

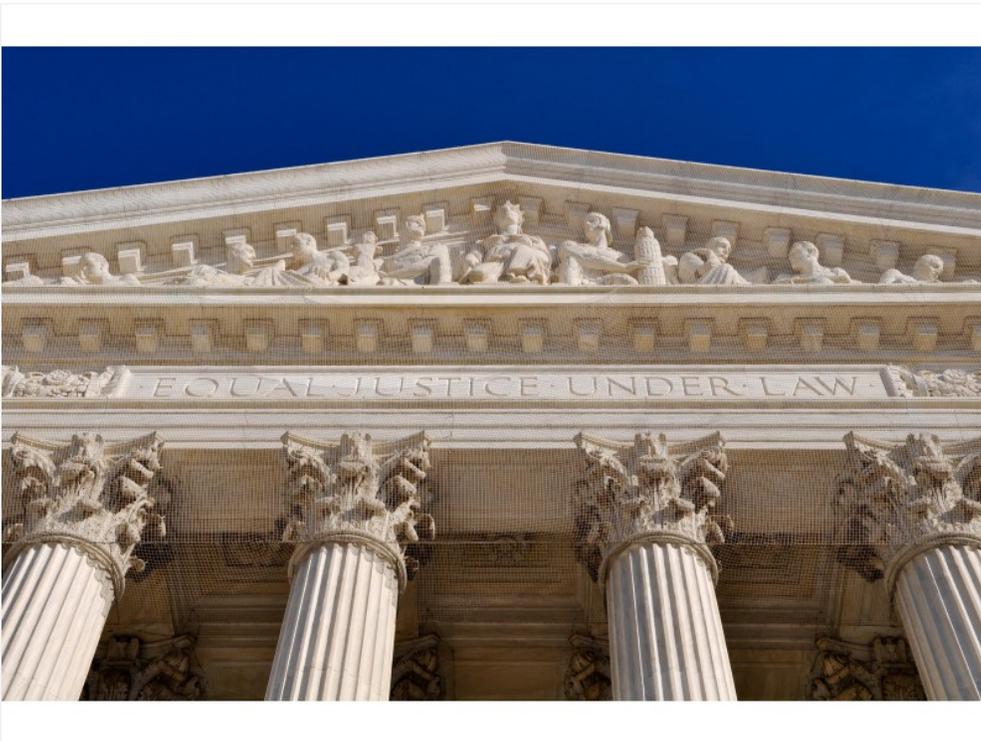
# State Court Prevents Collection of Lawyer's \$1M Fine

*The Pennsylvania Superior Court blocked the collection of the fine from a Malvern attorney who represented Roxborough Memorial Hospital.*

By **JAMES BOYLE** (Patch Staff)

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The struggle between the state appellate courts and the Philadelphia Court of Common Pleas over a \$1 million sanction continued Wednesday when the [Pennsylvania Superior Court](#) blocked the collection of the fine, according to Philly.com.

Court of Common Pleas Judge Paul Panepinto ruled in March that the fine against Malvern-based attorney Nancy Raynor would stand, a punishment for allowing an expert witness to reveal information deemed inadmissible during a [medical malpractice trial in 2012](#).

Attorneys representing the plaintiffs seek to collect the fine, but the Superior Court wants to hear the full appeal before releasing the injunction, according to Philly.com.

In February, the appellate court temporarily halted the sanction that caused Raynor's assets and business accounts to be frozen and threatened the survival of her firm. Panepinto was directed to hold a hearing to review new evidence and witness testimony that Raynor's defense attorneys claimed provided more proof that she directed her expert to not bring up a plaintiff's history of smoking.

Raynor served as lead defense for Roxborough Memorial Hospital during a 2012 medical malpractice suit. The family of Rosalind Wilson blamed her cancer-related death on the hospital for allegedly failing to inform her of a detected nodule on her lung during a hospital stay in May 2007. Doctors diagnosed Wilson with lung cancer more than 18 months later and died shortly after in July 2009.

Acting as the executrix of the estate, Wilson's daughter, Rosalind Sutch, filed the malpractice suit against the hospital that reached trial in 2012. Panepinto sided with the plaintiffs, who argued that mentioning Wilson's smoking history would unfairly distract jurors from the hospital's responsibility to inform patients of x-ray results. The attorneys were ordered to tell their witnesses to refrain from bringing up the smoking, but one of Raynor's experts blurted it out during testimony.

Panepinto slapped Raynor with the fine and later ruled a mistrial, banning the attorney from representing the hospital and other defendants in the case. A new trial resulted in a \$2 million verdict for the plaintiffs. Raynor was ordered to

pay \$615,349 in attorney fees to Klehr Harrison Harvey Branzburg, \$160,612 to Messa & Associates, and \$170,235 to Sutch, according to the sanction's order.