



## David S. Cohen

### Partner

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**AV® PREEMINENT™** David S. Cohen has practiced law at MSZL&M his entire career. As a civil litigation trial attorney  
Martindale-Hubbell®  
Lawyer Ratings

he works with licensed professionals in all disciplines including physicians, surgeons, dentists, nurses, psychologists, social workers, first responders, attorneys and insurance brokers. Mr. Cohen routinely handles cases involving catastrophic damages in the fields of healthcare and construction.

Mr. Cohen has taken jury verdicts in both State and Federal courts in Pennsylvania and New Jersey and has arbitrated others to successful resolution. He has done so in many fields/specialties, including: cardiology, cardiothoracic surgery, neurosurgery, obstetrics/gynecology, orthopedics, laser eye surgery, psychology, medical transport and urology. Mr. Cohen has also participated in numerous catastrophic medical malpractice and brain injury cases. He has significant experience in mediating cases and has secured many favorable outcomes through the alternative dispute resolution process.

Mr. Cohen recently defended Pennsbury School District in the case of Zauflik v. Pennsbury School District. He was successful in filing and arguing post-trial motions to have a \$14,000,000 verdict molded to \$502,661 under the terms of the Pennsylvania Political Subdivision Tort Claims Act. The decision was argued all the way up to the Pennsylvania Supreme Court where it was unanimously upheld despite plaintiff's argument that the Act's cap on damages is unconstitutional.

## Other Representative Cases:

Represented a Laser Eye Surgeon in 18 cases in Northern NJ with alleged damages of over \$25,000,000. Resolved all cases at binding arbitration within \$3,000,000 policy.

Represented social workers that were alleged to have acted as a cult for personal gain causing the breakup of numerous families. Suit was brought on behalf of numerous claimants. All cases were favorably resolved at mediation after protracted litigation. A documentary was done about the underlying matter on a PBS series.

Defended an OB/GYN who was alleged to have failed to diagnose endometriosis resulting in a hysterectomy. Defense verdict obtained within 15 minutes of the jury receiving the case.

Represented day care facility that was alleged to have locked a child in a closet with a Barney stuffed doll and told him that if he didn't go to sleep Barney would become a monster and attack him. Alleged catastrophic psychological damages to child and possible licensing issues. Case resolved at mediation.

Represented a General Contractor in a construction case involving death of a worker at an electrical substation building that was being overhauled. Plaintiff alleged that death resulted from a defective crane and that there was knowledge of the defect prior to this incident. Demand was \$50,000,000 including claims for punitive damages. Case settled during trial for \$17,500,000 with the insured only contributing 2% of the settlement.

## Recognition and Involvement:

Mr. Cohen has recently been elected to the Governing Council of the Pennsylvania Bar Association Civil Litigation Section. He has also been selected to serve as Judge Pro Tempore at Settlement Conferences for cases in the Major Jury Trial program in Philadelphia's Court of Common Pleas, a *pro bono* position. Mr. Cohen is AV Preeminent Rated by Martindale-Hubbell.

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## Practice Areas

- Medical Malpractice
- Premises Liability
- Professional Negligence
- Construction Litigation
- Restaurant, Retail & Hospitality

## Education

- University of Pittsburgh School of Law, J.D. (1991)
- University of Delaware, BA (1988)

## Bar Admissions

- Pennsylvania
- New Jersey
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Western District of Pennsylvania
- United States District Court for the District of New Jersey
- United States District Court for the Middle District of Pennsylvania.