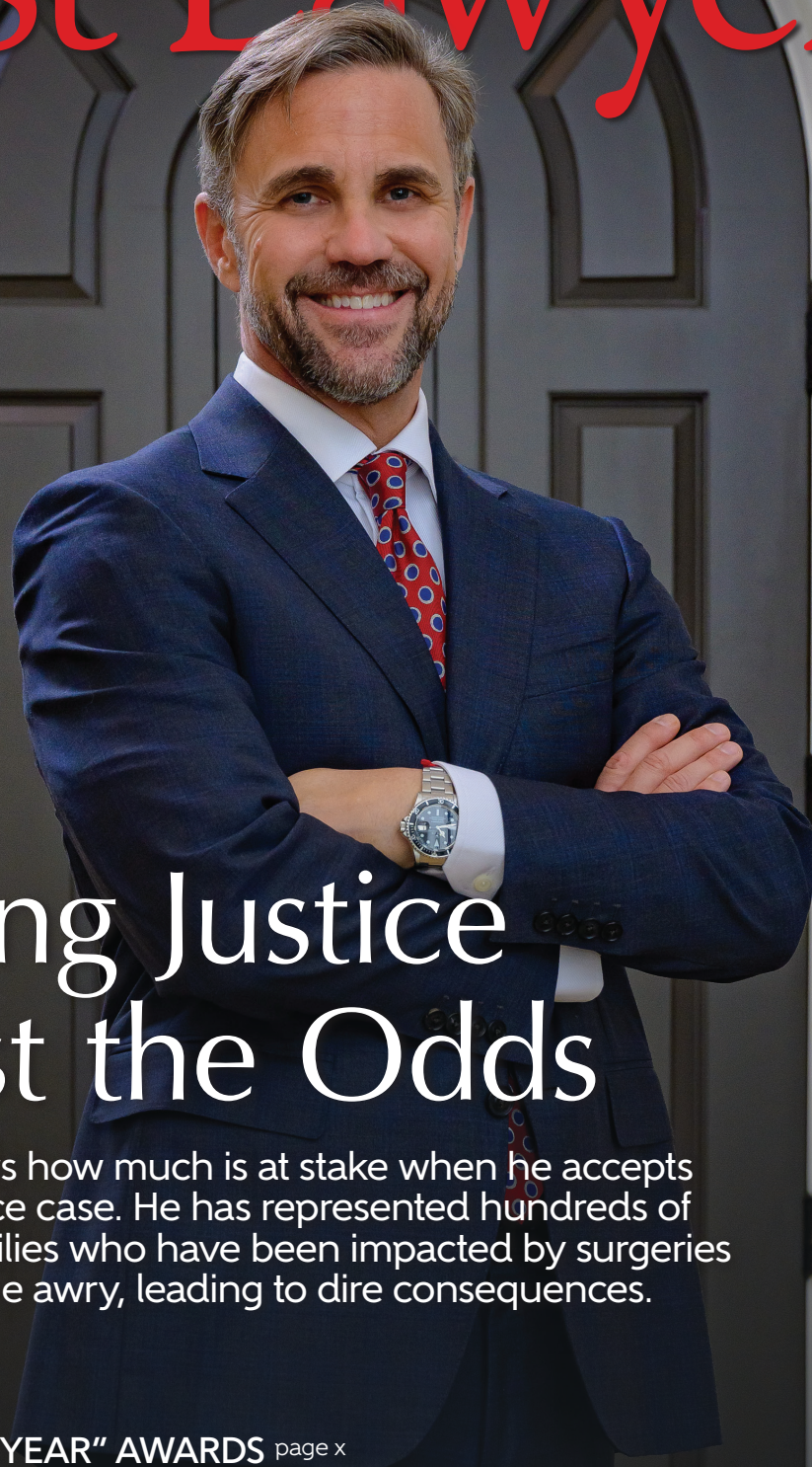


Best Lawyers®



Securing Justice Against the Odds

Adam Malone knows how much is at stake when he accepts a medical malpractice case. He has represented hundreds of clients and their families who have been impacted by surgeries and procedures gone awry, leading to dire consequences.

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Securing Justice Against the Odds

Adam Malone has secured some of the most impactful resolutions among Georgia's plaintiffs' Bar. But with a tiny fraction of medical malpractice claims reaching trial, the Malone Law owner understands the significance of each case and discusses why his clients' catastrophic injuries are certain to resonate with juries in 2025.

—By Justin Smulison

MALONE'S dedication to injured patients, as well as his unique grasp of the interconnection between health care and law has kept him at the forefront of Georgia's legal landscape for decades, enabling him to secure favorable resolutions that ensure his clients can maximize their ability to recover physically and financially.

"When a hospital or doctor acts negligently, the catastrophic injuries can include damage to the brain, spinal cord, or limbs, which can result in death or require a lifetime of care," says Malone, who in 2016 was named the *Best Lawyers* "Lawyer of the Year" in Medical Malpractice Law in Atlanta. "Between the extent of the client's injury, their ability to heal and the economic toll due to disability, loss of resources, medical bills and the fulltime job of recovery, livelihoods and sometimes survival itself hangs in the balance in our malpractice trials."

Medical Malpractice Trends in Georgia

Malone maintains that his firm is selective in its caseload, because they spend months – if not years – preparing for a trial. New data supports the gravity of need for extensive pre-trial investigation and workup. Recent information from the Center For Justice & Democracy and the National Center for State Courts (NCSC) notes in 2023 medical malpractice cases represented a fraction of 1% of state trial court civil caseloads; furthermore, juries continue to resolve a low percentage of state medical malpractice cases in the U.S., with rates ranging from 1.48 to 6.49% in 2023. This means that most cases are resolved after extensive litigation, but prior to trial.

