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Collection Begins on Attorney Sanctioned \$1M

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Collection efforts have begun against defense attorney Nancy Raynor, who was sanctioned roughly \$1 million for allowing a defense expert to make a prohibited reference to smoking in a lung cancer-related medical malpractice case.

Philadelphia Court of Common Pleas Judge Paul P. Panepinto, in *Sutch v. Roxborough Memorial Hospital*, sanctioned the founder of Malvern, Pa.-based Raynor & Associates for the reference that brought the case to a mistrial. Now, according to the docket, a writ of execution has been filed to garnish Raynor's assets.

Raynor's attorney, Jeffrey B. McCarron of Swartz Campbell, said a motion to delay payment of the judgment has been filed, but Panepinto, as of press time, had not yet ruled on it. Additionally, Raynor has filed an appeal that is still pending. McCarron said the plaintiff's lawyers are going after Raynor's business bank accounts and her personal assets.

"It will likely interrupt the business of her firm to an extent that it will be difficult for her to survive," McCarron said. "She's obviously in distress and very concerned about the impact this activity will have on her personally and professionally."

However, McCarron added that Raynor has garnered support from the legal community. "People are cheering for her to defeat this sanctions order," he said.

The plaintiff's attorney in the case, Matthew D'Annunzio of Klehr Harrison Harvey Branzburg, pointed to the sequence of events in the case as justification for the sanction.

"Plaintiff and her counsel suffered a tremendous loss due to this conduct," D'Annunzio said. "We invested three weeks of trial time. Lawyers paralegals and support staff incurred \$200,000 in costs in the trial—numerous experts through seven disciplines, trial techs and all the rest that goes along with putting on a complex trial."

Raynor was ordered to pay \$615,349 in attorney fees to Klehr Harrison; \$160,612 to Messa & Associates, also representing the plaintiff; and \$170,235 to the plaintiff, according to the order.

Those sanctions are on top of a \$44,693 penalty previously imposed upon Raynor in the same case for writing a letter to the employer of a plaintiff's expert witness. Raynor was also

disqualified from representing her client in the case.

A fuller version of this article will be posted later when the article is completed.

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