Kevin C. Reidy

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Kevin C. Reidy has focused his practice on the litigation and appeal of complex personal injury and professional liability actions, including the defense of medical malpractice, legal malpractice, professional liability, product liability, construction liability, premises liability and general liability claims. Mr. Reidy has represented and successfully defended management consultants, general contractors and subcontractors on large construction products, including the Massachusetts Central Artery Tunnel Project. Mr. Reidy represents clients in the defense of consumer protection actions. His practice also includes the defense of insurance companies in claims alleging unfair and deceptive settlement practices. His practice also includes the representation of clients who are the subject of court orders and subpoenas. Mr. Reidy also represents physicians, psychologists, dentists and other healthcare professionals in the defense of Board of Registration investigations, complaints and applications. In addition, Mr. Reidy assists risk managers, claims representatives and clients with risk assessment and loss prevention, pre-suit investigation, HIPAA and regulatory compliance matters. He has also served as an educational speaker to healthcare professionals regarding loss prevention, defensive record keeping and the protection of confidential and privileged communications. He has successfully represented clients through dispositive motion practice and jury trials in the state and federal courts, as well as the Appeals Court of Massachusetts.

Representative Cases
Summary judgment for defendant supermarket in a civil action alleging negligent failure to provide safe premises. The plaintiff alleged negligent maintenance at the entrance to the supermarket causing the plaintiff to slip and fall.

Summary judgment granted for defendant construction site manager in a civil action alleging negligent failure to provide safe working conditions on a construction site.

Summary judgment granted for defendant property owner in a civil action alleging failure to provide safe work conditions on a construction site.

Defense verdict (jury waived) for defendant manufacturer in a civil action alleging breach of contract and defective product. The case involved alleged defective materials provided to a municipal sewer construction project.

Defense verdict (jury trial) for defendant dentist in a civil action alleging dental negligence. The case involved allegations of dental malpractice relating to the failure of multiple dental implants. The jury found the defendant dentist not negligent.

Defense verdict (jury trial) for defendant nurse in a civil action alleging medical negligence. The plaintiffs alleged negligent failure to diagnose and treat necrotizing fasciitis resulting in permanent injury. The jury found the defendant nurse not negligent.

Defense verdict (jury trial) in Federal Court for defendant construction manager in a civil action alleging construction site negligence. The plaintiffs alleged that the defendant negligently maintained the construction site and failed to have the appropriate safety plan. The jury found the defendant not negligent.

Motion to dismiss granted after Daubert motion was allowed in a civil action alleging medical negligence. The Daubert motion precluded expert testimony that the standard of care of the average qualified obstetrician required tocolytic medication to be provided to a patient during pre-term labor and having ruptured membranes and chorioamnionitis (infection of the fetal membranes).

Special motion to dismiss granted for defendant and attorney fees awarded pursuant to the Massachusetts Anti – SLAPP (Strategic Litigation Against Public Participation) statute in a civil case alleging libel and slander.

Defense verdict (jury trial) for defendant primary care physician in a civil action alleging failure to diagnose lymphoma. The jury found the defendant physician not negligent.

Defense verdict (jury trial) in Federal Court for defendant general surgeon in a civil action alleging failure to diagnose and treat necrotizing fasciitis post colo-rectal surgery. The jury found the defendant general surgeon not negligent.

Successful defense of complaint against transplant surgeon with the Board of Registration in Medicine for alleged retention of surgical sponge during transplant surgery. The complaint was dismissed without any sanction imposed.

Bar Admissions:
Massachusetts, 1994
U.S. District Court District of Massachusetts, 1995
U.S. Court of Appeals 1st Circuit, 1995

Education:
Suffolk University Law School, Boston, Massachusetts, May, 1994

J.D.
Honors: Cum Laude
Law Review: Suffolk University Law Review, Staff Member, 1992 – 1993
Law Review: Suffolk University Law Review, Comment Editor, 1993 – 1994

Boston College, Wallace E. Carroll School of Management, May, 1991
B.S.
Major: Finance and Economics

Published Works:
Medical Experts (Co-Author), Massachusetts Expert Witnesses, MCLE, Chapter 17, 4th Edition, 2022
Medical Experts (Co-Author), Massachusetts Expert Witnesses, MCLE, Chapter 18, 3rd Edition, 2018
Apologies, Unanticipated Outcomes, and Mistakes, Journal of the Massachusetts Dental Society, Vol. 62/No. 1, Spring 2013
Medical Malpractice in Massachusetts (Co-Author), National Business Institute, Inc., 1996
A Defense Lawyer's Perspective on Nursing Home Cases, Nursing Home Litigation Group – American Association for Justice, 1996
Comment, The Public Duty Rule Precludes Municipal Liability for Negligent Fire Fighting, 27 SUFFOLK U.L. REV. 330, 1993

Lectures & Professional Speaking:

Co-Speaker, *Panel Presentation – Risk Management for Dentists: Mock Trial*, Yankee Dental Congress, January 27, 2022, Boston MA.
Guest Lecturer, Malpractice Litigation – Issues in Nursing, MGH Institute of Health Professions,
Professional Issues – Course No. NP-839 (2010 to present)
The Board of Registration in Medicine – Complaints and Inquiries
Issues and Strategies in Defending Claims Involving Reproductive Medicine
Dental Malpractice Litigation 101
Managing Complication: Infections, 2012 PIAA Dental Workshop
Document Integrity
Incidental Medical Findings and Continuity of Patient Care
Legal Issues for Social Workers

Professional Associations and Memberships:
Massachusetts Bar Association – Member
Massachusetts Defense Lawyers Association – Member
American Bar Association – Member

Practice Areas

Product Liability

Civil Litigation

Medical Malpractice

Professional Licensing and Regulatory Practice

Appellate Practice

Construction Litigation