



## Karen P. Holland

Partner

504.593.0624

[kholland@deutschkerrigan.com](mailto:kholland@deutschkerrigan.com)

### Practices

Healthcare Litigation

Insurance Coverage

Manufacturer's Liability & Products Liability

Premises Liability

Professional Liability of Attorneys, Accountants, Agents & Brokers

### Industries

Healthcare

Insurance

### Bar Admissions

Louisiana

### Education

J.D., Loyola University of New Orleans, 1993

B.A. Louisiana State University

Concentrating primarily in the areas of medical malpractice and legal malpractice defense, Karen P. Holland has over twenty years of experience representing a cross-section of healthcare professionals, including individual health care providers, hospitals, long term care facilities, clinics, same day surgery centers, and their various insurers.

Ms. Holland's defense methods include a thorough, determined and vigorous defense of the medical professional throughout the pre-litigation medical review panel phase to conclusion. She has a deep understanding that suggesting alternative methods to reach a solution helps the client maintain control over the process. This also allows for the earliest possible successful resolution of the claim for her clients in the most cost-effective manner possible.

When defending health care professionals and facilities in the New Orleans area and throughout Louisiana, Ms. Holland is involved in all phases of those actions, including medical review panel proceedings, litigation, appeals and administrative/disciplinary proceedings brought before the Louisiana State Board of Medical Examiners and other medical licensing agencies. She has represented a wide range of individual health care providers, including physicians, nurses, physical therapists, CRNAs, occupational therapists, nurse practitioners, chiropractors, home health care agencies and psychologists.

Expanding her focus beyond medical professionals, Ms. Holland also defends attorneys against legal malpractice claims before the Louisiana Office of Disciplinary Counsel and in litigation matters. Other professional liability practices include the defense of real estate agents and brokers and insurance agents and adjusters.

### Professional Associations

- American Bar Association
- New Orleans Bar Association
- Defense Research Institute
  - Liability and Health Care Law Committee
  - Product Liability Committee
- Louisiana State Bar Association
- Medical Malpractice Lawyer Network

### Accolades

- *The Best Lawyers in America*® (Professional Malpractice Law - Defendants), 2020

## Representative Successes

- **Medical Malpractice**

Ms. Holland successfully argued and won a motion for summary judgment and dismissal of all claims for her hospital client in a case in which the plaintiffs, on behalf of their decedent, maintained that the hospital and other health care provider defendants were negligent in care rendered to a diabetic patient including an allegation that there was a failure to timely diagnose and treat complications which arose after surgery. Ms. Holland obtained an early dismissal of all claims against her hospital client, with prejudice, through summary judgment arguing that plaintiffs had failed to provide expert testimony sufficient to carry their burden of proof at trial.

*Otis Wallace, et al v. DK Client, 22nd Judicial District Court for St. Tammany Parish, Case No. 2012-10054*

- **M.A.S. v. DK Client**

In this case, plaintiff filed a medical review panel complaint against several health care providers, including DK's client, alleging that the health care providers, negligently failed to diagnose Cauda Equina Syndrome (CES) during her visit to an ER on 11/26/12. Her claimed damages included pain and suffering, permanent disability, disfigurement, loss of enjoyment of life, and loss of earnings and earning capacity. (CES is an uncommon compression of the nerves at the end of the spinal cord within the spinal canal. It can be caused by any condition which results in direct irritation or pinching of the nerves at the end of the spinal cord, including herniated discs, tumors or other abnormal growths, or localized infection near the spinal cord.) The plaintiff, a 32 year old female, was left a paraplegic as a result of her condition.

During the medical review panel phase, Karen P. Holland for DK argued that there was no breach of the standard of care on the part of her client and won a unanimous decision to that effect from the Medical Review Panel. Notwithstanding that favorable Panel decision, the plaintiff filed a lawsuit against DK's client and another healthcare provider defendant seeking the statutory maximum recovery of \$500,000 in general damages plus judicial interest and future medical expenses.

Through a continued vigorous defense of the case through the litigation phase, Ms. Holland was able to convince plaintiff to dismiss the case against her client without payment of any kind, while the other health care provider settled the claim in 2017.

- **Williams v. DK Client, et al, 16th Judicial District for Iberia Parish, Case no. 96-977**

A two week jury trial arising out of the death of a nineteen year old patient following a brain injury from a fall ended in a defense verdict for all defendants, including DK's client, an ICU nurse, alleged to have failed to timely monitor and treat the patient during the three days that he was in Intensive Care prior to his death.

- **Daniel Sappington, et al v. DK Client, 22nd Judicial District Court for St. Tammany Parish, Case no. 2013-13890**

Plaintiffs in this case alleged that Sappington was damaged as a result of a negligently performed cervical facet block injection by the defendant health care professionals. Plaintiffs further alleged that the defendants failed to obtain proper informed consent prior to the procedure. After a minimal amount of discovery, Ms. Holland successfully urged a motion for summary judgment and secured the dismissal of the case against the DK Client, with prejudice.

- **Legal Malpractice**

Ms. Holland secured a full dismissal of all claims, with prejudice, against her clients, a New Orleans area attorney and law firm through motion for summary judgment. The attorney and firm were sued by former bankruptcy clients, a husband and his ex-wife, who were denied bankruptcy relief when they were accused by the Bankruptcy Trustee of attempting to protect their assets from seizure through a divorce scheme that transferred ownership of their assets to the ex-wife and left the liabilities in the husband's name, to be discharged in bankruptcy. Summary Judgment was granted when the trial court found that there was no genuine issue of material fact that the plaintiffs' attempt to conceal and

shield their assets from the bankruptcy court included a deliberate attempt to conceal those transactions from their attorney, as well.

*Trinh v. DK Clients*, 19th Judicial District Court for East Baton Rouge Parish, Case No. 602302.

- ***Falcons Crest, LLC v. DK Clients, 22nd Judicial District Court for St. Tammany Parish, Case no. 2010-13853***

In a legal malpractice lawsuit arising out of a failed real estate transaction, DK's attorney client was retained by the buyer to act as the closing attorney/notary on the transaction. When the transaction failed, the seller sued the buyer and the closing attorney, specifically arguing that the seller was damaged by the alleged negligence of DK's client in the performance of his duties as the closing attorney. In a Motion for Summary Judgment, Ms. Holland argued that there was no breach of duty by the DK client and demonstrated that the real estate transaction failed for reasons entirely unrelated to any duties imposed upon the closing notary. The court granted summary judgment for the DK client, dismissing with prejudice all claims of the seller against the closing notary.