Informed by this data, Malone Law still always prepares for trial. "The best pretrial resolutions can only be achieved by being fully prepared with a sincere desire to go to trial," says Malone. "We are

always prepared, and we relish every opportunity we have to present our compelling causes to the jury. Because of this, most insurance companies choose to resolve with us prior to trial.

"Each case feels like the world is at stake, because a person's or family's entire future is on the line. Their lives have been turned upside down through no fault of their own and need relief and accountability. That is true justice."

Indeed, the firm's caseload for 2025 already has trial dates and are likely to capture the attention of medical providers and those with the power to make necessary changes. They include:

- The victim of brain surgery gone awry when the surgeon used an improper pathway to remove a benign mass. The patient was left brain damaged and requires around-the-clock care.
- A brain injury, which led to complete body paralysis. After four years, the client passed away, changing the scope to a wrongful death matter.
- A woman being treated for a broken ankle who was over-medicated and ignored, died shortly after.
- Additionally, Malone notes a rise in "never events," which are defined by the Centers for Medicare & Medicaid Services as, "serious and costly errors in the provision of health care services that should never happen."

"Many of these 'never event' cases are stemming from interdisciplinary communication failure, inexperience and a lack of supervision, such as nurses assuming the responsibilities of doctors," says Malone, who is board certified by the American Board of Professional Liability Attorneys and the National

Board of Trial Advocates. "Clear communication, an honest recognition of your professional limitations and the courage to call for help before you get in over your head is essential to protect lives. When communication failures occur or ego gets in the way, the patient is in danger and the tragic result is a catastrophic, but completely avoidable injury."

Strengthening the Profession to Further Protect the Public

Malone is one of the legal profession's foremost authorities on traumatic brain injuries (TBI). A longtime member of the American Association for Justice's (AAJ), he is the former Chair of the AAJ Traumatic Brain Injury Litigation Group. In 2023, he completed his term as President of the Georgia Trial Lawyers Association, but remains committed to GTLA's mission of preserving the right to trial by jury and to the independence of the courts. He continues his commitment to survivors of brain and spinal cord injury by serving on the Foundation Board for the Shepherd Brain and Spinal Center, the nation's leading brain and spinal cord injury rehabilitation hospital. He is also strengthening the quality of the next generation of lawyers by serving as Chair of the Board of Directors for Atlanta's John Marshall Law School.

"I hope to make a meaningful contribution to our community and give back," he says. "I'll always be available to help an organization whose mission is to help people rebuild their lives through quality healthcare services and those that uphold the principles that our country is based upon – most notably your right to stand on your soapbox and speak your mind, cast your vote at the ballot box and to participate in the purest form of self-government the world has ever known by serving in the jury box." **B**



MALONE LAW

A Tradition of Excellence

MEDICAL NEGLIGENCE, BRAIN INJURY, CATASTROPHIC INJURY

MALONE LAW is one of the most recognizable plaintiff's firms in Georgia, due to their six decades of courtroom successes. But firm owner Adam Malone has maintained that the greatest achievements occur after case is resolved, when clients and their families can heal, following unthinkable injuries.

"Our clients have often suffered massive physical, financial and emotional trauma at the hands of the very medical providers they trusted to protect them," said Malone a Board-Certified Civil Trial Lawyer, who in 2016 was named the *Best Lawyers* "Lawyer of the Year" in Medical Malpractice Law in Atlanta. "It is the ultimate privilege to fight for them. We also see the bigger picture as each case we accept becomes a cause worth fighting to bring about changes necessary to prevent harm in the future."

Led by Adam Malone and founded by his late father, Thomas "Tommy" Malone – a trial law trailblazer who launched the firm more than 60 years ago – Malone Law has helped thousands

of injured people, and their families recover following catastrophic injuries and fatalities sustained due to medical malpractice and other negligence.

The past year was another standout, as the firm secured more than \$50 million in confidential verdicts and settlements for their clients. These high-value resolutions stemmed from devastating brain damage and amputation to birth injuries in newborn children, but all shared the need for a unique understanding of the interconnectedness of health care and the law in order to achieve favorable outcomes. Malone Law has demonstrated its knowledge of these complex areas, which has set them apart from other Georgia firms and earned them *Best Law Firms* Tier 1 rankings in Atlanta for Personal Injury Litigation—Plaintiffs and Medical Malpractice Law—Plaintiffs.

"We have evolved along with the legal landscape, and through hard work, listening and the creative use of technology and demonstrative evidence, we connect more deeply with juries, judges, opposing parties and counsel"

noted Malone, who in 2023 completed his term as President of the Georgia Trial Lawyers Association. "We know how to spot systemic deficiencies and careless practices, and we fight for accountability, compensation and ultimately to change the flawed systems and behaviors that cause harm."

The familial nature of Malone Law is also one of its strongest assets, as trial attorney Meri Benoit Link and several staff members have been with the firm for decades and mentored by Tommy Malone. In 2024, Malone Law also welcomed its newest trial attorney, Christopher Carter, a former Mississippi State Prosecutor and Assistant United States Attorney. Malone noted that Carter's creativity adds to the firm's broad range of perspectives, which is further embedded into the firm's culture.

"Malone Law honors its past and continues to build its future," Malone said. "Our talented bench is growing and will continue to be comprised of dedicated advocates who truly believe in using the law to help and protect others."