



## Melinda A. Schumaker

Principal  
Professional Liability

Philadelphia, PA  
Phone: 215-587-1055  
Fax: 215-587-1444  
[mschumaker@postschell.com](mailto:mschumaker@postschell.com)

**Defends healthcare systems, hospitals, behavioral health facilities, physicians, therapists, nurses, dentists, and other medical professionals in complex medical negligence cases involving catastrophic injuries and high financial exposure.**

### Bio

Melinda A. Schumaker is a Principal in the Philadelphia office of Post & Schell and is a member of the firm's Professional Liability Department. For more than 15 years, Ms. Schumaker has devoted her practice exclusively to defending health systems, hospitals, behavioral health facilities, physicians, therapists, nurses, dentists, and other medical professionals in medical malpractice cases.

Ms. Schumaker has been involved in numerous high-exposure cases involving catastrophic injuries. Her cases routinely involve alleged misdiagnoses, delayed diagnoses, negligent treatment, surgical malpractice, birth injuries, decubitus ulcers, and falls, among others. She has substantial experience litigating in Philadelphia County and represents clients throughout the state court system of the Commonwealth of Pennsylvania and in the United States District Court of the Eastern District of Pennsylvania.

In addition, Ms. Schumaker is a trusted advisor dedicated to preventing additional medical malpractice lawsuits. Her consulting practice includes the pre-litigation handling of potential medical malpractice claims and claims reduction through the identification and mitigation of liability risk and the enhancement of patient safety and quality of care. She guides and assists clients in healthcare legal matters including those that involve presentations as to proactive documentation, education as to the enhancement of patients' satisfaction, internal investigations, and peer review issues.

Ms. Schumaker has been named by her peers as a Pennsylvania Super Lawyer Rising Star in the category of Medical Malpractice Defense. For information about these selections and an overview of common third-party publications, rankings, and list methodologies, [click here](#).

Prior to joining Post & Schell in February 2008, Ms. Schumaker practiced in the Health Care Litigation and Risk Management Department of a major mid-Atlantic law firm. In that position, Ms. Schumaker served as a litigator assisting in the defense of medical malpractice cases and as a risk management team member. This latter aspect of her practice involved mitigating liability risk exposure by identifying and implementing early intervention strategies, policies and training, and diagnostic clinical risk tools.

### Practices

- Professional Liability
- Medical Malpractice Litigation

### Industries

- Health Care

### Education

- J.D., Syracuse University College of Law, 2005  
Associate Editor, *Syracuse Law Review*; Fasken Martineau International Law Moot Court Competition, First Place Team Member; Dean's Scholarship
- B.A. in English and Political Science, *with Honors*, Washington & Jefferson College, 2002  
Member, International English Honor Society; Member, National Political Science Honor Society

### Bar Memberships

- Pennsylvania

### Court Admissions

- Supreme Court of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania

From September 2005 to September 2006, Ms. Schumaker served as a judicial law clerk to the Honorable James P. Cullen of the Court of Common Pleas of Lancaster, Pennsylvania. Judge Cullen presided over medical professional liability cases, giving Ms. Schumaker the unique opportunity to participate in these matters from the court's vantage point and to learn the judicial perspective on key legal issues.

## Representative Cases

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- Independently represented and obtained a dismissal with prejudice for a hospital in a Court of Common Pleas of Montgomery County case involving claims that an orthopedic surgeon (who was represented by separate counsel) had a private office inside of the hospital, held privileges at the hospital, and negligently performed an ankle surgery on the plaintiff at the hospital. Economic damages alone were alleged to have exceeded \$1.2 million, plus pain and suffering, and loss of consortium.
- Second chaired a jury trial to a unanimous defense verdict in the Court of Common Pleas of Philadelphia County for a hospital and one of its thoracic surgeons in a case involving allegations that a woman, who underwent a surgical biopsy that was complicated by a pulmonary artery injury, had a protracted hospital course and death.
- Second chaired a jury trial to a defense verdict in the Court of Common Pleas of Montgomery County for an anesthesiologist in a case involving allegations that the anesthesiologist perforated the patient's upper esophagus, causing the need for a right thoracotomy, as well as other surgeries.
- Worked with lead counsel to obtain a defense verdict in the Court of Common Pleas of Philadelphia County for a gastroenterologist and his practice group in a case involving allegations of a failure to properly treat gastrointestinal symptoms and of an alleged unnecessary surgical placement of a jejunal feeding tube, leading to the development of reflex sympathetic dystrophy (RSD) syndrome/complex regional pain syndrome (CRPS).
- Worked with lead counsel to obtain a defense verdict in the Court of Common Pleas of Philadelphia County for an obstetrician and his practice group in a case involving allegations that the obstetrician misdiagnosed a lack of cardiac activity, a fact consistent with fetal demise, when over one hour later a fetal heart rate was observed, leading to an emergency cesarean section and the birth of an infant with a hypoxic ischemic brain injury.
- Assisted lead counsel to secure the dismissal of eight physicians and to reach a settlement on behalf of a hospital for a nominal amount in the Court of Common Pleas of Philadelphia County in a case involving an alleged failure to timely diagnose and treat ovarian cancer.
- Assisted lead counsel in obtaining a defense verdict in the Court of Common Pleas of Philadelphia County for a hospital in a case involving an alleged failure to properly treat decubitus ulcers.

## Speaking Engagements

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- "Fall Precautions and Documentation," Mock Trial Presentation, Nursing Symposium, Holy Redeemer Hospital and Medical Center (May 2016)

- "The Importance of Documentation," Mock Trial Presentation, Nursing Symposium, Holy Redeemer Hospital and Medical Center (November 2011)

### **Affiliations**

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- Pennsylvania Bar Association

### **Clerkship**

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- Honorable James P. Cullen of the Court of Common Pleas of Lancaster, Pennsylvania