



## **MICHELLE L. DONOVAN**

### **PARTNER**

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Michelle joined Broening Oberg Woods & Wilson as a law clerk in 2009, became an Associate in 2010 and was named a Partner in 2016. Michelle grew up in northeast Ohio and later attended The Ohio State University, graduating magna cum laude with a degree in Economics. Michelle moved to Arizona to attend law school at the Sandra Day O'Connor College of Law at Arizona State University. Michelle focuses her practice on medical malpractice defense, a sizeable proportion of which is comprised of birth trauma and gynecological malpractice defense. Coming from a medical family, Michelle understands the personal impact on health care providers when a lawsuit is filed criticizing their care or a situation arises that compromises a medical practice. Michelle uses this perspective in guiding her clients through the litigation process. Michelle has successfully defended suits against healthcare providers and healthcare facilities, including many full dismissals.

## **EDUCATION**

- Arizona State University, Sandra Day O'Connor College of Law, J.D. 2010
- The Ohio State University, B.A., *magna cum laude*, 2007

## **BAR ADMISSIONS**

- State Bar of Arizona, 2010
- U.S. District Court, District of Arizona, 2010

## **REPRESENTATIVE EXPERIENCE**

In 2022 Michelle first-chaired a birth trauma trial defending an obstetrician accused of failing to identify shoulder dystocia and causing a permanent brachial plexus palsy in a child. The jury reached a unanimous defense verdict.

In 2020 Michelle successfully defended a gynecologist at arbitration in a case arising out of complications during surgery to remove an ectopic pregnancy.

In 2018 Michelle co-chaired a trial with Kate Corcoran defending a psychiatrist against claims that the psychiatrist breached the standard of care in responding to a patient's condition, causing the patient's

death. The jury reached a unanimous defense verdict.

In 2018 Michelle secured summary judgment in favor of her client, a physician, against a *Bivens* action in federal court.

Michelle defended providers and their obstetric group against claims that their care failed to prevent preterm delivery of twins. The preterm birth resulted in one fetal demise and one child with alleged developmental delays and permanent cognitive deficits. In 2018, after several years of litigation, Michelle achieved summary judgment in favor of the physician and secured a settlement on behalf of the practice group for a de minimis fraction of the opening demand from the patient.

In 2017, Michelle defended a hospital against claims that its nurse violated the standard of care during a patient's labor and delivery, resulting in a ruptured bladder and uterus. Michelle's knowledge of birth trauma litigation and related medical issues established that the patient's claims were medically unfounded, resulting in a full dismissal.

In 2015, Michelle defended a radiologist against claims that he failed to diagnose a parotid gland tumor, causing cancer to spread and result in a more complex treatment. In defending the claim, Michelle proved the lack of qualifications of the patient's expert as well as legally inadequate opinions, resulting in a dismissal.

In 2014, Michelle co-chaired the defense of a home health agency against claims that its nurse violated the standard of care and caused the patient's death, resulting in a defense verdict. Following the verdict, the trial court granted the plaintiff's request for a new trial. Michelle drafted the appellate briefs that ultimately resulted in the Court of Appeals reversing the grant of a new trial and reinstating the jury's verdict in favor of the defense.