



# SAXTON & STUMP

LAWYERS AND CONSULTANTS

## MATTHEW W. RAPPLEYE, ESQ.

ATTORNEY • SHAREHOLDER

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## EXPERIENCE

Matthew W. Rappleye, Esq., Chair of the Insurance Law Group, concentrates his practice on health law, appellate and post-trial advocacy, and insurance coverage issues. His practice involves the representation of hospitals, doctors, and healthcare professionals and includes counseling, mitigation, and litigation. He advises healthcare clients on risk mitigation, quality improvement, and medical staff issues. Matt works with hospitals and physician practices on issues pertaining to electronic health records and implementing and managing electronic medical records systems. In addition, he maintains an active litigation practice defending healthcare providers in professional liability matters.

Matt is the firm's General Counsel and manages professional responsibility and professional liability risk matters for the firm.

Matt has an extensive insurance counseling and insurance coverage practice. He works closely with the underwriting committees of several professional liability insurers and assists in the drafting of insurance contracts, policy language, and endorsements for insurers as well as providing advice and counsel with respect to internal manuals, policies, and applications. Matt handles insurance coverage questions and insurance coverage litigation. He has advised professional liability insurers and insureds, general liability insurers and insureds, and others on the scope, meaning, and interpretation of policy provisions. He has litigated coverage questions in state and federal court in the Commonwealth as well as other courts around the country. Matt also has experience advising clients on insurance bad faith issues and litigating insurance bad faith claims in Pennsylvania.

Matt has worked closely with the Pennsylvania Department of Insurance and Mcare on various issues pertaining to professional liability insurance coverage. He has participated in Insurance Department hearings regarding questions pertaining to Mcare coverage and has litigated Mcare coverage in the Commonwealth Court.

Matt also has an extensive appellate practice and presents arguments and briefs regularly in the Pennsylvania Superior Court, Commonwealth Court, and the U.S. Court of Appeals for the Third Circuit. Matt has briefed and argued appellate victories for his clients in each of these venues in a wide range of issues.

## **PRACTICES**

- Insurance Law
- Appellate and Post-Trial Advocacy
- Attorney and Judicial Ethics and Discipline
- Healthcare Litigation and Mitigation
- Quality Assurance and Peer Review
- Risk Mitigation and Safety

## **EDUCATION**

- Boston University School of Law, J.D., *cum laude*, 1992
- University of Pennsylvania, B.A., 1989

## **BAR ADMISSIONS**

- Pennsylvania
- Illinois

## **COURT ADMISSIONS**

- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the District of Arizona
- U.S. Court of Appeals for the Third Circuit

## **MEMBERSHIPS**

- Berks County Bar Association
- Chester County Bar Association
- Pennsylvania Bar Association
- American Bar Association
- Former Member of Board of Directors, Junior Achievement of Berks County
- Former Board Member and Chair of Administration, Finance and Personnel Committee, Threshold Rehabilitation Services, Inc.

## RELEVANT EXPERIENCE

- Former national counsel for an insurer defending and coordinating coverage litigation in multiple jurisdictions
- Successfully defended insurance bad faith matter to defense verdict at arbitration
- Represented defendant in an intellectual property matter involving the nation's first outsourced and privatized E-911 emergency response system. Jury verdict returned in favor of client rejecting plaintiff's claims for award of liquidated termination fee as a result of termination of agreement due to improper creation and implementation of system

### **Briefed and argued the appeals in many recent matters including:**

- Third Circuit affirms ruling that hospital was immune from suit under the Pennsylvania Workers Compensation Act. [\*No. 15-2728, 647 Fed. Appx. 126 \(3d Cir. Apr. 19, 2016\)\*](#)
- Supreme Court denies application for exercise of King's Bench powers in case where no underlying injury occurred and the damages claimed arose from a fear of future infection. [\*No. 208 MM 2017 \(Feb. 27, 2018\)\*](#)
- Superior Court concludes venue in a medical malpractice case may lie where care is being directed and decisions are being made by a physician. [\*166 A.3d 1265 \(Pa. Super. 2017\), appeal denied, No. 483 EAL 2017, 2018 Pa. LEXIS 1531 \(Pa. 2018\)\*](#)
- Superior Court affirms compulsory non-suit in bowel perforation case due to failure of the patient's expert witness to testify to the requisite degree of medical certainty. [\*No. 1383 MDA 2016, 2017 Pa. Super. Unpub. LEXIS 1280 \(Apr. 6, 2017\), appeal denied, 172 A.3d 1117 \(Pa. 2017\)\*](#)
- Superior Court held the Mental Health Procedures Act does not require a final commitment determination to be made within two hours of arrival to a treatment facility. [\*No. 6 MDA 2016 \(Pa. Super. Nov. 15, 2016\)\*](#)
- Superior Court upholds trial court's decision to permit a hematologist to testify regarding the standard of care of an interventional cardiologist. [\*145 A.3d 1171 \(Pa. Super. 2016\)\*](#)