regional law firm's failure to properly meet pleading deadlines resulting in client's loss of commissions from a lucrative business-finding agreement. Loss of claimed commissions totaled \$93 million.

\$2.5 Million Verdict against the Leader of the Imperial Klans of America and other Klan Members

William F. McMurry served as co-counsel with Morris Dees and the Southern Poverty Law Center in representing a 16-year old Native American who was beaten by a group of Klan members engaged in recruitment activities at the Meade County Fair in Brandenburg, Kentucky.

\$2.250 Million Medical Malpractice/Wrongful Death

Arising out of the death of a thirty-three-year-old woman hospitalized for constipation.

\$2.05 Million Medical Malpractice/Products Liability Settlement

Arising out of an injury caused by an allegedly defective medical device product.

\$16 Million Legal Malpractice/Living Trust Scam Settlement

Arising out of a nationwide scam where over 15,000 elderly class members fell victim to lawyers involved in a living trust and life insurance scam. This is the only nationwide class action ever certified by a Circuit Court in Kentucky.

\$950,000 Legal Malpractice Settlement

Arising out of negligent handling of Client's medical malpractice claim. Case was settled during trial.

\$2.1 Million Medical Malpractice Verdict

Arising out of the failure to diagnose and treat a stroke patient.

\$1.5 Million Sexual Abuse Settlement

Arising out of sexual and physical abuse of 45 children, now adults, at an orphanage between the late 1940's through 1984. Only settlement arising out of sexual abuse perpetrated by nuns at an orphanage in the United States.

**SELECTED VERDICTS
AND SETTLEMENTS:**

\$450,000 Wrongful Use of Civil Proceedings/Malicious Prosecution Verdict

Arising out of the filing and prosecution of a frivolous medical malpractice suit against an orthopedic surgeon. Largest such verdict in Kentucky.

\$2.9 Million Automobile Accident Verdict

Arising out of the “mild” traumatic brain injury suffered by a lawyer in a rear-end collision. Insurance company for lawyer refused to pay UIM claim and argued he was malingering. Largest “mild” traumatic brain injury verdict in Kentucky.

\$1.4 Million Products Liability Settlement

Arising out of house fire related death caused by a consumer product defect in a cordless phone.

\$3 Million Medical Malpractice Settlement

Arising out of failure to diagnose kidney cancer. Case was settled during jury deliberations.

\$2.35 Million Medical Malpractice Verdict

Arising out of emergency room physician’s failure to properly treat carbon monoxide poisoning.

\$1.5 Million Insurance Bad Faith Settlement

Arising out of automobile insurance carrier’s violation of the Kentucky Unfair Claims Practice Act.

\$1.5 Million Settlement

Arising out of a highspeed police chase resulting in a crash and the deaths of four innocent children. (2017)

\$500,000 Settlement

Arising out of the sexual assault of a student passenger on a Jefferson County Public Schools bus. (2018)